

3 town Times-Republican", a newspaper published at Marshalltown,  
4 Iowa and in the "Toledo Chronicle", a newspaper published at Toledo.

House File No. 172. Approved April 4, 1931.

I hereby certify that the foregoing act was published in the Toledo Chronicle April 9, 1931, and the Marshalltown Times-Republican April 11, 1931.

G. C. GREENWALT, *Secretary of State.*

## CHAPTER 105

### VACATION OF HIGHWAYS

AN ACT to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the primary roads.

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

1 SECTION 1. If in the improvement of any primary road, a reloca-  
2 tion or change in location is made which removes the primary road  
3 from any previously established road or part thereof, or from any  
4 railroad crossing, leaving such road, part thereof, or railroad cross-  
5 ing in such manner that in the judgment of the state highway com-  
6 mission the use thereof for public travel is unnecessary, the state high-  
7 way commission shall have power to vacate and close such road, part  
8 thereof, or railroad crossing as a public road or crossing.

1 SEC. 2. In proceeding to the vacation of such road, part thereof,  
2 or crossing, the state highway commission shall fix a date for hearing  
3 thereon in the county where such road, part thereof, or crossing is  
4 located, and if located in more than one county, then in a county  
5 wherein any part is located.

1 SEC. 3. Notice of such hearing shall be published in some news-  
2 paper of general circulation in such county, at least twenty (20)  
3 days previous to the date of the hearing. The board of supervisors  
4 of such county shall be notified of such hearing by registered letter  
5 addressed to the county auditor.

1 SEC. 4. Such notice shall state the time and place of such hearing,  
2 the location of the particular road, part thereof, or crossing the va-  
3 cation or closing of which is to be considered, and such other data  
4 as may be deemed pertinent.

1 SEC. 5. At such hearing, the board of supervisors and/or any  
2 interested person or corporation may appear and object and be heard.  
3 Any person owning land abutting a road which it is proposed to va-  
4 cate shall have the right to file a claim for damages at any time on or  
5 before the date fixed for hearing.

1 SEC. 6. After such hearing the state highway commission shall  
2 enter its order, which order thus entered shall be final except as to  
3 the amount of damages. It may vacate such road, part thereof, or  
4 crossing, or it may dismiss the proceedings. Copy of such order shall  
5 be filed with the auditor of the county in which the road, part thereof,  
6 or crossing is located.

1 SEC. 7. All damages allowed shall be paid from the primary road  
2 fund. Any claimant, may, by service of written notice upon the state  
3 highway commission within thirty (30) days after the award of dam-  
4 ages, appeal to the district court of the country in which the land is  
5 located.

Senate File No. 82. Approved March 20, 1931.

## CHAPTER 106

### CONSTRUCTION OF BRIDGES AND VIADUCTS

AN ACT to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2,500) or more, where the houses or business houses average less than two hundred (200) feet apart.

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

1 SECTION 1. In addition to the construction work and expenditures  
2 of primary road funds authorized in section forty-seven hundred fifty-  
3 five-b twenty-six (4755-b26) and in sections sixty hundred forty-four  
4 (6044) to sixty hundred forty-nine (6049) inclusive, code of 1927,  
5 on extensions of primary roads in cities and towns, the state high-  
6 way commission may construct, or aid in the construction of bridges,  
7 viaducts, and railroad grade crossing eliminations on those portions  
8 of the extensions of primary roads within cities having a population  
9 of twenty-five hundred (2500) or more, where the houses or business  
10 houses average less than two hundred (200) feet apart. In connection  
11 with such improvements, the primary road fund shall in no event be  
12 charged with a greater amount than would, in the judgment of the  
13 commission, be necessary to provide for the primary road traffic if  
14 such improvement were located outside of a city or town.

House File No. 113. Approved April 3, 1931.

## CHAPTER 107

### MAINTENANCE OF PRIMARY ROADS THROUGH CITIES AND TOWNS

AN ACT to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the code, 1927, relating to the maintenance of extensions of primary roads through cities and towns, and the payment of the cost thereof.

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

1 SECTION 1. Amend section forty-seven hundred fifty-five-b twenty-  
2 nine (4755-b29) of the code, 1927, by striking from line twenty-five  
3 (25) thereof the words "two hundred" and inserting in lieu thereof  
4 the words "three hundred fifty".

House File No. 132. Approved April 30, 1931.