

28 3. Any benefits of a character for which levee or drainage districts  
 29 may be established and which are attributable to or enhanced by the  
 30 improvement or by the repair, improvement, or extension thereof,  
 31 shall be a proper subject of consideration in a reclassification not-  
 32 withstanding the district may have been originally established for a  
 33 limited purpose.

34 Such reclassification when finally adopted shall remain the basis  
 35 for all future assessments unless revised as provided in this chapter."

Approved April 30, 1957.

## CHAPTER 224

### ADDITIONAL DRAINAGE LANDS

S. F. 143

AN ACT relating to the annexation of additional lands in a drainage or levee district and basis for assessments upon such lands.

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

1 SECTION 1. Section four hundred fifty-five point one hundred  
 2 twenty-eight (455.128), Code 1954, is hereby repealed and the follow-  
 3 ing enacted in lieu thereof:

4 "After the establishment of a levee or drainage district, if the board  
 5 becomes convinced that additional lands are benefited by the improve-  
 6 ment or that the same are then receiving benefit or will be benefited  
 7 by a repair or improvement to said district as contemplated in section  
 8 four hundred fifty-five point one hundred thirty-five (455.135), it may  
 9 adopt, with or without a petition from owners of the proposed annexed  
 10 lands, a resolution of necessity for the annexation of such  
 11 additional land and appoint an engineer with the qualifications provided  
 12 in this chapter to examine such additional lands, to make a  
 13 survey and plat thereof showing their relation, elevation, and condi-  
 14 tion of drainage with reference to such established district, and to  
 15 make and file with the auditor a report as in this chapter provided for  
 16 the original establishment of such district, said report to specify the  
 17 character of the benefits received."

1 SEC. 2. Section four hundred fifty-five point one hundred thirty  
 2 (455.130), Code 1954, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "After such annexation is made the board shall levy upon the annexed  
 5 lands an assessment sufficient to equal the assessments for benefit originally  
 6 paid by the lands of equal classification if the finding by the board as  
 7 provided by section four hundred fifty-five point one hundred  
 8 twenty-eight (455.128) was that said lands should have been included  
 9 in the district when originally established, plus their proportionate  
 10 share of the costs of any enlargement or extension of drains required  
 11 to serve the annexed lands. If the finding of the board as provided  
 12 in section four hundred fifty-five point one hundred twenty-eight  
 13 (455.128) was based on the fact that additional lands are now  
 14 benefited by virtue of the repair or improvement made to said dis-

15 trict and were not benefited by the district as originally established,  
 16 then the board shall levy upon said annexed lands an assessment suf-  
 17 ficient to pay their proportionate share of the costs of said repair or  
 18 improvement which was the basis for the lands being annexed."

Approved April 5, 1957.

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## CHAPTER 225

### DRAINAGE AND LEVEE DISTRICTS

#### H. F. 103

AN ACT relating to the acquisition of easements for meander by drainage or levee districts.

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

1 SECTION 1. Section four hundred fifty-five point one hundred  
 2 thirty-five (455.135), Code 1954, is hereby amended by striking the  
 3 last paragraph thereof and inserting in lieu thereof the following:  
 4 "The governing body of the district may, by contract or convey-  
 5 ance, acquire, within or without the district, the necessary lands or  
 6 easements for making repairs or improvements under this section,  
 7 including easements for borrow and easements for meander, and in  
 8 addition thereto, the same may be obtained in the manner provided in  
 9 the original establishment of the district, or by exercise of the power  
 10 of eminent domain as provided for in chapter four hundred seventy-  
 11 two (472) of the Code."

1 SEC. 2. Districts hereafter established for the straightening, wid-  
 2 ening, deepening, or changing of a natural watercourse shall acquire  
 3 therefor an easement for right-of-way of sufficient width to accom-  
 4 modate reasonably anticipated erosion and meander of such stream.  
 5 In existing districts where the stream has by erosion appropriated  
 6 lands beyond its original right-of-way and it is more economical and  
 7 feasible to acquire an easement for such erosion and meander than to  
 8 undertake containment of the stream in its existing right-of-way, the  
 9 board may, in the discharge of the duties enjoined upon it by section  
 10 four hundred fifty-five point one hundred thirty-five (455.135) of the  
 11 Code, effect such acquisition as to the whole or part of the course.  
 12 Right-of-way so taken shall be classed an improvement for the pur-  
 13 pose of procedure under said section.

Approved March 29, 1957.