

CHAPTER 172
RIVER FRONT IMPROVEMENT
S. F. 129

AN ACT to amend section sixty-eight hundred twenty-three (6823) of the code, 1935, relating to powers of cities acting under special charter which are bounded in part or divided by a river, and to grant such cities power to acquire, by purchase or gift, lands, and interests, and riparian rights therein, which lands lie along or near any such river, and to condemn the same, and to manage and lease any such lands, and to sell and convey the same.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section sixty-eight hundred twenty-three (6823) of
2 the Code of 1935 is hereby amended as follows:

3 Insert immediately after the words "the same" in line six (6) there-
4 of, the following: "and may improve and beautify its water front and
5 the river bank and nearby uplands and made and reclaimed lands in
6 such city".

1 SEC. 2. Any city acting under special charter shall have power to
2 acquire, by purchase or gift, and to condemn, enter upon, and take in
3 the manner provided by law for the taking of private property for
4 public use, lands and interests therein, which lands lie along or near
5 any river dividing, or in part bounding, such city, for the purpose of
6 regularizing or rectifying the boundaries of other lands to which such
7 city may have, or may acquire, title, which other lands lie along or
8 near such river or on the banks or in the bed thereof, or for the pur-
9 pose of making more advantageous use of any such other lands, or
10 for the purpose of exercising any power granted by section sixty-
11 eight hundred twenty-three (6823) of the Code of 1935, as amended by
12 this Act, and further shall have power so to acquire and condemn,
13 enter upon and take, for any of the purposes aforesaid, all riparian
14 rights incident to ownership of any lands which lie along or near any
15 such river and thus to bar such rights in respect to any other lands to
16 which such city may have, or may acquire, title. Payment for any
17 lands, interests, or rights acquired or condemned hereunder may be
18 made out of the levee improvement fund of such city.

1 SEC. 3. Any such city which has established, or may establish, a
2 Levee Improvement Commission may, by ordinance, authorize said
3 commission to manage all, or any part, of the lands owned by such
4 city which lie along or near any such river or on the banks or in the
5 bed thereof. If, at any time, in the judgment of said commission,
6 any parts or parcels of the lands under its management may not ad-
7 vantageously be put to public use, said commission may lease the
8 same upon such terms and conditions as it may deem to be in the public
9 interest. If, in the judgment of said commission, any parts or parcels
10 of the lands under its management may, at any time, be sold with
11 greater public advantage than would result from retaining the same
12 for public use, it may certify its recommendations for disposition
13 thereof to the City Council of any such city, and such parts or parcels
14 may thereafter be disposed of, sold and conveyed by the city by a
15 three-fourths vote of all members of the council thereof.

1 SEC. 4. All moneys realized out of the lease or sale of any lands
2 hereunder shall be paid into the levee improvement fund of such city.

Approved March 31, 1939.