

7 nary mail, to the condemnor and the condemnee of the date on which
 8 the appraisal of damages was made, the amount of the appraisal
 9 ment, and that any interested party may, within thirty days from the
 10 date of mailing the notice of the appraisal of damages, appeal to
 11 the district court. The sheriff shall endorse the date of mailing of
 12 notice upon the original appraisal of damages. At the time of
 13 appeal, the appellant shall give written notice that the appeal has been
 14 taken to the adverse party, or his agent or attorney, lienholders, and
 15 the sheriff.

Approved May 20, 1971.

CHAPTER 233

DISPOSSESSION UNDER CONDEMNATION

H. F. 347

AN ACT relating to the dispossession of a landowner under condemnation proceedings for highway purposes.

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

1 SECTION 1. Section four hundred seventy-two point twenty-six
 2 (472.26), Code 1971, is amended as follows:

3 **472.26 Dispossession of owner.** A landowner shall not be dispos-
 4 sessed, under condemnation proceedings, of his residence, dwelling
 5 house, outhouse, orchard, or garden, until the damages thereto have
 6 been finally determined and paid. *However, if the property described*
 7 *in this section is condemned for highway purposes by the highway*
 8 *commission, the condemning authority may take possession of the*
 9 *property either after the damages have been finally determined and*
 10 *paid or one hundred eighty days after the compensation commission*
 11 *has determined and filed its award, in which event all of the appraisal-*
 12 *ment of damages shall be paid to the property owner before the dis-*
 13 *possession can take place. This section shall not apply to condemna-*
 14 *tion proceedings for drainage or levee improvements, or for public*
 15 *school purposes. This Act shall be applicable to condemnation pro-*
 16 *ceedings pending on the effective date of this Act; it being provided*
 17 *that, as to such proceedings, unless damages have been finally deter-*
 18 *mined and paid, the landowner shall not be dispossessed until one hun-*
 19 *dred eighty days after the effective date of this Act.*

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in The Cedar
 3 Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, and in
 4 The Telegraph-Herald, a newspaper published in Dubuque, Iowa.

Approved June 11, 1971.

I hereby certify that the foregoing Act, House File 347, was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 14, 1971, and in The Telegraph-Herald, Dubuque, Iowa, June 14, 1971.

MELVIN D. SYNHORST, *Secretary of State.*

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes. However, see Editor's note, page iii.