LEGISLATURE OF THE STATE OF IDAHO
Sixtieth Legislature Second Regular Session - 2010

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 425

BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE COORDINATE SYSTEM OF LAND DESCRIPTION; AMENDING SECTION 50-1301, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1304, IDAHO CODE, TO PROVIDE REQUIREMENTS RELATING TO CERTAIN COORDINATES SHOWN ON A PLAT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1701, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE FOR A SINGLE ZONE COORDINATE AREA AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1702, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE REQUIREMENTS FOR REFERENCING THE SINGLE ZONE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 55-1703, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE AND TO REVISE PROVISIONS RELATING TO PLANE COORDINATES; AMENDING SECTION 55-1704, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DOCUMENTS REPORTING COORDINATES WITHIN TWO ZONES; AMENDING SECTION 55-1705, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO MAKE TECHNICAL CORRECTIONS AND TO DEFINE THE IDAHO COORDINATE SYSTEM OF 1983, SINGLE ZONE; REPEALING SECTION 55-1706, IDAHO CODE, RELATING TO THE FIVE KILOMETER TRIANGULATION LIMITATION; REPEALING SECTION 55-1707, IDAHO CODE, RELATING TO THE USE OF THE TERM IDAHO COORDINATE SYSTEM OF 1927, EAST, CENTRAL, WEST ZONE; AMENDING SECTION 55-1708, IDAHO CODE, TO CLARIFY SUPPLEMENTAL COORDINATE DESCRIPTIONS; AND AMENDING SECTION 55-1907, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO COORDINATES SHOWN ON CERTAIN MAPS AND PLATS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 50-1301, Idaho Code, be, and the same is hereby amended to read as follows:

50-1301. DEFINITIONS. The following definitions shall apply to terms used in this section and sections 50-130~~1~~2 through 50-1334, Idaho Code.

(1~~.~~) Basis of bearing: The bearing in degrees, minutes and seconds, or equivalent, of a line between two (2) monuments or corners that serves as the reference bearing for all other lines on the survey;

(2) Easement: A right of use, falling short of ownership, and usually for a certain stated purpose;

~~2.~~(3) Functioning street department: A city department responsible for the maintenance, construction, repair, snow removal, sanding and traffic control of a public highway or public street system which qualifies such department to receive funds from the highway distribution account to local units of government pursuant to section 40-709, Idaho Code;

~~3.~~(4) Idaho coordinate system: That system of coordinates established and designated by chapter 17, title 55, Idaho Code;

~~4.~~(5) Monument: A physical structure or object that occupies the position of a corner;

~~5.~~(6) Owner: The proprietor of the land~~,~~ (having legal title);

~~6.~~(7) Plat: The drawing, map or plan of a subdivision, cemetery, townsite or other tract of land, or a replatting of such, including certifications, descriptions and approvals;

~~7.~~(8) Private road: A road within a subdivision plat that is not dedicated to the public and not a part of a public highway system;

~~8.~~(9) Public highway agency: The state transportation department, any city, county, highway district or other public agency with jurisdiction over public highway systems and public rights-of-way;

~~9.~~(10) Public land survey corner: Any point actually established and monumented in an original survey or resurvey that determines the boundaries of remaining public lands, or public lands patented, represented on an official plat and in the field notes thereof, accepted and approved under authority delegated by congress to the U.S. general land office and the U.S. department of interior, bureau of land management;

~~10.~~(11) Public right-of-way: Any land dedicated and open to the public and under the jurisdiction of a public highway agency, where the public highway agency has no obligation to construct or maintain said right-of-way for vehicular traffic;

~~11.~~(12) Public street: A road, thoroughfare, alley, highway or bridge under the jurisdiction of a public highway agency;

~~12.~~(13) Reference monument: A special monument that does not occupy the same geographical position as the corner itself, but whose spatial relationship to the corner is known and recorded~~,~~ and which serves to witness the corner;

~~13.~~(14) Sanitary restriction: The requirement that no building or shelter which will require a water supply facility or a sewage disposal facility for people using the premises where such building or shelter is located shall be erected until written approval is first obtained from the state board of health and welfare by its administrator or his delegate approving plans and specifications either for public water and/or sewage facilities, or individual parcel water and/or sewage facilities;

~~14.~~(15) Street: A road, thoroughfare, alley, highway or a right-of-way which may be open for public use but is not part of a public highway system nor under the jurisdiction of a public highway agency;

~~15.~~(16) Subdivision: A tract of land divided into five (5) or more lots, parcels, or sites for the purpose of sale or building development, whether immediate or future; provided that this definition shall not include a bona fide division or partition of agricultural land for agricultural purposes. A bona fide division or partition of agricultural land for agricultural purposes shall mean the division of land into lots, all of which are five (5) acres or larger, and maintained as agricultural lands. Cities or counties may adopt their own definition of subdivision in lieu of the above definition;

~~16.~~(17) Witness corner: A monumented point usually on a lot line or boundary line of a survey, near a corner and established in situations where it is impracticable to occupy or monument the corner.

SECTION 2. That Section 50-1304, Idaho Code, be, and the same is hereby amended to read as follows:

50-1304. ESSENTIALS OF PLATS. (1) All plats offered for record in any county shall be prepared in black opaque image upon stable base drafting film with a minimum base thickness of 0.003 inches, by either a photographic process using a silver image emulsion or by use of a black opaque drafting film ink, by mechanical or handwritten means. The drafting film and image thereon shall be waterproof, tear resistant, flexible, and capable of withstanding repeated handling, as well as providing archival permanence. If ink is used on drafting film, the ink surface shall be coated with a suitable substance to assure permanent legibility. The drafting film must be of a type which can be reproduced by either a photographic or diazo process. Plats shall be eighteen (18) inches by twenty-seven (27) inches in size, with a three and one-half (3 1/2) inch margin at the left end for binding and a one-half (1/2) inch margin on all other edges. No part of the drawing or certificates shall encroach upon the margins. Signatures shall be in reproducible black ink. The sheet or sheets which contain the drawing or diagram representing the survey of the subdivision shall be drawn at a scale suitable to ~~insure~~ ensure the clarity of all lines, bearings and dimensions. In the event that any subdivision is of such magnitude that the drawing or diagram cannot be placed on a single sheet, serially numbered sheets shall be prepared and match lines shall be indicated on the drawing or diagram with appropriate references to other sheets. The required dedications, ~~acknowledgements~~ acknowledgments and certifications shall appear on any of the serially numbered sheets.

(2) The plat shall show: (a) the streets and alleys, with widths and courses clearly shown; (b) each street named; (c) all lots numbered consecutively in each block, and each block lettered or numbered, provided~~,~~ however, in a platted cemetery, that each block, section, district or division and each burial lot shall be designated by number or letter or name; (d) each and all lengths of the boundaries of each lot shall be shown, provided~~,~~ however, in a platted cemetery, that lengths of the boundaries of each burial lot may be shown by appropriate legend; (e) the exterior boundaries shown by distance and bearing; (f) descriptions of survey monuments; (g) point of beginning with ties to at least two (2) public land survey corner monuments in one (1) or more of the sections containing the subdivision, or in lieu of public land survey corner monuments, to two (2) monuments recognized by the county surveyor; and also, if required by the city or county governing bodies, give coordinates based on the Idaho coordinate system; (h) the easements; (i) basis of bearings; and (j) subdivision name.

(3) When coordinates in the Idaho coordinate system are shown on a plat, the plat must show the national spatial reference system monuments and their coordinates used as the basis of the survey; the zone; the datum and adjustment; and the combined adjustment factor and the convergence angle and the location where they were computed.

SECTION 3. That Section 55-1701, Idaho Code, be, and the same is hereby amended to read as follows:

55-1701. ESTABLISHING COORDINATE SYSTEM -- DESIGNATING ZONES. (1) The system of plane coordinates which has been established by the national ocean service/national geodetic survey, ~~formerly the United States coast and~~

~~geodetic survey,~~ or its successors, for defining and stating the positions or locations of points ~~on the surface of the earth~~ within the state of Idaho is to be known and designated as the "Idaho coordinate system of 1983." ~~and the "Idaho coordinate system of 1927." "The Idaho coordinate system of 1927" may be used through December 31, 1995.~~ On and after January 1, 1996, only the "Idaho coordinate system of 1983" shall be used.

(2) For the purpose of the use of this system the state is either divided into an "east zone," a "central zone," and a "west zone~~.~~" or alternatively, a state comprehensive "single zone."

(3) The area ~~now~~ included in the following counties shall constitute the ~~E~~east ~~Z~~zone: Bannock, Bear Lake, Bingham, Bonneville, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power and Teton.

(4) The area ~~now~~ included in the following counties shall constitute the ~~C~~central ~~Z~~zone: Blaine, Butte, Camas, Cassia, Custer, Gooding, Jerome, Lemhi, Lincoln, Minidoka and Twin Falls.

(5) The area ~~now~~ included in the following counties shall constitute the ~~W~~west ~~Z~~zone: Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Idaho, Kootenai, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington.

(6) The area included within the boundaries of the state of Idaho shall constitute the single zone.

SECTION 4. That Section 55-1702, Idaho Code, be, and the same is hereby amended to read as follows:

55-1702. ZONE REFERENCES. (1) As established for use in the east zone, ~~the Idaho coordinate system of 1927 or~~ the Idaho coordinate system of 1983 shall be named, and in any ~~land description~~ document in which it is used it shall be designated the ~~"Idaho coordinate system of 1927, east zone" or~~ "Idaho coordinate system of 1983, east zone."

(2) As established for use in the central zone, ~~the Idaho coordinate system of 1927 or~~ the Idaho coordinate system of 1983 shall be named, and in any ~~land description~~ document in which it is used it shall be designated the ~~"Idaho coordinate system of 1927, central zone" or~~ "Idaho coordinate system of 1983, central zone."

(3) As established for use in the west zone, ~~the Idaho coordinate system of 1927 or~~ the Idaho coordinate system of 1983 shall be named, and in any ~~land description~~ document in which it is used it shall be designated the ~~"Idaho coordinate system of 1927, west zone" or~~ "Idaho coordinate system of 1983, west zone." ~~For limitations on the use of the coordinate systems of 1927 and 1983, see section 55-1710, Idaho Code.~~

(4) As established for use in the single zone, the Idaho coordinate system of 1983 shall be named, and in any document in which it is used it shall be designated the "Idaho coordinate system of 1983, single zone."

SECTION 5. That Section 55-1703, Idaho Code, be, and the same is hereby amended to read as follows:

55-1703. PLANE COORDINATES. The plane coordinates ~~of a point on the earth's surface,~~ to be used in expressing the position or location of ~~such~~ a point in the appropriate zone of this system, shall consist of two (2)

distances~~, expressed in United States survey feet and decimals of a foot when using the Idaho coordinate system of 1927 and~~ expressed in meters and decimals of a meter or in United States survey feet and decimals of a foot when using the Idaho coordinate system of 1983. ~~For state plane coordinate system 27 (SPCS 27), one (1) of these distances, to be known as the "x coordinate," shall give the position in an east and west direction; the other, to be known as the "y coordinate," shall give the position in a north and south direction. For state plane coordinate system 83 (SPCS 83),~~ For conversion purposes, one (1) United States survey foot equals one thousand two hundred (1,200) divided by three thousand nine hundred thirty-seven (3,937) meters. O~~o~~ne (1) of these distances, to be known as "northing" or "N" shall give the position in a north-and-south direction; the other, to be known as the "easting" or "E" shall give the position in an east-and-west direction. These coordinates shall be made to depend upon and conform to the plane rectangular coordinate values ~~for~~ of the ~~monumented points of the North American national geodetic horizontal network~~ national spatial reference system as ~~published~~ maintained and provided by the national ocean service/national geodetic survey or its successors~~, and such plane coordinates shall have been computed on the systems defined in this chapter. Any such station may be used for establishing a survey connection to either the Idaho coordinate system of 1927 or the Idaho coordinate system of 1983, and after December 31, 1995, only to the Idaho coordinate system of 1983~~.

SECTION 6. That Section 55-1704, Idaho Code, be, and the same is hereby amended to read as follows:

55-1704. ~~TRACTS EXTENDING INTO~~ DOCUMENTS REPORTING COORDINATES WITHIN TWO ZONES. When any ~~tract of land to be defined by a single description extends from one into another of the above~~ document reports coordinates that lie within two (2) coordinate zones, the ~~position~~ coordinates of all points ~~on its boundaries may be referred~~ shall refer to ~~either~~ one (1) of ~~such~~ the zones~~, the zone~~ which ~~is used being specifically~~ shall be named in the ~~description~~ document.

SECTION 7. That Section 55-1705, Idaho Code, be, and the same is hereby amended to read as follows:

55-1705. ~~ADOPTION OF NATIONAL OCEAN SERVICE/NATIONAL GEODETIC SURVEY~~ ZONE DEFINITIONS. ~~(1) For the purpose of more precisely defining the Idaho coordinate system of 1927, the following definition by the national ocean service/national geodetic survey is adopted:~~

~~The Idaho coordinate system of 1927, east zone, is a transverse mercator projection of the Clarke spheroid of 1866 having a central meridian 112°10′ west of Greenwich, which meridian has a reduced scale of one part in 19,000. The origin of coordinates is at the intersection of the meridian 112°10′ west of Greenwich and the parallel 41°40′ north latitude. This origin is given the coordinates: x=500,000 feet and y=0 feet.~~

~~The Idaho coordinate system of 1927, central zone, is a transverse mercator projection of the Clarke spheroid of 1866, having a central meridian 114°00′ west of Greenwich which meridian has a reduced scale of~~

~~one part in 19,000. The origin of coordinates is at the intersection of the meridian 114°00′ west of Greenwich and the parallel 41°40′ north latitude. This origin is given the coordinates: x=500,000 feet and y=0 feet.~~

~~The position of the Idaho coordinate system of 1927, west zone, is a transverse mercator projection of the Clarke spheroid of 1866, having a central meridian 115°45′ west of Greenwich, which meridian has a reduced scale of one part in 15,000. The origin of coordinates is at the intersection of the meridian 115°45′ west of Greenwich and the parallel 41°40′ north latitude. This origin is given the coordinates: x=500,000 feet and y=0 feet.~~

~~(2)~~ For the purpose of more precisely defining the Idaho coordinate system of 1983, the following definitions ~~by the national ocean service/national geodetic survey is~~ are adopted:

(1) The Idaho coordinate system of 1983, east zone, is a transverse mercator projection of the North American datum of 1983 based on the geodetic reference system of 1980 (GRS 80), having a central meridian 112°10′ west of Greenwich, which meridian has a reduced scale of one (1) part in nineteen thousand (19,000). The origin of coordinates is at the intersection of the meridian 112°10′ west of Greenwich and the parallel 41°40′ north latitude. This origin is given the coordinates: N=0 meters and E=200,000 meters.

(2) The Idaho coordinate system of 1983, central zone, is a transverse mercator projection of the North American datum of 1983 based on the geodetic reference system of 1980 (GRS 80), having a central meridian 114°00′ west of Greenwich, which meridian has a reduced scale of one (1) part in nineteen thousand (19,000). The origin of coordinates is at the intersection of the meridian 114°00′ west of Greenwich and the parallel 41°40′ north latitude. This origin is given the coordinates: N=0 meters and E=500,000 meters.

(3) The Idaho coordinate system of 1983, west zone, is a transverse mercator projection of the North American datum of 1983 based on the geodetic reference system of 1980 (GRS 80), having a central meridian 115°45′ west of Greenwich, which meridian has a reduced scale of one (1) part in fifteen thousand (15,000). The origin of coordinates is at the intersection of the meridian 115°45′ west of Greenwich and the parallel 41°40′ north latitude. This origin is given the coordinates: N=0 meters and E=800,000 meters.

(~~3~~4) ~~The position of the Idaho coordinate system shall be as marked on the ground by triangulation, traverse and global positioning satellite system stations established in conformity with the standards adopted by the national ocean service/national geodetic survey for A-order, B-order, first-order and second-order work, whose geodetic positions have been rigidly adjusted on the North American datum of 1927 and further refined on the North American datum of 1983, and whose coordinates have been computed on the system herein defined. Any such station may be used for establishing a survey connection with either the Idaho coordinate system of 1927 or the Idaho coordinate system of 1983, and after December 31, 1995, only to the Idaho coordinate system of 1983~~ The Idaho coordinate system of 1983, single zone, is a transverse mercator projection of the North American datum of 1983 based on the geodetic reference system of 1980 (GRS 80), having a central meridian 114°00′ west of Greenwich, which meridian has a reduced scale of one (1) part in two thousand five hundred (2,500). The origin of coordinates is at the intersection of the meridian 114°00′ west of Greenwich and the

parallel 42°00′ north latitude. This origin is given the coordinates: N=1,200,000 meters and E=2,500,000 meters.

SECTION 8. That Section 55-1706, Idaho Code, be, and the same is hereby repealed.

SECTION 9. That Section 55-1707, Idaho Code, be, and the same is hereby repealed.

SECTION 10. That Section 55-1708, Idaho Code, be, and the same is hereby amended to read as follows:

55-1708. COORDINATE DESCRIPTIONS SUPPLEMENTAL. Whenever coordinates based on the Idaho coordinate system are used to describe any tract of land which in the same document is also described by reference to any subdivision, line or corner of the United States public land surveys, the description by coordinates shall be construed as supplemental to the basic description of such subdivision, line or corner contained in the official plats and field notes of the United States public land surveys filed of record, and in the event of any conflict the description by reference to the subdivision, line or corner of the United States public land surveys shall prevail over the description by coordinates unless said coordinates are upheld by adjudication, at which time the coordinate description shall prevail. Every recorded map, survey or conveyance or other instrument affecting title to real property which delineates, describes or refers to such property or any part thereof by reference to coordinates based upon the designated Idaho coordinate system shall also describe the property by reference and tie to either section corner or quarter corner monuments of the United States public land surveys.

SECTION 11. That Section 55-1907, Idaho Code, be, and the same is hereby amended to read as follows:

55-1907. COORDINATES -- BASIS. When coordinates in the Idaho coordinate system are shown on a record of survey map, subdivision plat or a highway right-of-way plat, the map or the plat must show~~:~~

~~(1)~~ ~~T~~the national spatial reference system monuments and their coordinates used as the basis of the ~~coordinates,~~ survey; the zone; the datum~~,~~ and adjustment; and the combined adjustment factor and the ~~zone;~~ convergence angle and the location where they were computed.

~~(2) If GPS is used, a statement that current national geodetic survey procedures were used to establish the coordinates, along with the classification order.~~