

306A.5 Acquisition of property and property rights.

1. For the purposes of [this chapter](#), cities and highway authorities having jurisdiction and control over the highways of the state, as provided by [chapter 306](#), may acquire private or public property rights for controlled-access facilities and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as such units are authorized by law to acquire such property or property rights in connection with highways and streets within their respective jurisdictions. All property rights acquired under [this chapter](#) shall be in fee simple. In connection with the acquisition of property or property rights for a controlled-access facility or portion of, or service road in connection with a controlled-access facility, the cities and highway authorities, in their discretion, may acquire an entire lot, block, or tract of land, if by so doing the interests of the public will be best served, even though the entire lot, block, or tract is not immediately needed for the right-of-way proper.

2. Access rights to any highway shall not be acquired by any authority having jurisdiction and control over the highways of this state by adverse possession or prescriptive right. Action taken by any such authority shall not form the basis for any claim of adverse possession of or prescriptive right to any access rights by any such authority.

[C58, 62, 66, 71, 73, 75, 77, 79, 81, §306A.5]

[89 Acts, ch 83, §39](#); [2018 Acts, ch 1041, §77](#)