

CHAPTER 1060

SALES OF UNUSED HIGHWAY RIGHT-OF-WAY — NOTICES

H.F. 2186

AN ACT relating to notice of agency sales of unused highway right-of-way.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 306.23, subsection 1](#), Code 2024, is amended to read as follows:

1. The agency in control of a tract, parcel, or piece of land, or part thereof, which is unused right-of-way shall send ~~by certified mail~~ to the last known address of the present owner of adjacent land from which the tract, parcel, piece of land, or part thereof, was originally purchased or condemned for highway purposes, and to the person who owned the land at the time it was purchased or condemned for highway purposes, notice of the agency's intent to sell the land, the name and address of any other person to whom a notice was sent, and the fair market value of the real property based upon ~~an~~ one of the following:

a. An appraisal by an independent appraiser.

b. A comparable sales market analysis if the agency is the department, the sale is not a contract sale under [section 306.22, subsection 2](#), and the determined fair market value is fifty thousand dollars or less.

Sec. 2. [Section 306.23](#), Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. Notice required under [subsection 1](#) shall be hand-delivered or sent by verified mail, as defined in [section 578A.2](#). Hand-delivered notice is deemed delivered when the recipient signs an acknowledgment of delivery. Notice sent by verified mail is deemed delivered when the notice is deposited with the United States postal service or private delivery service, and such notice is properly addressed with postage prepaid.

Approved April 19, 2024