

March 26, 1963.

House File 563

Place on Calendar. By COMMITTEE ON ROADS AND HIGHWAYS.

Passed House, Date 4-22-63 Passed Senate, Date.....

Vote: Ayes 102 Nays 0 Vote: Ayes..... Nays.....

Approved.....

Reconsidered Vote 4/22

*Withdrawn
4/24/63*

A BILL FOR

An Act to enable and empower the state of Iowa to convey to the United States certain easements and rights in, to and over certain easements for highway purposes, owned by the state of Iowa in Marion, Polk, and Warren counties, in furtherance of the Red Rock Reservoir Project.

Whereas, the United States of America has, under authority of Public Law 761, 75th Congress, approved June 28, 1938, and Public Law 534, 78th Congress, approved December 22, 1944, undertaken development of a flood control project known as the Red Rock Dam and Reservoir, Des Moines River, Iowa, located near Red Rock, Marion County, Iowa; and

Whereas, the state of Iowa is the owner of certain easements for highway purposes in Marion, Polk and Warren counties of the state of Iowa, upon which it has constructed and is maintaining certain portions of Primary Highways Nos. 14, 46, 60, 92, and 181 under the jurisdiction and control of the state highway commission; and

Whereas, a contract and agreement was made and entered into on the third day of July, 1962, said contract being No. DA-11-117-CIVENG-62-185, by and between the United States of America, acting by and through the U. S. Army Corps of Engineers, and the state of Iowa, acting by and through the state highway commission, whereby the state of Iowa agrees to relocate, alter, and change certain portions of the above-numbered highways in consideration of the sum of eleven million nine hundred thousand dollars (\$11,900,000.00); and

Whereas, the state of Iowa in the aforesaid contract and agreement is to convey to the United States of America the perpetual right, power, privilege and easement to overflow, flood, and submerge such portions of the above-described easements for highway purposes as is required in connection with and maintenance of the Red Rock Reservoir Project lying below elevation 783.0 mean sea level datum (adjustment of 1929); and

Whereas, no present state officer, official, board, commission, or council has the authority to make such conveyance; now, therefore,

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

- 1 Section 1. The executive council may, upon the majority
- 2 recommendation of the state highway commission, grant, sell,

3 exchange, or convey to the United States of America the perpetual
4 right, power, privilege, and easement to permanently overflow,
5 flood, and submerge all of the portion of easements for highway
6 purposes upon which Primary Highways Nos. 14, 46, 60, 92, and
7 181 are located in Marion, Polk, and Warren counties of the state
8 of Iowa, below elevation 783.0 mean sea level datum (adjustment
9 of 1929).

1 Sec. 2. Conveyance made pursuant to this Act shall be in
2 the name of the state of Iowa, signed by the governor and
3 secretary of state with the great seal of the state of Iowa
4 attached.

EXPLANATION OF HOUSE FILE 563

The purpose of this bill is to enable the state to convey to the United States certain easements and rights in, to and over certain easements for highway purposes which are now owned by the state in Marion, Polk and Warren Counties in connection with the Red Rock Reservoir Project.