

468.74 Drainage bonds.

1. When a drainage district has been established or the making of any subsequent repair or improvement determined upon, if the board of supervisors shall find that the cost of such improvement will create assessments against the land included in the district that are greater than should be levied in a single year upon the lands benefited by the improvement, then, instead of issuing improvement certificates, as provided in [sections 468.70 through 468.73](#), the board may fix the amount that shall be levied and collected each year until such cost and expenses are paid, and may issue drainage bonds of the county covering all assessments exclusive of assessments of one hundred dollars and less.

2. Before drainage bonds shall be issued, the governing body of the district shall cause an action for declaratory judgment to be brought in the district court of the county in which the bonds are to be issued, asking that their legality be confirmed. The court shall fix a date for hearing on the legality of the bonds and notice of hearing shall be given to the owners of each lot or tract of land within the district, which shall be affected by an assessment to pay the proposed bonds, as shown by the transfer books in the auditor's office. Notice shall also be given to the holders of liens of record upon the affected lands and to all persons to whom it may concern without naming them specifically. The notice shall be given by publication and by mailing for the same time in advance of hearing and in the same manner prescribed in [section 468.15](#). After the entry of the declaratory judgment adjudicating the validity of such bonds, the approval of the district court shall be endorsed on the bonds before issuance.

[C97, §1953; S13, §1989-a27; C24, 27, 31, 35, 39, §7503; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §455.81]

[89 Acts, ch 126, §2](#)

CS89, §468.74

[2019 Acts, ch 59, §154](#)

Section amended