

SENATE FILE 340
BY BLACK

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the condemnation of property for an urban
2 renewal project.

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

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S.F. 340

1 Section 1. Section 403.7, Code 1995, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions
4 of section 6B.33, a municipality shall pay all costs of the
5 assessment made by the commissioners and reasonable attorney
6 fees and costs incurred by the condemnee as determined by the
7 commissioners if the award of the commissioners exceeds one
8 hundred ten percent of the final offer of the municipality
9 prior to condemnation. The municipality shall file with the
10 sheriff an affidavit setting forth the most recent offer made
11 to the person whose property is sought to be condemned.
12 Members of such commissions shall receive a per diem of fifty
13 dollars and actual and necessary expenses incurred in the
14 performance of their official duties. The municipality shall
15 also pay all costs occasioned by the appeal, including
16 reasonable attorney fees to be taxed by the court, if on the
17 trial thereof the amount of damages exceeds one hundred ten
18 percent of the final offer of the municipality prior to
19 condemnation.

20 EXPLANATION

21 This bill provides that in the condemnation of property by
22 a municipality for an urban renewal project, the property
23 owner of the property being condemned shall be entitled to all
24 costs of the assessment of the property and the costs involved
25 in defending the amount of the award on appeal if the court
26 award is more than 110 percent of the final offer of the
27 municipality prior to condemnation.

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