

CHAPTER 207

ABANDONED CEMETERY LOTS

AN ACT to provide for the declaration of abandonment of rights to unoccupied and abandoned cemetery lots and reversion of ownership after abandonment.

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

1 SECTION 1. The ownership or right in or to an unoccupied cemetery
2 lot or half lot shall upon abandonment revert to the person or cor-
3 poration having ownership and charge of the cemetery containing
4 such lots; the continued failure to maintain or care for a cemetery
5 lot for a period of twenty (20) years shall create and establish the
6 presumption that the same has been abandoned. Abandonment shall
7 not be deemed complete unless after such twenty (20) year period
8 there shall have been given by the reversionary owner to the recorded
9 owner, or if he be deceased or his whereabouts unknown, to the heirs
10 of such deceased, notice declaring the lot to be abandoned. The notice
11 may be served personally on the owner or his heirs, or may be served
12 by the mailing of the notice by registered mail to the owner, or his
13 heirs as the case may be, to their last known address. In the event
14 that the address of the owner or his heirs cannot be ascertained,
15 then notice of such abandonment shall be by one publication in the
16 official newspaper of the county, in which the cemetery is located.

1 SEC. 2. If within one year from the time of serving such notice
2 the recorded owner or his heirs shall in writing give the reversionary
3 owner notice that in fact there has been no such abandonment, then
4 shall the presumption of abandonment no longer exist. In case the
5 abandonment has been complete as herein provided the reversionary
6 owner of the abandoned lot or half lot may sell the same and convey
7 title thereto. Any funds realized from the sale of such lots or half
8 lots shall constitute a fund to be used solely for the perpetual care
9 and upkeep of such lot or half of lot so sold and likewise any occupied
10 portion thereof.

11 This law shall not apply to a cemetery lot or tract for which per-
12 petual care has been provided by will, by order of court or by con-
13 tract with the original grantor.

House File No. 57. Approved March 23, 1931.

CHAPTER 208

LABOR AND MATERIAL ON PUBLIC IMPROVEMENTS

AN ACT to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306), ten thousand three hundred twelve (10312) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements.

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

1 SECTION 1. Section ten thousand two hundred ninety-nine (10299),
2 code, 1927, as amended by chapter two hundred forty-four (244), acts
3 of the forty-third general assembly, is amended as follows: