

1 SEC. 2. Chapter* six hundred thirteen point eleven (613.11), Code
2 1962, is hereby amended as follows:

3 1. By striking in line fifteen (15) thereof the word "husband" and
4 by inserting in lieu thereof the word* "spouse and children".

5 2. By striking in line fifteen (15) thereof the word "woman" and
6 by inserting in lieu thereof the word "person".

Approved April 19, 1965.

*According to enrolled Act.

CHAPTER 428

RESTRICTIONS AND REVERSIONS ON REAL ESTATE

H. F. 115

AN ACT relating to limitations of actions in regard to restrictions and reversions on real estate.

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

1 Chapter six hundred fourteen (614), Code 1962, is amended by
2 adding the following new sections thereto:

1 SECTION 1. No action based upon any claim arising or existing by
2 reason of the provisions of any deed or conveyance or contract or will
3 reserving or providing for any reversion, reverted interests or use
4 restrictions in and to the land therein described shall be maintained
5 either at law or in equity in any court to recover real estate in this
6 state or to recover or establish any interest therein or claim thereto,
7 legal or equitable, against the holder of the record title to such real
8 estate in possession after twenty-one years from the recording of such
9 deed of conveyance or contract or after twenty-one years from the
10 admission of said will to probate unless the claimant shall, by himself,
11 or by his attorney or agent, or if he is a minor or under legal disabili-
12 ty, by his guardian, trustee, or either parent or next friend, shall file
13 a verified claim with the recorder of the county wherein said real
14 estate is located within said twenty-one year period. In the event said
15 deed was recorded or will was admitted to probate more than twenty
16 years prior to the effective date of this Act, then said claim may be
17 filed on or before one year after the effective date of this Act. Such
18 claims shall set forth the nature thereof, also the time and manner in
19 which such interest was acquired. For the purposes of this section,
20 the claimant shall be any person or persons claiming any interest in
21 and to said land or in and to such reversion, reverter interest or use
22 restriction, whether the same is a present interest or an interest which
23 would come into existence if the happening or contingency provided
24 in said deed or will were to happen at once. Said claimant further
25 shall include any member of a class of persons entitled to or claiming
26 such rights or interests.

1 SEC. 2. The filing of such claim shall extend for a further period
2 of twenty-one years the time within which such action may be brought

3 by any person entitled thereto, and successive claims for further like
4 extensions may be filed.

1 SEC. 3. The provisions of section six hundred fourteen point
2 eighteen (614.18) of the Code are made applicable to the provisions
3 of these sections.

1 SEC. 4. The provisions of section six hundred fourteen point eight
2 (614.8) of the Code as to the rights of minors and insane persons
3 shall not be applicable against the provisions of these sections.

1 SEC. 5. The provisions of these sections, or the filing of a claim or
2 claims, hereunder, shall not revive or permit an action to be brought
3 or maintained upon any claim or cause of action which is barred by
4 any other statute. Provided further, that nothing contained in these
5 sections shall affect litigation pending on the effective date of this Act.

Approved March 15, 1965.

CHAPTER 429

SERVICE OF NOTICE ON ABSENT RESIDENTS

H. F. 551

AN ACT relating to service of process on persons who commit a tort and leave the state before personal service can be completed within the state of Iowa.

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

1 SECTION 1. Chapter three hundred twenty-five (325), Acts of the
2 Sixtieth General Assembly, section one (1), is hereby amended by
3 inserting after the period in line twenty-four (24) a new sentence as
4 follows: "The term 'nonresident person' shall include any person who
5 was, at the time of the tort, a resident of the state of Iowa but who
6 removed from the state before the commencement of such action or
7 proceedings and ceased to be a resident of Iowa or, a resident who has
8 remained continuously absent from the state for at least a period of
9 six months following commission of the tort."

Approved May 24, 1965.

CHAPTER 430

CONTRIBUTORY NEGLIGENCE

H. F. 206

AN ACT to amend chapter six hundred nineteen (619), Code 1962, relating to the burden of proof of contributory negligence in civil actions.

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

1 SECTION 1. Chapter six hundred nineteen (619), Code 1962, is
2 hereby amended by adding a new section thereto as follows: