

CHAPTER 162

CITIES AND TOWNS—DAMS AND RACES

H. F. 286

AN ACT to amend section sixty-two hundred thirty-nine (6239) and chapter three hundred sixty-three (363) of the code, 1924, relating to dams and races, and to provide that cities and towns may construct dams for recreational purposes and acquire lands in connection therewith, and to incur indebtedness for such improvements.

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

1 SECTION 1. Section sixty-two hundred thirty-nine (6239) of the
2 code, 1924, is hereby amended by adding thereto the following sub-
3 division:

4 8. Of purchasing or constructing dams across streams for any
5 proper municipal purpose.

1 SEC. 2. Chapter three hundred sixty-three (363) of the code, 1924,
2 is hereby amended by adding thereto the following section:

3 Cities and towns shall have the authority and power, by complying
4 with the provisions of this chapter and the statutes relating to
5 municipalities, to construct dams for recreational purposes and to
6 acquire lands that may be necessary in the construction thereof, which
7 may be obtained by condemnation or otherwise.

Approved April 8, A. D. 1927.

CHAPTER 163

CITIES AND TOWNS—PLATTING OF LAND

H. F. 379

AN ACT relating to the platting of land in and adjacent to certain cities having a population of twenty-five thousand (25,000) or over and to require approval thereof by the city council and by the city plan commission in cities where such commission exists and authorizing cities to maintain suits in equity in certain cases to declare plats, when filed and recorded in violation thereof, to be void and to expunge the same from the records, and to provide for appeal from action of council to the district court in certain cases.

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

1 SECTION 1. No county auditor or recorder shall hereafter file or
2 record, nor permit to be filed or recorded, any plat purporting to lay
3 out or subdivide any tract of land into lots and blocks and to dedicate
4 any part thereof for streets and other public use within any city
5 having a population by the latest state census of twenty-five thousand
6 (25,000) or over, or, except as hereinafter provided, within one (1)
7 mile of the limits of such city, unless such plat has been first filed
8 with and approved by the council of such city as provided in section

9 six thousand two hundred seventy-two (6272) of the code, and by
 10 the city plan commission as required by law in cities where such
 11 commission exists. If in any case the limits of any such city are
 12 at any place less than two miles distant from the limits of any other
 13 city, then at such place jurisdiction to approve plats shall extend to
 14 a line equi-distant between the limits of said cities.

1 SEC. 2. In case, on application for such approval of any plat, the
 2 city council shall fail to either approve or reject the same within
 3 sixty (60) days from date of application, the person proposing said
 4 plat shall have the right to file the same with the county recorder
 5 and auditor. If said plat is disapproved by the council such disap-
 6 proval shall point out wherein said proposed plat is objectionable.
 7 From the action of the council refusing to approve any such plat,
 8 the applicant shall have the right to appeal to the district court
 9 within twenty (20) days after such rejection by filing written notice
 10 of appeal with the city clerk, such appeal to be docketed in the dis-
 11 trict court at the next term following service of such notice and
 12 heard de novo as an equity proceeding.

1 SEC. 3. In case any plat shall be filed and recorded in violation of
 2 this act, the same shall be void, and the mayor of any city who shall
 3 be authorized so to do by resolution of the council having authority
 4 to approve such plat, may institute a suit in equity in the district
 5 court in which suit the court may order such plat expunged from the
 6 records.

Approved April 8, A. D. 1927.

CHAPTER 164

CITIES AND TOWNS—PLATS

H. F. 76

AN ACT to repeal section sixty-two hundred seventy-seven (6277) of the code, 1924, and to enact a substitute therefor, relating to the record and filing of city or town plats, and to adjust said records in accordance with the substitute herein enacted.

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

1 SECTION 1. Section sixty-two hundred seventy-seven (6277) of
 2 the code, 1924, is repealed and the following is enacted in lieu thereof:
 3 6277. **Record—filing.** The signed and acknowledged plat, the
 4 abstract, and the attorney's opinion, together with the certificates
 5 of the clerk, recorder, and treasurer, and the affidavit and bond, if
 6 any, together with the certificate of approval of the council, shall be
 7 entered of record in the proper record books in the office of the county
 8 recorder. When so entered, the plat only shall be entered of record
 9 in the office of the county auditor and shall be of no validity until so
 10 filed, in both offices.
 11 6277-b1. **Adjusting records.** Immediately upon the taking effect