

**263—11.2(368) Identification of existing islands.** Islands are to be identified by the board of supervisors of each county and verified by the city development board.

**11.2(1) Board of supervisors' notification.** The board of supervisors of each county shall notify the city development board of the existence of all islands within the county that were not a part of a city by annexation or incorporation as of January 15, 1992. Notification shall include a legal description of the island, a listing of the name and mailing address of all owners of property within the island, and a map showing the island's location in relationship to the city or cities surrounding the island.

**11.2(2) Verification of island status.** In order to verify each county's identification of islands, the city development board shall:

*a.* Give notice of the island identification and right to contest existence of the island or identify additional islands to each city within whose boundaries an island has been identified. If an identified island is bordered by more than one city, each city whose boundaries border the island shall be notified.

*b.* Allow each city the opportunity to contest the island designation by providing written objection to the designation to the city development board within 30 days of the date of receipt of the board's notice and to identify islands omitted from the listing provided by the county board of supervisors. A city's identification of additional islands shall include all of the information required by subrule 11.2(1).

*c.* If a city does not contest the island designation, the board will presume the designation is accurate.

*d.* If a city does contest the designation or identifies additional islands, or if information is presented to the board by a resident of the island, city, or county challenging the island designation, the board shall contact the auditor of the county or counties within which the property is located to verify the current tax status of the territory identified as an island and all contiguous properties. The board will rely upon certification of the status of the territory by the county auditor as conclusive evidence of the nature of the territory and will, in cases where a contest or challenge is raised, base its determination of the existence of the island on this certification.