

February 28, 1963.

House File 404

Public Lands and Buildings *Passed 4/14* by SCHERLE, GITTINS, McELROY,  
*Deferred 4/19* OSSIAN and VAN NOSTRAND.

Passed House, Date..... Passed Senate, Date.....

Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....

Approved.....

## A BILL FOR

An Act relating to the title of certain lands acquired by the Missouri River boundary compromise of 1943 wherein the state conservation commission may make some claim in the name of the state of Iowa.

WHEREAS, the state of Iowa has acquired jurisdiction of various tracts of land by the Missouri river boundary compromise of 1943 which were formerly in the state of Nebraska, and

WHEREAS, as one of the conditions of said compromise it was understood that the title of individual owners would not be disturbed by the exchange of lands between the two states, and

WHEREAS, certain individuals were at the time and have since claimed right of title to such Nebraska land coming into Iowa and paid taxes thereon in one or the other or both states, and

WHEREAS, it now appears that the Iowa state conservation commission has by certain publications asserted that it is claiming some rights to certain of said lands in the name of the state of Iowa without naming said lands specifically, and

WHEREAS, said statements have caused undue hardships on the persons occupying said lands in securing loans or in selling said lands because the statements by the commission result in a cloud on the title of said persons to said lands, now therefore,

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

- 1 Section 1. The state conservation commission, concerning
- 2 lands that the state of Iowa acquired jurisdiction of by the
- 3 Missouri river boundary compromise of 1943, shall forthwith
- 4 assert which specific tracts of said lands it claims title or
- 5 any interest therein, in the name of the state of Iowa, but
- 6 not later than January 1, 1964. Said claims shall be filed in the
- 7 office of the county auditor of the county wherein the tract or
- 8 tracts lie and shall be followed within six months after said
- 9 date by an action in the district court of said county to quiet
- 10 title to any such lands that the state does not already have

11 clear title. As one of the conditions precedent to quieting  
12 title in the state of Iowa to any such tract the commission shall  
13 show to the satisfaction of the court, that at the time of filing  
14 claim to the tract, it had placed in escrow with the county audi-  
15 tor for the development of said tract a sum equivalent to fifty  
16 dollars multiplied by the number of acres in the tract.

1 Sec. 2. In that part of said lands that the state of Iowa  
2 makes no claim of title before the date set herein and insofar  
3 as the state fails as to any such tract to have title quieted in  
4 the name of the state before the limiting date set in this Act,  
5 the governor and secretary of state, shall issue a patent, to the  
6 persons claiming right of title, in the name of the state of Iowa  
7 asserting that the state claims no further right therein.

EXPLANATION OF HOUSE FILE 404

This bill is explained in the preamble hereof.

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HOUSE FILE 404

- 1 Amend section 1 of House File 404 by striking all of said section
- 2 after the period in line eleven (11).
- 3 Further amend House File 404 by striking all of section 2.

Filed  
April 4, 1963.

COMMITTEE ON PUBLIC LANDS AND BUILDINGS,  
CONRAD OSSIAN, *Chairman.*