

House Amendment 8049

Amendment Text

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1 1 Amend [House File 2089](#) as follows:
1 2 #1. Page 1, by striking lines 3 through 30 and
1 3 inserting the following:
1 4 "306.23 NOTICE PREFERENCE OF SALE.
1 5 1. The agency in control of a tract, parcel, or
1 6 piece of land, or part thereof, which is unused right-
1 7 of-way shall send by certified mail to the last known
1 8 address of the present owner or owners of adjacent
1 9 land from which the tract, parcel, piece of land, or
1 10 part thereof, was originally purchased or condemned
1 11 for highway purposes, and to the person who owned the
1 12 land at the time it was purchased or condemned for
1 13 highway purposes, notice of the agency's intent to
1 14 sell the land, the name and address of any other
1 15 person to whom a notice was sent, and the fair market
1 16 value of the real property based upon an appraisal by
1 17 an independent appraiser.
1 18 2. The notice shall give an opportunity to the
1 19 present owner of adjacent property and to the person
1 20 who owned the land at the time it was purchased or
1 21 condemned for highway purposes to be heard and make
1 22 offers within sixty days of the date the notice is
1 23 mailed for the tract, parcel, or piece of land to be
1 24 sold.

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~~— If the person who owned the land at the time
1 25 it was purchased or condemned for highway purposes
1 26 makes an offer which equals or exceeds in amount~~

~~—any~~

~~—~~
1 27

~~—other offer received and which equals or exceeds~~

~~— the
1 28 fair market value of the property, the person shall be
1 29 given preference by the agency in control of the land.
1 30 If the person who owned the land at the time it was
1 31 purchased or condemned for highway purposes makes no
1 32 offer within sixty days or if the offer does not equal
1 33 or exceed the fair market value of the land, and a
1 34 present owner of adjacent property makes an offer
1 35 which equals or exceeds in amount any other offer
1 36 received and which equals or exceeds the fair market
1 37 value of the property, then the present owner making
1 38 the offer shall be given preference by the agency in
1 39 control of the land. If no offers are received within
1 40 sixty days or if no offer equals or exceeds the fair
1 41 market value of the land, the agency shall transfer
1 42 the land for a public purpose or proceed with the sale
1 43 of the property.~~

1 44 3. For the purposes of this section, "public
1 45 purpose" means the transfer to a state agency or a
1 46 city, county, or other political subdivision for a
1 47 public purpose.

1 48 Sec. 2. EFFECTIVE DATE. This Act, being deemed of

1 49 immediate importance, takes effect upon enactment."
1 50 #2. Title page, line 3, by inserting after the
2 1 word "property" the following: "and providing an
2 2 effective date".
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2 5 _____
2 6 COMMITTEE ON [LOCAL GOVERNMENT](#)
2 7 VANDE HOEF of Osceola, Chairperson
2 8 [HF 2089.201](#) 77
2 9 ec/jl/28