

1 SEC. 7. Section four hundred sixty-four point four (464.4), Code
 2 1954, is hereby amended by striking all after the word "petition" in
 3 line twenty-five (25) and adding in lieu thereof the following:
 4 "and a copy of such notice shall also be sent by ordinary mail to
 5 his last known address unless there is on file an affidavit of one of
 6 the petitioners or his attorney stating that no mailing address is
 7 known and that diligent inquiry has been made to ascertain it. Such
 8 copy of notice shall be mailed not less than twenty (20) days prior
 9 to the date set for hearing. Proof of publication and mailing shall
 10 be by affidavit and shall be included in the records of the proceedings."

Approved April 26, 1957.

CHAPTER 220

DRAINAGE DISTRICT IMPROVEMENTS

H. F. 476

AN ACT to amend section four hundred fifty-five point forty-five (455.45), Code 1954, relating to time for appointment of commissioners to assess benefits and classify the lands affected by a drainage district improvement.

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

1 SECTION 1. Section four hundred fifty-five point forty-five
 2 (455.45), Code 1954, is hereby amended by inserting after the comma
 3 (,) following the word, "district" in line nine (9) the following: "or
 4 a plan of the United States Government for original construction of
 5 the improvements in such district has been heretofore or hereafter
 6 adopted by such district under the provisions of sections four hun-
 7 dred fifty-five point two hundred one (455.201) to four hundred fifty-
 8 five point two hundred sixteen (455.216), inclusive, of the Code,".

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in force and effect from and after its publication in the
 3 Onawa Sentinel, a newspaper published at Onawa, Iowa, and the Dun-
 4 lap Reporter, a newspaper published at Dunlap, Iowa.

Approved April 26, 1957.

I hereby certify that the foregoing Act, House File 476, was published in the Onawa Sentinel, Onawa, Iowa, May 9, 1957, and in the Dunlap Reporter, Dunlap, Iowa, May 2, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 221

DRAINAGE AND LEVEE ASSESSMENTS

H. F. 117

AN ACT to provide for the payment of drainage and levee assessments on certain state-owned lands.

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

1 SECTION 1. Chapter four hundred fifty-five (455), Code 1954, is
 2 amended by adding the following new section:

3 "When any state-owned lands under the jurisdiction of the state
4 conservation commission are situated within a levee or drainage dis-
5 trict, the commissioners to assess benefits shall ascertain and return
6 in their report the amount of benefits and the apportionment of costs
7 and expenses to such lands and the board of supervisors shall assess
8 the same against such lands.

9 "Such assessments against lands used by the fish and game division
10 of the state conservation commission shall be paid by the state conser-
11 vation commission from the state fish and game protection fund on
12 due certification of the amount by the county treasurer to said com-
13 mission, and against lands used by the division of lands and waters
14 from the state conservation funds."

Approved April 26, 1957.

CHAPTER 222

FUTURE DRAINAGE ASSESSMENTS

H. F. 75

AN ACT to amend section four hundred fifty-five point fifty-six (455.56), Code 1954, relating to classification as a basis for future assessments in drainage districts.

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

1 SECTION 1. Section four hundred fifty-five point fifty-six (455.56),
2 Code 1954, is hereby amended by adding thereto the following: "Ex-
3 cept districts established by mutual agreement in accordance with
4 section four hundred fifty-five point one hundred fifty-two (455.152),
5 Code 1954, in the event any forty-acre tract or less, or any lot, tract,
6 or parcel, as set forth in the existing classification or reclassification
7 of any drainage district now or hereafter established, is divided into
8 two or more tracts, whether such division is by sale or condemnation
9 or platted as a subdivision, the classification of the original tract shall
10 be apportioned to the resulting parcels, regardless of use, except for
11 land taken for additional drainage right-of-way. The classification of
12 the original tract may be apportioned between the resulting parcels
13 by agreement between the parties to such division. The parties shall
14 file with the county auditor a written agreement setting forth the
15 original description and the description of the tracts as subdivided
16 and the percentage of the original classification apportioned to each.
17 This agreement shall bear the signature of all of the parties to such
18 subdivision. The auditor shall enter this agreement in the drainage
19 record and amend the current classification of the district in accord-
20 ance with such agreement.

21 "In the event the parties to such subdivision cannot agree as to the
22 apportionment of the percentage classification, the board of super-
23 visors shall appoint a commission having the qualifications of commis-
24 sioners, in accordance with section 455.45. The commissioners shall
25 inspect the lands involved and apportion the existing classification of
26 the original tract equitably and fairly to each of the several tracts as
27 subdivided and shall make a full, accurate and detailed report thereof
28 and file the same with the county auditor within the time set by the