

February 20, 1963.

Senate File 226

Passed on File.

By NOLAN.

*Judiciary 2/21 Pass 3/12*  
Passed Senate, Date.....3-25-63

Passed House, Date.....4-24-63

Vote: Ayes.....49 Nays.....0

Vote: Ayes.....102 Nays.....0

Approved.....5-2-63

*Judiciary 2 3/27  
Pass 4/4*

## A BILL FOR

An Act to enable and empower the state of Iowa to convey certain easements and rights in, to and over certain easements for highways purposes, owned by the state of Iowa in Marion, Polk, and Warren counties, Iowa, in furtherance of the red rock reservoir project.

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

1 Section 1. The executive council may, upon the majority  
2 recommendation of the Iowa state highway commission, grant, sell,  
3 exchange, or convey to the United States of America the perpetual  
4 right, power, privilege, and easement to permanently overflow,  
5 flood, and submerge all of the portion of easements for highway  
6 purposes upon which primary highways Nos. 14, 46, 60, 92, and  
7 181 are located in Marion, Polk, and Warren counties, Iowa,  
8 below elevation 783.0 mean sea level datum (adjustment of 1929).

1 Sec. 2. Conveyance made pursuant to this Act shall be in  
2 the name of the state, signed by the governor and secretary of  
3 state with the great seal of the state of Iowa attached.

1 Amend Senate File 226 as follows:

2 1. Amend the title by striking all after the word "the" in line  
3 one (1) and inserting in lieu thereof the following: "board or  
4 commission which has control and jurisdiction over any highway or  
5 highway system to convey certain easements and rights in, to and  
6 over certain easements for highway purposes."

7 2. Further amend Senate File 226 by striking all after the  
8 enacting clause and inserting in lieu thereof the following:

9 "Section 1. The board or commission which has control and  
10 jurisdiction over any highway or highway system which may be  
11 affected by a federal water resources project may grant, sell,  
12 exchange, or convey to the United States of America, the perpet-  
13 ual right, power, privilege and easement to overflow, flood, and  
14 submerge all of the portion of easements for highway purposes  
15 under the control and jurisdiction of such board or commission:

16 Sec. 2. Where such easement is conveyed in connection with  
17 any primary road or state park or institutional road, written  
18 conveyances containing the conditions as prescribed by the  
19 executive council shall be made in the name of the state and  
20 signed by the governor and secretary of state, and the seal of  
21 the state of Iowa attached thereto. Where such easement is  
22 conveyed in connection with any secondary road, written con-  
23 veyances containing the provisions prescribed by the board of  
24 supervisors shall be made in the name of the county and signed  
25 by the chairman of the board and the county auditor."

Filed  
February 25, 1963.

*adopted*  
*3/25*

By NOLAN.