

WHEREAS, the public interests require that such stretch of road be at once improved and made available to the traveling public; now therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **State property at Spirit Lake — improvement of highway — authorization.** That the board of supervisors and the county engineer of Dickinson county, Iowa, under the general supervision of the state highway commission, be and they are hereby authorized and directed to improve, by the raising and widening and riprapping of the grade, that stretch of highway, approximately one-half mile long, lying between Spirit Lake and Little Spirit Lake, and at an expense of not to exceed twelve thousand (\$12,000) dollars, said improvement to be made as soon as practicable and in the same manner and under the same statutory requirements as are applicable to the improvement of the county road system.

SEC. 2. **Appropriation.** That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary to make the improvements herein provided for.

SEC. 3. **Completed improvements — payment authorized.** Whenever the improvements which are herein provided for have been made in accordance with the provisions hereof, a voucher shall be prepared, in the form required by the state board of audit, for the amount expended by Dickinson county in the making of such improvements, which voucher shall be approved by the board of supervisors of Dickinson county, Iowa and the state highway commission, which approval shall be in writing upon the voucher. When such voucher so prepared and so approved is presented to the auditor of state, he is hereby authorized and directed to thereupon draw a state warrant for the amount called for in such voucher upon the general fund of the state, payable to Dickinson county, Iowa; and the treasurer of state is hereby authorized and directed to pay such warrant out of any fund of the state not otherwise appropriated.

Approved April 18, A. D. 1919.

CHAPTER 270.

ACTION FOR THE RECOVERY OF REAL ESTATE, ETC.

S. F. 93.

AN ACT to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Real estate — action for recovery — chain of title.**
1 That no action based upon any claim arising or existing prior to the

2 1st day of January, A. D. 1900 shall be maintained, either at law or
 3 in equity, in any court to recover any real estate in this state or to
 4 recover or establish any interest therein or claim thereto, legal or
 5 equitable, against the holder of the record title to such real estate in
 6 possession, when such holder of the record title and his grantors
 7 immediate or remote are shown by the record to have held chain of
 8 title to said real estate, since the said 1st day of January A. D. 1900,
 9 unless such claimant, by himself, or by his attorney or agent, or if
 10 he be a minor or under legal disability, by his guardian, trustee or
 11 either parent shall within one year from and after the date of the
 12 taking effect of this act, file in the office of the recorder of deeds of
 13 the county wherein such real estate is situated, a statement in writ-
 14 ing, which shall be duly acknowledged, definitely describing the real
 15 estate involved, the nature and extent of the right or interest claimed,
 16 and stating the facts upon which the same is based.

17 For the purposes of this act, any person who holds title to real
 18 estate by will or descent from any person who held the title of record
 19 to such real estate at the date of his death or who holds title by
 20 decree or order of any court, or under any tax deed, trustee's, ref-
 21 eree's, guardian's, executor's, administrator's, receiver's, assignee's,
 22 master's in chancery or sheriff's deed, shall be deemed to hold chain
 23 of title the same as though holding by direct conveyance.

1 **SEC. 2. Record of claim.** Any such claim so filed, shall be indexed
 2 under the description of the real estate involved in a book set apart
 3 and specially designed for that purpose to be known as the "Claim-
 4 ant's Book" and kept in the office of the recorder of the county where
 5 such real estate is situated, and said statement, when so indexed, shall
 6 be recorded as other instruments affecting real estate.

1 **SEC. 3. Minors and insane persons — rights of.** That the provi-
 2 sions of section 3453 of the code as to the rights of minors and insane
 3 persons shall not be applicable against the provisions of this act.

1 **SEC. 4. Construction of act.** Provided, however, that nothing
 2 in this act contained shall be construed as limiting or extending the
 3 time within which actions by a spouse to recover dower or distribu-
 4 tive share in real estate within this state may be brought or main-
 5 tained under the provisions of section 3447-b of the supplement to the
 6 code, 1913, and the amendments thereto, or as limiting or extending
 7 the time within which actions may be brought or maintained to fore-
 8 close or enforce any real estate mortgage, bond for deed, trust deed,
 9 or contract for the sale or conveyance of real estate under the provi-
 10 sions of section 3447-c of the supplement to the code, 1913, and the
 11 amendments thereto; and, provided further, that this act should in
 12 no case revive or permit an action to be brought or maintained upon
 13 any claim or cause of action which is barred by any statute which is
 14 in force at the time this act takes effect.

1 **SEC. 5. Pending litigation.** Provided, however, that nothing con-
 2 tained in this act shall affect pending litigation.

Approved April 18, A. D. 1919.