

CHAPTER 1013

VACATING AND CLOSING OF ROADS

H.F. 605

AN ACT relating to damage claims for the vacating and closing of roads.

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

Section 1. Section 306.12, Code 1993, is amended to read as follows:
306.12 NOTICE – SERVICE.

Notice of the hearing under section 306.11 shall be published in a newspaper of general circulation in the county or counties where the road is located, not less than four nor more than twenty days prior to the date of hearing. The agency which is holding the hearing shall notify all adjoining property owners, all utility companies whose facilities adjoin the road right of way or are on the road right of way, and the department, boards of supervisors, or agency in control of affected state lands, of the time and place of the hearing, by certified mail, and shall notify all property owners within one mile of the road by regular mail.

Sec. 2. Section 306.14, Code 1993, is amended to read as follows:
306.14 OBJECTIONS – CLAIMS FOR DAMAGES.

~~At such hearing, the~~ The department, the board of supervisors, or the agency in control of affected state lands, ~~as the case may be,~~ and any interested person, may appear and object and be heard at the hearing. Any person owning land abutting on a road ~~which it is proposed to vacate~~ be vacated and close closed, shall have the right to file, in writing, a claim for damages at any time on or before the date fixed for hearing. However, for purposes of this chapter, if an occupied homestead is not located on the abutting land and if the vacating and closing of the road will not landlock the abutting land, a person shall not have a right to claim damages.

Approved March 25, 1994

CHAPTER 1014

COUNTY GENERAL OBLIGATION BONDS FOR WATER SYSTEMS AND FACILITIES

H.F. 606

AN ACT relating to procedures for the issuance and use of general obligation bonds by counties for the funding of water systems and facilities.

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

Section 1. Section 331.441, subsection 2, paragraph b, subparagraph (12), subparagraph subdivisions (a) through (c), Code Supplement 1993, are amended by striking the subparagraph subdivisions, and inserting in lieu thereof the following:

(a) The county board of supervisors may on its own motion or upon a written petition of a water supplier established under chapter 357A or 504A, direct the county auditor to establish a special service area tax district for the purpose of issuing general obligation bonds. The special service area tax district shall include only unincorporated portions of the county and shall be drawn according to engineering recommendations provided by the water supplier or the county engineer and, in addition, shall be drawn in order that an election provided for in subparagraph subdivision (b) can be administered. The county's debt service tax levy for the county general obligation bonds issued for the purposes set out in this subparagraph shall be levied only against taxable property within the county which is included within the boundaries of the special service area tax district. An owner of property not included within the boundaries of the special service area taxes district may petition the board of supervisors to be included in the special area tax district subsequent to its establishment.