

Bond Case Briefs

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EMINENT DOMAIN - IOWA

Abbas v. Franklin County Board of Supervisors

Supreme Court of Iowa - January 17, 2025 - N.W.3d - 2025 WL 223427

Owners of farmland in drainage district appealed compensation determination of the county board of supervisors which reconstructed drainage ditch and restored it to an open ditch.

The District Court awarded right-of-way and severance damages, and directed one landowner to convey severed parcel to the board. Both parties appealed, and, upon transfer, the Court of Appeals affirmed in part and vacated in part. The Supreme Court granted further review.

The Supreme Court held that:

- Drainage district had an existing, non-abandoned easement and thus was not required to pay landowners additional compensation for any reconstruction within that easement;
- Landowners were not entitled to severance damages related to the diminution in value of their remaining farmland caused by reconstruction of ditch;
- Landowner was entitled to severance damages for parcel severed from remaining land following ditch reconstruction; and
- Board was not entitled to conveyance of that parcel.