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JAN 26 1981

HOUSE FILE 164

TRANSPORTATION

BY DIEMER

See " 3/18 Do Page 3/24 (p. 7-12)

Passed House, Date 3-12-81 (p. 158) Passed Senate, Date 4-21-81 (p. 1322)

Vote: Ayes 93 Nays 1 Vote: Ayes 48 Nays 0

Approved May 4, 1981

A BILL FOR

1 An Act to authorize the state department of transportation to
 2 transfer unused right of way by quit claim deed to a county
 3 for the use and benefit of the county conservation board.
 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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164

1 Section 1. Section 306.42, subsection 2, Code 1981, is
2 amended to read as follows:

3 2. The state department of transportation shall transfer
4 by quit claim deed to the county or to the city having
5 jurisdiction over a road, all of the state's legal or equitable
6 title and interest in right of way for the road or street
7 and may transfer any adjacent unused right of way or land
8 in excess of that needed as right of way. The deed shall
9 be executed by the director of the department by order of
10 the state transportation commission. However, if the state
11 department of transportation owns any adjacent unused right
12 of way in excess of that needed as right of way which is
13 located outside the incorporated limits of a city and is
14 suitable for purposes specified in section 111A.4, subsection
15 2, the department may, at the request of the county and the
16 county conservation board, transfer the property by quit claim
17 deed to the county for the use and benefit of the county
18 conservation board.

19 EXPLANATION

20 The bill allows the state department of transportation
21 to transfer certain unused right of way to a county and county
22 conservation board rather than the current procedure which
23 gives title to the state conservation commission and then
24 is released to the county under a management agreement. The
25 bill takes effect July 1 following enactment.

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deed to the county for the use and benefit of the county
conservation board.

HOUSE FILE 164

AN ACT

TO AUTHORIZE THE STATE DEPARTMENT OF TRANSPORTATION TO
TRANSFER UNUSED RIGHT OF WAY BY QUIT CLAIM DEED TO A
COUNTY FOR THE USE AND BENEFIT OF THE COUNTY CONSERVA-
TION BOARD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 306.42, subsection 2, Code 1981, is
amended to read as follows:

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by quit claim deed to the county or to the city having
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2, the department may, at the request of the county and the
county conservation board, transfer the property by quit claim

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 164, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved May 4, 1981

ROBERT D. RAY
Governor