

BOUNDARY LINE ADJUSTMENT / MERGER
APPLICATION PROCEDURE

Miami County Planning Department
201 S. Pearl St., Suite 201
Paola, KS 66071
(913) 294-9553
planning@miamicountyks.org

This document summarizes the steps involved in obtaining a Boundary Line Adjustment or Merger in unincorporated Miami County, Kansas. Please note that all adjustments must comply with the requirements listed in the Miami County, Kansas Subdivision Regulations. These include, but are not limited to minimum road frontage, size, and area requirements of the zoning district in which said tracts or parcels are located, and minimum setbacks for existing structures. For specific requirements, refer to Article 4 (Boundary Line Adjustments & Mergers) of the Miami County, Kansas Subdivision Regulations.

Approval or denial should take place within thirty (30) days of receiving a complete application.

1. Review with County staff.

Prior to having a survey prepared, review the proposed adjustment with County staff.

2. Preparation of Meet and Bounds Description or Certificate of Survey.

For a Merger: Have a licensed surveyor prepare either a Certificate of Survey or a meet and bounds description of the perimeter boundaries (if a survey is not necessary).

For a Boundary Line Adjustment: Have a licensed surveyor prepare a Certificate of Survey, showing the adjusted boundaries with new legal descriptions of each affected property.

The Certificate of Survey shall show the following:

1. Boundaries, dimensions and descriptions of all lots, parcels or tracts included within the boundary line adjustment.
2. Location of existing easements and utilities.
3. Legal descriptions of the properties.
4. Location of Floodplain areas and Floodplain statement.
5. Signature blocks for the County Surveyor, Planning Director, County Treasurer, and Register of Deeds.

3. Application Submittal.

Landowner(s), or their authorized agent or representative, may apply for a Boundary Line Adjustment or Merger by submitting a completed application form, together with the application fee and all other documentation as described herein. The application form may be obtained online via the Planning & Zoning Department webpage, or at the Community Development Department counter (201 S. Pearl Street, Suite 201, Paola). ALL affected landowners must sign the application form. The application form shall be submitted with ALL of the following (incomplete applications will not be accepted):

A. For a Merger: One (1) copy of a meets and bounds description of the perimeter boundaries, prepared by a licensed surveyor (if a survey is not necessary).

For a Boundary Line Adjustment: One (1) full-size copy and one (1) reduced (8½” x 11”) copy of the Certificate of Survey described above.

B. One (1) copy of the current deed for all properties affected.

C. An exhibit showing the location of all existing structures, wastewater disposal systems (including lateral fields) and ponds, with respect to the existing and the proposed lot or parcel lines.

(The exhibit is not required for a Merger.)

D. An original, signed, and notarized affidavit, verifying the accuracy of the exhibit. Affidavits must be signed by at least one (1) landowner of each affected property. If no such structures or facilities exist on the property, the landowner(s) shall submit an affidavit stating that they do not exist.

E. Verification from the mortgage company (if applicable). This should be some form of acknowledgment or communication from the lender (e.g. email correspondence), which shows that the lender is aware of the proposed division and is working with the landowner(s) on a partial mortgage release or a modified mortgage.

F. A printed statement from the Treasurer’s office, which shows that real estate taxes have been paid in full and that no outstanding liens exist on the property.

Note: The full year of taxes must be paid (1st half and 2nd half) before the Treasurer can sign the Certificate of Survey. If the property is divided in the last quarter of the year, it may be necessary to pay an estimated tax until tax statements are mailed in November. Please contact the Treasurer’s office at: 913-294-2353 with any questions about this.

G. Application fee, payable to the Planning Department.

(Fee for Boundary Line Adjustment: \$200. Fee for Merger: \$100)

4. County Surveyor’s Review & Approval of Certificate of Survey.

All surveys dividing property in Miami County, Kansas must be reviewed for minimum standards and approved by the County Surveyor prior to recordation. An electronic copy of the initial survey should be e-mailed in AutoCAD format to County Surveyor. Once the County Surveyor has completed review of the initial survey, the surveyor shall submit a final survey (with corrections, if required) bearing his/her original signature and seal, together with review fees to the County Surveyor ([please call for name/address](#)). **(The County Surveyor’s base review fee is \$50.00. Additional fees may apply for additional reviews. Please contact the County Surveyor at feistyhayseed@aol.com with any questions.)** If approved, the County Surveyor will sign the final survey. The surveyor shall then be responsible for forwarding the final, signed survey to the Planning Director.

Note: In order to save time, it is recommended that the survey be submitted to the County Surveyor at the same time the application is submitted to the Planning Department.

5. Planning Director’s Review & Approval.

The Miami County Planning Director is authorized to approve or deny Boundary Line Adjustments and Mergers in accordance with the provisions of Article 4 of the Miami County, Kansas Subdivision Regulations. Once the Planning Director has approved and signed the Boundary Line Adjustment survey, the final Certificate of Survey will be forwarded to the County Treasurer for signature.

6. Treasurer Certification and Recordation.

Once the Treasurer has verified that taxes have been paid in full (1st half and 2nd half) and that no outstanding liens exist on the property, the Treasurer will sign and forward the Certificate of Survey to the Register of Deeds Office for recording.

Note: Recording fees must be paid to the Register of Deeds Office prior to recording. For a fee schedule, please contact the Register of Deeds Office at: 913-294-3716.

7. Preparation and Recordation of New Deed(s).

In order to finalize the application, the applicant / landowner must contact a title company to prepare a new deed for each affected property, using the legal description(s) as it appears on the approved survey or on the approved metes and bounds description, as the case may be, and have the deed(s) recorded in the Register of Deeds Office.

If you have any questions regarding the procedure for Boundary Line Adjustments and Mergers, please contact the Planning Office between 8:00 a.m. and 4:30 p.m., Monday through Friday, or e-mail planning@miamicountyks.org.