

March 12, 1957.

House File 543

By CARSON.

Passed House, Date..... Passed Senate, Date.....

Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act relating to service of notice in eminent domain proceedings.

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

1 Section 1. Section four hundred seventy-two point twelve
2 (472.12), 1954 Code, is hereby repealed and the following
3 enacted in lieu thereof:
4 "If the owner of such lands, or any person interested
5 therein, is a nonresident of this state, or if his address is
6 unknown, the notice aforesaid may be published in some news-
7 paper of general circulation in the county in which the land
8 is situated, once each week for at least two successive weeks
9 prior to the day fixed for appraisalment, which shall be at
10 least twenty (20) days after the last publication of notice.
11 In addition thereto a copy of the notice shall be sent by
12 certified mail not less than twenty (20) days before the day
13 set for hearing, addressed to such owner at his last known
14 mailing address, unless an affidavit of the applicant or his
15 attorney is filed stating that diligent inquiry has been made
16 to ascertain it but that no mailing address was learned of
17 thereby. Proof of publication and mailing shall be by affidavit
18 and shall be included in the records of the proceeding."

EXPLANATION OF HOUSE FILE 543

The purpose of this bill is to conform service of notice in eminent domain proceedings to the requirements recently set down by the United States Supreme Court.

