

27—50.120(207) Acceptance of gifts of land.

50.120(1) The division may accept donations of title to land or interest in land that is necessary for reclamation activities. A donation shall not be accepted if the terms or conditions of acceptance are inconsistent with the objectives or requirements of the program.

50.120(2) Offers to make a gift of the land or interests in land shall be in writing and shall include:

- a.* A statement of the interest which is being offered.
- b.* A legal description of the land and a description of any improvements on it.
- c.* A description of any limitations on the title or conditions as to the use or disposition of the land existing or to be imposed by the donor.
- d.* A statement that:
 1. The donor is the record owner of interest being offered.
 2. The interest offered is free and clear of all encumbrances except as clearly stated in the offer.
 3. There are no adverse claims against the interest offered.
 4. There are not unredeemed tax deeds outstanding against the interest offered.
 5. There is no continuing responsibility by the operator under state or federal statutory law for reclamation.
- e.* An itemization of any unpaid taxes or assessments levied, assessed or due which could operate as a lien on the interest offered.

50.120(3) If the offer is accepted, a deed of conveyance shall be executed, acknowledged and recorded. The deed shall state that it is made “as a gift under the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, and Iowa Code chapter 207.” Title to donated land shall be in the name of the state of Iowa.