

9 other parties to the action shall be defendants. The appeal shall be
10 tried as in an action by ordinary proceedings.

Approved May 15, 1973.

CHAPTER 264

EMINENT DOMAIN

H. F. 741

AN ACT relating to eminent domain.

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

1 SECTION 1. Chapter four hundred seventy-two (472), Code 1973,
2 is amended by adding the following new section:

3 NEW SECTION. In any condemnation proceedings instituted under
4 this chapter by the state highway commission in any court of the state
5 wherein the property owner has delivered proper notice of appeal to
6 the sheriff of the proper county with the intent that it be served im-
7 mediately upon the person selected by the owner from among those
8 persons designated for such service in section four hundred seventy-
9 two point nineteen (472.19) of the Code, the delivery of the notice of
10 appeal to the sheriff shall be deemed a commencement of the appeal
11 proceedings. If the sheriff, after delivery to him of notice of appeal,
12 fails or is unable to serve the notice of appeal upon such designated
13 person within the statutory period required under section four hun-
14 dred seventy-two point eighteen (472.18) of the Code, such inability
15 or failure shall not deprive the court of jurisdiction of the appeal if
16 the property owner shall, within twenty days after delivery of notice
17 of appeal to the sheriff, make application for further direction as to
18 service to the proper district court as provided by section four hundred
19 seventy-two point nineteen (472.19) of the Code.

1 SEC. 2. Any condemnation proceeding pending or filed subsequent
2 to December 1, 1971 which has been dismissed by reason of the failure
3 to serve notice of appeal on a person as selected from among the three
4 persons designated in section four hundred seventy-two point nineteen
5 (472.19) of the Code, within the statutory period required under sec-
6 tion four hundred seventy-two point eighteen (472.18) of the Code,
7 shall be reinstated by the court wherein such proceeding was dismissed,
8 after notice and hearing as prescribed by the court.

Approved July 12, 1973.

This Act was passed by the G. A. before July 1, 1973.