

3 line twelve (12) thereof, and inserting in lieu thereof the following:  
 4 "or in such other manner as the court or judge in his discretion, may  
 5 prescribe upon application of any appraiser or any interested party."

Approved February 13, 1957.

## CHAPTER 218

### DRAINAGE AND LEVEE DISTRICT LANDS

#### S. F. 137

AN ACT relating to the classification of lands within a proposed drainage or levee district prior to the establishment of such district.

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

1 SECTION 1. Section four hundred fifty-five point nine (455.9), Code  
 2 1954, is hereby amended by inserting the following new subsection:

3 "In the event the petitioners request a classification before the estab-  
 4 lishment of the district, the petition shall include a request that the  
 5 district be classified as provided in sections four hundred fifty-five  
 6 point forty-five (455.45) to four hundred fifty-five point fifty-one  
 7 (455.51), inclusive, of the Code after the board has approved the  
 8 report of the engineer as a tentative plan but before the district is  
 9 finally established."

1 SEC. 2. In the event two or more landowners included in the pro-  
 2 posed district other than the petitioners request a classification prior  
 3 to the establishment of said district, they shall file in writing their  
 4 request and execute a bond as required in sections four hundred fifty-  
 5 five point ten (455.10) and four hundred fifty-five point eleven  
 6 (455.11) of the Code to cover the expense of such classification if the  
 7 district is not established. Such written request and the bond shall be  
 8 filed before the board establishes a district.

1 SEC. 3. Section four hundred fifty-five point nineteen (455.19),  
 2 Code 1954, is hereby amended by adding thereto the following:

3 "If the petition or other landowners requested a classification of the  
 4 district prior to establishment, the board shall order a classification as  
 5 provided by sections four hundred fifty-five point forty-five (455.45)  
 6 to section four hundred fifty-five point fifty-one (455.51), inclusive,  
 7 of the Code after they have approved the report of the engineer as a  
 8 tentative plan. The notice of hearing provided by section four hun-  
 9 dred fifty-five point twenty (455.20) of the Code shall also include  
 10 the requirements of the notice of hearing provided in section four hun-  
 11 dred fifty-five point fifty-two (455.52) of the Code as to this classifi-  
 12 cation, and the hearing on the petition provided in section four hun-  
 13 dred fifty-five point twenty-seven (455.27) of the Code shall also in-  
 14 clude the matters to be heard as provided in section four hundred  
 15 fifty-five point fifty-three (455.53) of the Code. If the board estab-  
 16 lishes the district as provided in section four hundred fifty-five point  
 17 twenty-eight (455.28) of the Code, the classification which is finally  
 18 approved at said hearing by the board shall remain the basis of all  
 19 future assessments for the purposes of said district as provided in

20 section four hundred fifty-five point fifty-six (455.56) of the Code.  
 21 The landowners shall have the same right of appeal from this classi-  
 22 fication as they would have if the petition had not requested a classi-  
 23 fication prior to establishment and the classification had been made  
 24 after establishment."

Approved April 5, 1957.

## CHAPTER 219

### NOTICE AFFECTING INTERESTS IN LAND

#### H. F. 551

AN ACT relating to the notice given to owners of land or interests or rights therein, in certain types of procedures and other matters affecting such land.

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

1 SECTION 1. Section four hundred fifty-five point twenty-one  
 2 (455.21), Code 1954, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "The notice provided in section four hundred fifty-five point twenty  
 5 (455.20) shall be served, except as otherwise hereinafter provided,  
 6 by publication thereof once each week for two consecutive weeks in  
 7 some newspaper of general circulation published in the county, the  
 8 last of which publications shall be not less than twenty days prior to  
 9 the day set for hearing. Proof of such service shall be made by affi-  
 10 davit of the publisher. Copy of such notice shall also be sent by ordi-  
 11 nary mail to each person named therein at his last known mailing  
 12 address unless there is on file an affidavit of the auditor, or of a person  
 13 designated by the board to make the necessary investigation, stating  
 14 that no mailing address is known and that diligent inquiry has been  
 15 made to ascertain it. Such copy of notice shall be mailed not less  
 16 than twenty days before the day set for hearing and proof of such  
 17 service shall be by affidavit of the auditor. Proofs of service required  
 18 by this section shall be on file at the time the hearing begins."

1 SEC. 2. Section four hundred fifty-five point fifty-five (455.55),  
 2 Code 1954, is hereby repealed and the following enacted in lieu  
 3 thereof:

4 "The board shall cause notice to be served upon the owner of any  
 5 tract of land or easement against which it is proposed to increase the  
 6 assessment, requiring him to appear at a fixed date and show cause  
 7 why such assessment should not be so increased. Such notice shall  
 8 be served for the time and in the manner prescribed in section four  
 9 hundred fifty-five point twenty-one (455.21) or section four hundred  
 10 fifty-five point twenty-two (455.22), as the case may be, except that  
 11 personal service in the same manner as an original notice may be  
 12 made in lieu of the other methods."

1 SEC. 3. Section four hundred fifty-five point eighty-one (455.81),  
 2 Code 1954, is hereby amended by striking the sentence beginning with  
 3 the word "Such" in line thirty-one (31) and inserting in lieu thereof  
 4 the following: