

CHAPTER 203

APPEALS FROM ASSESSMENT OF DAMAGES

S. F. 144

AN ACT to amend section seventy-eight hundred thirty-nine (7839) of the 1935 code of Iowa, relating to appeals from the assessment of damages made by condemnation commissioners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section seventy-eight hundred thirty-nine (7839)
2 of the 1935 code of Iowa is hereby amended by adding thereto the
3 following:
4 "Such notice of appeal shall be served in the same manner as an
5 original notice. In case of condemnation proceedings instituted by
6 the state highway commission, when the owner appeals from the
7 assessment made, such notice of appeal shall be served upon the attor-
8 ney general, or the special assistant attorney general acting as counsel
9 to said commission, or the chief engineer for said commission. When
10 service of notice of appeal cannot be made as provided in this section,
11 the district court of the county in which the real estate is situated, or
12 a judge thereof, on application, shall direct what notice shall be suffi-
13 cient".

Senate File 144. Approved April 15, 1937.

CHAPTER 204

LEVEES AND DRAINAGE DISTRICTS

S. F. 166

AN ACT to authorize levee and/or drainage districts to maintain actions to collect damages resulting from the construction of locks, dams and pools; to make settlements and adjustments of said damages, and to employ legal engineering counsel; and to become members of drainage associations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Levee and/or drainage districts through their govern-
2 ing bodies are authorized to maintain actions in law or equity for the
3 purposes of preventing or recovering damages that may accrue to such
4 districts on account of the impairment of their functions, or the in-
5 crease in the cost of maintenance or operation of such districts, or on
6 account of damages to property owned by such districts, resulting
7 from the construction and/or operation of locks, dams and pools in
8 the Mississippi or Missouri rivers; they may make settlements and ad-
9 justments of such damages and written contracts with relation thereto,
10 and receive any appropriations that may be made by the congress of
11 the United States for the increased cost to drainage or levy districts
12 and may agree to the construction and maintenance of present equip-
13 ment and of new or remedial works, improvements and equipment as
14 a part of such damages, or as a means of lessening the damages which
15 will be suffered by the said districts. Said districts are further au-
16 thorized to employ legal and engineering counsel for such purposes and
17 to pay for the same out of the award of damages or out of the mainte-
18 nance funds of the district.