

CHAPTER 80

HIGHWAYS

S. F. 338

AN ACT to amend the law as it appears in section four hundred twenty-eight (428) of the code of eighteen hundred ninety-seven (1897) (C. C. Sec. 2827) relating to the powers of the board of supervisors.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Appraisers—notice.** That the law as it appears in sec-
2 tion four hundred twenty-eight (428) of the code of eighteen hundred
3 ninety-seven (1897) (C. C. Sec. 2827) be, and the same is, hereby
4 amended by striking out therefrom commencing with the word, "the"
5 in line two (2) and ending with the word, "appraisers," in line three
6 (3) thereof, and to substitute therefor: "if for any reason, the board
7 is unable to acquire such highway by agreement with the owner or
8 owners, such owner or owners who are residents of the county shall
9 be personally served in the manner original notices are required to be
10 served, and such owner or owners who do not reside in said county
11 shall be served by publishing a notice in some newspaper in the
12 county, once each week for two weeks, but personal service outside
13 of the county but within the state in the manner original notices
14 are required to be served, shall be deemed personal service and shall
15 take the place of published service, and in addition, notice shall be
16 served in the manner original notices are required to be served upon
17 the actual occupant of the land, if said land be occupied, the service
18 in any case to be completed at least five (5) days prior to the date
19 fixed in said notice, notifying interested parties that three disin-
20 terested freeholders will be selected as appraisers, one by the board
21 of supervisors, one by the owner or owners of the property affected,
22 where there are two or more tracts affected, and one by the two so
23 appointed, said notice to fix a definite date upon which the interested
24 party or parties shall appear and name one appraiser, and in the event
25 said owner or owners fail to appear, in person or by agent, or fail to
26 agree upon the selection of an appraiser, the board of supervisors may
27 appoint two of such appraisers who shall select a third appraiser".

Approved April 16, A. D. 1923.