

*Ho Judiciary 3/25 R. Pass 4/11/91*

*Reprinted*

SENATE FILE 460  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SF 173)

Passed Senate, Date 4/25/91 (p.1488) Passed House, Date 4/2/92  
Vote: Ayes 42 Nays 1 Vote: Ayes 98 Nays 0  
Approved April 28, 1992  
*Motion to reconsider (p.1507), 1516*  
*" w/ps 5/1/91*

**A BILL FOR**

- 1 An Act relating to the establishment of certain county roads and
- 2 legalizing the proceedings concerning the establishment of
- 3 certain county roads.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

**SENATE FILE 460**

**S-3542**

- 1 Amend Senate File 460 as follows:
- 2 1. Page 1, line 3, by striking the figure "1992"
- 3 and inserting the following: "1993".
- 4 2. Page 1, line 11, by inserting after the word
- 5 "with" the following: ", unless the adjacent property
- 6 owner, or an attorney, agent, guardian, conservator,
- 7 trustee, or parent of a minor adjacent property owner,
- 8 files in the office of the county recorder in the
- 9 county where the property is located, a statement in
- 10 writing, which is duly acknowledged, and which
- 11 specifically describes the property involved, the
- 12 nature and extent of the right of the interest
- 13 claimed, and the nature of the alleged failure to
- 14 comply with any of the steps necessary for the
- 15 establishment of the road, on or before December 31,
- 16 1992."

*1 E 4107*

By AL STURGEON

S-3542 FILED APRIL 23, 1991  
*Adopted 4/25/91 (p.1488)*

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1 Section 1. NEW SECTION. 589.30 ESTABLISHMENT OF ANCIENT  
2 COUNTY ROADS.

35423 Effective January 1, 1992, the establishment of a county  
4 road pursuant to proceedings by a board of supervisors, in  
5 which the proceedings, plans, or plats were on file or  
6 recorded with the county auditor or county recorder prior to  
7 January 1, 1920, are not ineffectual because of the failure of  
8 the board of supervisors to comply with any of the steps  
9 necessary for the establishment of the road, and these  
10 proceedings are legalized and valid as if the record showed  
11 that the law had been complied with.

12 EXPLANATION

13 This bill pertains to roads established by a board of  
14 supervisors in which the proceedings establishing the road  
15 were on file or recorded with a county auditor or recorder  
16 before January 1, 1920. The bill provides that, effective  
17 January 1, 1992, the establishment of the road and the  
18 proceedings establishing the road are legalized, despite  
19 procedural defects, as long as the proceedings were on file or  
20 recorded prior to January 1, 1920.

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4 road pursuant to proceedings by a board of supervisors, in  
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8 the board of supervisors to comply with any of the steps  
9 necessary for the establishment of the road, and these  
10 proceedings are legalized and valid as if the record showed  
11 that the law had been complied with, unless the adjacent  
12 property owner, or an attorney, agent, guardian, conservator,  
13 trustee, or parent of a minor adjacent property owner, files  
14 in the office of the county recorder in the county where the  
15 property is located, a statement in writing, which is duly  
16 acknowledged, and which specifically describes the property  
17 involved, the nature and extent of the right of the interest  
18 claimed, and the nature of the alleged failure to comply with  
19 any of the steps necessary for the establishment of the road,  
20 on or before December 31, 1992.

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any of the steps necessary for the establishment of the road,  
on or before December 31, 1992.

SENATE FILE 460

AN ACT

RELATING TO THE ESTABLISHMENT OF CERTAIN COUNTY ROADS AND  
LEGALIZING THE PROCEEDINGS CONCERNING THE ESTABLISHMENT  
OF CERTAIN COUNTY ROADS.

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

Section 1. NEW SECTION. 589.30 ESTABLISHMENT OF ANCIENT  
COUNTY ROADS.

Effective January 1, 1993, the establishment of a county  
road pursuant to proceedings by a board of supervisors, in  
which the proceedings, plans, or plats were on file or  
recorded with the county auditor or county recorder prior to  
January 1, 1920, are not ineffectual because of the failure of  
the board of supervisors to comply with any of the steps  
necessary for the establishment of the road, and these  
proceedings are legalized and valid as if the record showed  
that the law had been complied with, unless the adjacent  
property owner, or an attorney, agent, guardian, conservator,  
trustee, or parent of a minor adjacent property owner, files  
in the office of the county recorder in the county where the  
property is located, a statement in writing, which is duly  
acknowledged, and which specifically describes the property  
involved, the nature and extent of the right of the interest  
claimed, and the nature of the alleged failure to comply with

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MICHAEL E. GRONSTAL  
President of the Senate

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ROBERT C. ARNOULD  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 460, Seventy-fourth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 28, 1992

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TERRY E. BRANSTAD  
Governor