

468.22 Establishment — further investigation.

1. *a.* The board may locate and establish the district in accordance with the recommendation of the engineer and the report and plans on file if the board finds all of the following:

- (1) That the petition complies with the requirements of law in form and substance.
- (2) That the improvement would be conducive to the public health, convenience, welfare, benefit, or utility.
- (3) That the cost of the improvement is not excessive.
- (4) That no claim has been filed for damages.

b. The board may refuse to establish the proposed district if it deem best, or it may direct the engineer or another one employed for that purpose to make further examinations, surveys, plats, profiles, and reports for the modification of said plans, or for new plans in accordance with [sections 468.11](#) and [468.12](#), and continue further hearing to a fixed date. All parties over whom the board then has jurisdiction shall take notice of such further hearing; but any new parties rendered necessary by any modification or change of plans shall be served with notice in the same manner as for the original establishment of a district.

2. The county auditor shall appoint three appraisers as provided for in [section 468.24](#) to assess the value of the right-of-way required for open ditches or other improvements.

[S13, §1989-a5; C24, 27, 31, 35, 39, §7448; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §455.28]

[89 Acts, ch 126, §2](#)

CS89, §468.22

[2020 Acts, ch 1063, §252](#); [2022 Acts, ch 1021, §115](#)

Referred to in [§468.13](#)

Subsection 1, paragraph a amended