

Reprinted

2/14/95 Transportation
H-12/22/95
3/1/95 Amend/Do Pass
w/S-3087

SENATE FILE 141
BY GIANNETTO

(COMPANION TO LSB 2028HH
BY NELSON of Marshall)

(p. 120)
Passed Senate, Date 3/20/95
Vote: Ayes 49 Nays 1
Approved _____

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to notice for vacating and closing roads.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 141

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1 Section 1. Section 306.12, Code 1995, is amended to read
2 as follows:

3 306.12 NOTICE -- SERVICE.

4 Notice of the hearing under section 306.11 shall be
5 published in a newspaper of general circulation in the county
6 or counties where the road is located, not less than four nor
7 more than twenty days prior to the date of hearing. The
8 agency which is holding the hearing shall notify all adjoining
9 property owners, all utility companies whose facilities adjoin
10 the road right of way or are on the road right of way, and the
11 department, boards of supervisors, or agency in control of
12 affected state lands, of the time and place of the hearing, by
13 certified mail, ~~and shall notify all property owners within~~
14 ~~one mile of the road by regular mail.~~

15 EXPLANATION

16 Currently, an agency in control of a road which wants to
17 vacate or close the road is required to hold a hearing and
18 notify all property owners within one mile of the road by
19 regular mail. This bill strikes that notification
20 requirement.

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SENATE FILE 141

S-3087

- 1 Amend Senate File 141 as follows:
- 2 1. Page 1, by striking lines 13 and 14 and
- 3 inserting the following: "certified mail, and shall
- 4 notify all property owners located outside the
- 5 boundary of a city and within one mile of the road by
- 6 regular mail."

By COMMITTEE ON TRANSPORTATION
DON E. GETTINGS, Chairperson

Adopted
S-3087 FILED MARCH 1, 1995

(P. 720) 3/20/95

SENATE FILE 141

S-3137

- 1 Amend the amendment, S-3087, to Senate File 141 as
 - 2 follows:
 - 3 1. Page 1, line 5, by striking the word "and".
- By MERLIN E. BARTZ

S-3137 FILED MARCH 20, 1995

ADOPTED

(P. 720)

1 Section 1. Section 306.12, Code 1995, is amended to read
2 as follows:

3 306.12 NOTICE -- SERVICE.

4 Notice of the hearing under section 306.11 shall be
5 published in a newspaper of general circulation in the county
6 or counties where the road is located, not less than four nor
7 more than twenty days prior to the date of hearing. The
8 agency which is holding the hearing shall notify all adjoining
9 property owners, all utility companies whose facilities adjoin
10 the road right of way or are on the road right of way, and the
11 department, boards of supervisors, or agency in control of
12 affected state lands, of the time and place of the hearing, by
13 certified mail, and shall notify all property owners located
14 outside the boundary of a city within one mile of the road by
15 regular mail.

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outside the boundary of a city, who own ten or more acres of land within one mile of the road by regular mail.

SENATE FILE 141

AN ACT

RELATING TO NOTICE FOR VACATING AND CLOSING ROADS.

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

Section 1. Section 306.12, Code 1995, is amended to read as follows:

306.12 NOTICE -- SERVICE.

Notice of the hearing under section 306.11 shall be published in a newspaper of general circulation in the county or counties where the road is located, not less than four nor more than twenty days prior to the date of hearing. The agency which is holding the hearing shall notify all adjoining property owners, all utility companies whose facilities adjoin the road right of way or are on the road right of way, and the department, boards of supervisors, or agency in control of affected state lands, of the time and place of the hearing, by certified mail, and shall notify all property owners located

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 141, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 24, 1995

TERRY E. BRANSTAD
Governor