

CHAPTER 8

EXECUTIVE COUNCIL. SALE OF PUBLIC LANDS

H. F. 28

AN ACT authorizing the executive council of the state of Iowa to sell certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the state of Iowa, in or for the improvement of its primary highways, and to prescribe the procedure in pursuance of which such sales may be made.

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

1 SECTION 1. The executive council of the state of Iowa may, upon
2 the written application and recommendation of the Iowa state high-
3 way commission, sell for cash such tracts, parcels, and pieces of land,
4 or parts thereof, when title thereto has been, or is hereafter, acquired
5 by the state of Iowa in or for the improvement of its primary high-
6 ways, when in its judgment, said tract, parcel or piece of land, or
7 part thereof, is not now, and will not hereafter, be needed or required
8 in connection with or for the improvement, maintenance, or use of
9 any primary highway of the state of Iowa.

1 SEC. 2. Notice of intention to sell such tracts, parcels, pieces of
2 land or part thereof, must, not less than ten (10) days prior to sale
3 thereof, be sent by registered mail by the highway commission to the
4 last known address of the present owner of adjacent land from which
5 said tract, parcels, pieces of land or parts thereof were originally
6 bought or condemned for highway improvement purposes.

7 Said notice shall give opportunity to the present owner of adjacent
8 property to be heard and to make offers for the parts, parcels or
9 parts thereof to be sold, and if such offer is equal to or exceeds in
10 amount other offers, it shall be given preference by the highway
11 commission and executive council.

12 Neglect or failure for any reason of the owner to comply with the
13 provisions of said notice shall in no way prevent the giving of a
14 clear title to the purchaser of such tracts, parcels, pieces of land or
15 parts thereof.

1 SEC. 3. Any sale made, as herein authorized, shall be upon the
2 conditions that the tract, parcel or piece of land, or part thereof, so
3 sold, shall not be used in any manner as will interfere with the use
4 of the primary highway by the public or endanger public safety in
5 the use thereof, or to the material damage of adjacent property.

1 SEC. 4. Where a sale has been authorized, as herein provided,
2 written conveyances containing the conditions prescribed by the
3 executive council shall be made in the name of the state and signed
4 by the governor and secretary of state and the great seal of the state
5 of Iowa attached thereto.

1 SEC. 5. The proceeds of such sales shall become a part of the
2 primary road fund.

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