

SENATE FILE 2084  
BY McKEAN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the disposition of private property condemned  
2 under eminent domain.

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

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S.F. 2084

1 Section 1. NEW SECTION. 6B.56 DISPOSITION OF CONDEMNED  
2 PROPERTY.

3 1. If real property condemned pursuant to this chapter is  
4 not used for the purpose stated in the application filed  
5 pursuant to section 6B.3 and the condemner seeks to dispose of  
6 the real property, the condemner shall first offer the  
7 property for sale to the prior owner of the condemned property  
8 as provided in this section. For purposes of this section,  
9 prior owner of the real property includes the successor in  
10 interest of the real property.

11 2. Before the real property may be offered for sale to the  
12 general public, the condemner shall notify the prior owner of  
13 the real property condemned in writing of the condemner's  
14 intent to dispose of the real property, of the amount of  
15 damages awarded the prior owner for the real property when the  
16 real property was condemned pursuant to this chapter, and of  
17 the prior owner's right to purchase the real property within  
18 sixty days from the date the notice is served at a price equal  
19 to the amount of damages awarded the prior owner for the real  
20 property when the real property was condemned. The notice  
21 sent by the condemner as provided in this subsection shall be  
22 filed with the office of the recorder in the county in which  
23 the real property is located.

24 3. If the prior owner elects to purchase the real property  
25 at the price established in subsection 2, before the  
26 expiration of the sixty-day period, the prior owner shall  
27 notify the condemner in writing of this intention and file a  
28 copy of this notice with the office of the recorder in the  
29 county in which the real property is located.

30 4. The provisions of this section do not apply to the sale  
31 of unused right-of-way property as provided in chapter 306.

32 EXPLANATION

33 This bill provides that a prior owner of condemned real  
34 property shall be given 60 days to reacquire that property if  
35 the condemner has not used the property for the purpose of the

1 condemnation and if the entity that condemned the real  
2 property seeks to otherwise dispose of the property to the  
3 public. The bill provides that the prior owner can reacquire  
4 the property at a price equal to the amount of damages awarded  
5 the prior owner through condemnation. The bill does not apply  
6 to the sale of unused right-of-way property as provided in  
7 chapter 306.

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