

355.6A Monument preservation certificate.

1. If during the construction of a public improvement project the governmental entity or other organization responsible for the public improvement project determines that a monument is likely to be disturbed or removed, the entity or organization shall hire or cause to be hired a surveyor to locate and preserve, in the manner provided in [this section](#), the monuments likely to be disturbed or removed. However, any United States public land survey corner monuments that are within the construction corridor of a public improvement project shall be preserved and replaced pursuant to [section 355.11](#).

2. *a.* The surveyor shall review all relevant documents of record, including those retained by federal, state, county, and city offices, necessary for locating the monuments likely to be disturbed or removed. The surveyor shall also conduct a field survey of the construction corridor to locate such monuments and preserve their positions and, if applicable, their elevations.

b. Following the completion of the public improvement project, the surveyor shall replace any monument disturbed or removed at its preserved position pursuant to [section 355.6, subsection 1](#). Elevation shall be preserved, if applicable, by using appropriate survey methods to determine a relative elevation on a nearby physical structure.

c. If the replacement of a monument at the preserved location is unsafe or impractical, the surveyor may, in lieu of establishing a reference monument, use a federal, state, county, or city geographic coordinate system to preserve the position.

3. The surveyor shall prepare a monument preservation certificate to record and identify a monument location preserved under [this section](#). Multiple monuments preserved for the same public improvement project may be identified on a single certificate. The size of each sheet making up the certificate shall not be less than eight and one-half inches by eleven inches. The monument preservation certificate shall include, at a minimum, the following information:

a. A description of the public improvement project and the jurisdiction or organization under which the certificate was prepared.

b. A description of the land on which the monument is located within, including the section number, township, range, county, quarter section description, and official plat name, if applicable.

c. A description of the monument prior to being disturbed or removed, including but not limited to its size, shape, material, and color. However, the surveyor shall not be required to state the significance of any such monument.

d. A description of the procedure used to preserve the position of the monument. When a federal, state, county, or city geographic coordinate system is used to preserve the position of the monument, such description shall include a coordinate listing and elevation, if applicable, of all coordinate system access monuments used and the official name of the system, along with the geographic datum to which the coordinate system is referenced.

e. A description of the replacement monument after being preserved, including but not limited to its size, shape, material, and color. However, the surveyor shall not be required to state the significance of any such replacement monument.

f. Where the elevation of a monument is preserved, a description of the monument prior to and after replacement, including the relative elevation and a minimum of three reference ties.

g. A plan-view site drawing depicting the monument with reference to the physical surroundings and natural or man-made objects in sufficient detail to facilitate the preservation of the monument, including project control, nearby monuments, street or highway centerlines, project corridor right-of-way lines, trees, fences, or structures.

h. A statement by the surveyor certifying that the work was performed by the surveyor or under the surveyor's direct personal supervision, which shall be signed and dated by the surveyor and bear the surveyor's Iowa license number and legible seal.

4. *a.* The monument preservation certificate shall be filed with the county recorder pursuant to [section 331.606B, subsection 5](#), no later than thirty days after the certificate is signed by the surveyor.

b. The county recorder shall index the monument preservation certificate according to the township, range, section number, and quarter section on which the monument is located

within. If the monument is located within an official plat, the county recorder shall index the certificate alphabetically by the official plat name.

c. The index legend affixed to such certificate shall include the following information:

(1) The surveyor's name, mailing address, and other contact information.

(2) The name of the governmental entity or other organization under which the surveyor provided the professional service.

(3) The aliquot part or parts of the United States public land survey system or portion of official plat that the monument is located within.

(4) The name of the governmental entity or other organization requesting the monument preservation certificate pursuant to [this section](#).

(5) Information necessary for the county recorder to return the certificate.

5. a. A monument preservation certificate shall not be prepared in lieu of a plat of survey or acquisition plat where a true land boundary survey is required.

b. A monument preservation certificate shall not be prepared for the identification or establishment of survey corners or right-of-way corners.

c. The surveyor preparing a monument preservation certificate shall be liable only for the accuracy or placement of the replacement monument and not for the accuracy or placement of the original monument.

[2016 Acts, ch 1064, §3](#)

NEW section