



FOR AN ACT TO AMEND CHAPTER FOUR (4) OF TITLE X (10) OF THE CODE,
RELATIVE TO THE CONDEMNATION OF PROPERTY FOR PUBLIC USE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. When any corporation authorized under the laws of this State to condemn land
2 for public use, shall require any real estate that has been appropriated to public use, and it
3 shall appear that the new use to which it is to be applied is a necessary public use and will
4 not defeat the use to which it was first appropriated, it may be taken in the manner provided
5 by chapter four (4), Title X (10), of the Code, for taking other real estate, upon the payment
6 of actual damages.

7 If the parties interested cannot agree, the allegation of a necessary public use in the writ-
8 ten application for a second taking shall be determined by the district court upon appeal from
9 the assessment by the commissioners designated in section two thousand (2,000) of said chapter
10 and Code.