

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 380

February 26, 1947.
Passed on File.

By AERONAUTICS COMMITTEE.

A BILL FOR

An Act to authorize municipalities to enter upon lands or waters within the state for the purpose of making surveys, explorations, inspections and mappings, preliminary to the location or expansion of airports and providing for the determination and payment of damages in connection therewith.

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

1 Section 1. Right to enter upon land or waters. Any
2 municipality or any person or persons employed by it, may enter
3 upon any lands or waters within this state for the purpose of
4 exploring, surveying, inspecting or mapping the same as may be
5 necessary in the selection of airport sites or the selection of
6 lands for the expansion or relocation of existing airports.

1 Sec. 2. Damages.—Procedure. If a municipality and the
2 owners of such lands or waters cannot agree upon the amount to be
3 paid for damages caused thereby, either of them may petition the
4 district court in the county in which the land or water is
5 situated, which court shall fix a time for a hearing as soon as
6 may be and order at least twenty days' notice to be given to all
7 parties interested, and, with or without view of the premises, as
8 the court may determine, hear the parties and their witnesses and
9 assess the damages.

1 Sec. 3. Tender. The municipality so entering upon land or
2 water may tender to the injured party damages therefor, and if,
3 in case of petition to the court, the damages finally assessed do
4 not exceed the amount tendered, the person entering shall
5 recover his costs in the action; otherwise, the prevailing
6 party shall recover costs.

1 Sec. 4. Costs. The costs to be allowed in all such cases
2 shall be the same as allowed according to the rules of court
3 and provisions of law relating thereto.

EXPLANATION OF H. F. 380

This bill would authorize municipalities to enter upon private lands with due compensation to the owners thereof for the purpose of making surveys, explorations, inspections and mappings preliminary to the location or expansion of or the acquisition of lands for airports and would provide a procedure for the assessment of damages caused thereby.