

29 Upon the granting of such temporary construction permit the com-  
 30 mission shall cause the publication of notice required by section 489.5  
 31 and all other requirements shall be complied with as in the manner  
 32 provided for the granting of a franchise. If a hearing is required then  
 33 the petitioner shall make a sufficient and proper showing thereat  
 34 before a franchise will be issued for the line. Any franchise issued  
 35 will be subject to all applicable provisions of this chapter.

36 Notwithstanding anything foregoing, if the commission shall deter-  
 37 mine that a franchise should not be granted, or that further restric-  
 38 tions, conditions or modifications are required, or if the petitioner  
 39 shall fail to make a sufficient and proper showing of the necessity for  
 40 the granting of a franchise within six months of the granting of the  
 41 temporary construction permit, the permit issued hereunder shall be-  
 42 come null and void and the permit holder may be required to take such  
 43 action deemed necessary by the commission to remove, modify or  
 44 relocate the construction undertaken by virtue of the temporary per-  
 45 mit issued hereunder."

Approved May 13, 1965.

## CHAPTER 382

### ELECTRIC TRANSMISSION LINES

H. F. 45

AN ACT to amend section four hundred eighty-nine point fourteen (489.14), Code 1962, relating to the issuance of franchises by the Iowa state commerce commission for electric transmission lines; by increasing the maximum number of feet of width of electric transmission line right-of-way, that may be acquired through eminent domain; and by providing for right-of-way abandoned by electric transmission line companies reverting to owners of the land from which the right-of-way was taken.

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

1 SECTION 1. Section four hundred eighty-nine point fourteen  
 2 (489.14), Code 1962, as amended by sections two (2) and three (3)  
 3 of chapter two hundred eighty-five (285), Acts of the Sixtieth General  
 4 Assembly, is further amended by inserting in line twelve (12) after  
 5 the word "franchise" the words "; provided however, that where 200  
 6 K V lines or higher voltage lines are to be constructed, the person,  
 7 company, or corporation may apply to the commerce commission for  
 8 a wider right-of-way not to exceed two hundred (200) feet, and the  
 9 commission may for good cause extend the width of such right-of-way  
 10 for such lines to the person, company, or corporation applying for the  
 11 same".

1 SEC. 2. Section four hundred eighty-nine point fourteen (489.14),  
 2 Code 1962, as amended by sections two (2) and three (3) of chapter  
 3 two hundred eighty-five (285), Acts of the Sixtieth General Assembly,  
 4 is hereby further amended by adding thereto the following:

5 "If an electric transmission line right-of-way, or any part thereof,  
 6 is wholly abandoned for public utility purposes by the relocation of  
 7 the transmission lines, is not used or operated for a period of five (5)

8 years, or if its construction has been commenced and work has ceased  
 9 and has not in good faith been resumed for five (5) years, the right-  
 10 of-way shall revert to the person or persons who, at the time of the  
 11 abandonment or reversion, are the owners of the tract from which  
 12 such right-of-way was taken. Following such abandonment of right-  
 13 of-way, the owner or holder of purported fee title to such real estate  
 14 may serve notice upon the owner of such right-of-way easement, or  
 15 his successor in interest, and upon any party in possession of said real  
 16 estate, a written notice which shall (1) accurately describe the real  
 17 estate in question, (2) set out the facts concerning ownership of the  
 18 fee, ownership of the right-of-way easement, and the period of aban-  
 19 donment, and (3) notify said parties that such reversion shall be com-  
 20 plete and final, and that the easement or other right shall be forfeited,  
 21 unless said parties shall, within one hundred twenty (120) days after  
 22 the completed service of notice, file an affidavit with the county re-  
 23 corder of the county in which the real estate is located disputing the  
 24 facts contained in said notice.

25 "Said notice shall be served in the same manner as an original notice  
 26 under the Iowa rules of civil procedure, except that when notice is  
 27 served by publication no affidavit therefor shall be required before  
 28 publication. If no affidavit disputing the facts contained in the notice  
 29 is filed within one hundred twenty (120) days, the party serving the  
 30 notice may file for record in the office of the county recorder a copy of  
 31 the notice with proofs of service attached thereto or endorsed thereon,  
 32 and when so recorded, the record shall be constructive notice to all  
 33 persons of the abandonment, reversion, and forfeiture of such right-  
 34 of-way."

1 SEC. 3. This Act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in The  
 3 Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa,  
 4 and in the Iowa City Press-Citizen, a newspaper published at Iowa  
 5 City, Iowa.

Approved May 3, 1965.

I hereby certify that the foregoing Act, House File 45, was published in The Atlantic News-Telegraph, Atlantic, Iowa, May 6, 1965, and in the Iowa City Press-Citizen, Iowa City, Iowa, May 7, 1965.

GARY L. CAMERON, *Secretary of State.*

## CHAPTER 383

### PIPELINES AND UNDERGROUND GAS STORAGE

#### S. F. 513

AN ACT amending and revising chapter four hundred ninety (490), Code 1962, relating to the time for payment of annual pipeline inspection fees and the issuance of permits for the construction of pipelines and underground gas storage area.

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

1 SECTION 1. Section four hundred ninety point fourteen (490.14),  
 2 Code 1962, is hereby amended by striking all of such section after the