

CHAPTER 14.

EXTENSION AND IMPROVEMENT OF STATE CAPITOL GROUNDS.

H. F. 669.

AN ACT to provide for the levy of a special tax upon the assessed valuation of the taxable property of the state for a period of ten years for the purchase of real estate for the extension and for the improvement of the state capitol grounds: To define the limits of said extension: To authorize the purchase by executive council of all grounds within said limits: To adopt a plan for the location of buildings, monuments, etc.; on said extended ground, and to provide for the sale of certain real estate known as "Governor Square." [Additional to chapter seven (7) of title two (II) of the code relating to the executive council.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Special tax—purchase real estate. That for the purpose of providing for the purchase of real estate for the extension of the capitol grounds and improvement of the same, there shall be levied annually for a period of ten (10) years, commencing with the first levy made after the passage of this act, a special tax as follows; in each of the years 1913 and 1914 one-half mill on the dollar of the taxable property in the state, and in each of the remaining eight years such rate of levy to be fixed by the executive council, as will yield approximately one hundred and fifty thousand dollars (\$150,000) annually. The proceeds of such levies shall be carried into the state treasury to the credit of a fund to be called the capitol grounds extension and improvement fund. The amount so realized by said levies shall be in lieu of all of the appropriations for said purposes during the said period of ten (10) years.

SEC. 2. Plat. That for the purpose of the extension of the capitol grounds the executive council is hereby authorized, empowered and directed to purchase from time to time within said period of ten (10) years any or all of the real estate not already owned by the state of Iowa within the following limits: beginning at a point where the east line of Pennsylvania avenue crosses the north line of East Locust street, thence northerly along the east line of Pennsylvania avenue to the north line of the alley between Locust street and Grand avenue, thence easterly along the north line of said alley between Locust street and Grand avenue to a point one hundred and thirty (130) feet west of the west line of East Ninth street, thence northerly parallel with the west line of East Ninth street to the south line of Des Moines street, thence easterly to a point where the south line of Des Moines street crosses the east line of East Twelfth street, thence southerly to where the east line of East Twelfth street crosses the north line of East Grand avenue, thence easterly to where the north line of East Grand avenue crosses the east line of East Thirteenth street, thence southerly to where the east line of East Thirteenth street crosses the south line of Walnut street, thence westerly along the south line of Walnut street to where the same crosses the east line of East Twelfth street, thence southerly to the north line of the right of way of the Des Moines Union Railway Company, thence westerly along the north line of the right of way of the Des Moines Union Railway Company to the east line of the alley running north and south east of East Seventh street, thence northerly along the east line of said alley to the south line of East Locust street, then northwesterly to the place of beginning.

SEC. 3. Erection of buildings. That all buildings, monuments, statuary, memorials, fountains and improvements hereafter erected upon said capitol grounds shall be located in accordance with the plan covering said extended grounds as contemplated herein submitted as the Allison memorial commission plan now on file in the office of the secretary of state and that said grounds shall be laid out with respect to drives, streets, avenues, malls, walks, bridges, terraces and other improvements in all respects as contemplated and suggested by said plan and said plan is hereby adopted and made a part of this act.

SEC. 4. Options—purchase—how paid. That the executive council is hereby authorized, empowered and directed to acquire any or all the real estate included within the territory described in section two hereof for the state and may purchase the same on option or contracts or in any other way which said council may deem expedient but payment for said real estate shall be made only upon the certificate of the attorney general that the vendor has furnished the state an abstract of title showing perfect title of record. The executive council may make said purchase or enter into said contracts at any time within said period of ten (10) years at its discretion and as the amount of money in said fund at any time may enable them to do but only after the most diligent inquiry and investigation as to the fair, just and reasonable value of said property. Payment for said real estate may be made by the said executive council certifying to the state auditor the amount due to any person at any time, and the auditor then drawing a warrant in his favor on the state treasury payable out of the fund herein created.

SEC. 5. Condemnation. That if the executive council shall at any time be unable to purchase said real estate, or any part of it at such price or prices as it may deem just and reasonable upon its request the attorney general shall on behalf and in the name of the state and in accordance with the statute applicable to such cases institute and prosecute to a final determination an action or actions for the condemnation of the premises to said use as is contemplated by this act.

SEC. 6. Leases. That the executive council shall have charge of all buildings that may be on any of the grounds acquired under the provisions of this act and may lease any or all of said buildings and grounds on behalf of the state until, in the judgment of said council, it is advisable to remove them. That at such times said buildings may be sold by said council or are razed and the salvage thereon sold or such other disposition made of said buildings as said council may deem to the best advantage of the state. And all money realized from such sources and from rentals shall be carried into the state treasury to the credit of the capitol grounds extension and improvement fund.

SEC. 7. Sale Governor Square. That the executive council is hereby authorized, empowered and directed to sell or cause to be sold either as it now stands or to cause the same to be platted and subdivided into lots and sold in parcels the real estate now owned by the state known as Governor Square and more particularly described as follows, to-wit:—commencing at a point south thirty-two degrees west thirty minutes west, one and sixty-five one hundredths chains from the northwest corner of the southwest quarter of section two, township seventy eight north range twenty-four west of the fifth principal meridian thence north seventy-four degrees, thirty minutes east, six hundred eighty feet to a stone, thence south fifteen degrees thirty minutes east three hundred and sixty feet, thence south seventy-four degrees thirty minutes west six hundred eighty feet to a stone, thence north fifteen degrees thirty minutes west three hundred sixty feet to the place of beginning containing five and sixty

one-hundredths acres more or less. All proceeds derived from the sale of said real estate, except the expense of selling the same including agent's commission, if any, shall be carried into the state treasury to the credit of the capitol grounds extension and improvement fund herein created. All patents or deeds of conveyance to said above described real estate shall be executed and acknowledged by the governor in the name of the state upon resolution of the executive council authorizing such conveyance.

SEC. 8. Only special fund to be used. That no part of the purchase price of any of said grounds nor of any warrants or certificates issued in payment for the same and no part of the interest accruing thereon shall ever be paid from the general revenues or funds of the state or out of any fund or from the proceeds of any tax other than funds arising from the tax provided for herein and from the sale of the real estate herein authorized to be sold or from the proceeds or accumulations thereof.

SEC. 9. Interest bearing certificates—how paid. That for the purpose of accomplishing the earliest possible completion of the work contemplated herein and the carrying out of the plans provided for in this act the executive council may anticipate the collection of the tax herein authorized to be levied for the extension and improvement of the capitol grounds, and for that purpose may issue interest bearing warrants or certificates carrying a rate of interest not to exceed five per cent per annum to be denominated "capitol grounds extension and improvement warrants or certificates and said warrants or certificates and interest thereon shall be secured by said assessment and levy and shall be payable out of the respective funds hereinbefore named, pledged to the payment of the same, and no warrants shall be issued in excess of taxes authorized or to be levied to secure the payment of the same. It shall be the duty of the state treasurer to collect said several funds and to hold the same separate and apart in trust for the payment of said warrants or certificates and interest and to apply the proceeds of said funds pledged for that purpose to the payment of said warrants or certificates and interest. Such warrants or certificates shall be issued in sums of not less than one hundred nor more than one thousand dollars each running not more than ten years bearing interest not exceeding five per cent per annum, payable annually or semi-annually and shall be substantially in the following form.

The state of Iowa, for value received, promises to pay to bearer
 dollars, lawful money of the United States of America, on
 with interest on said sum from the date hereof until paid,
 at the rate of per cent per annum, payable an-
 nually on the first day of....., and in each
 year, both principal and interest payable at Des Moines, Iowa. This warrant
 or certificate is issued by the state of Iowa pursuant to the provisions of sec-
 tion, chapter, of the acts of the thirty-fifth gen-
 eral assembly of Iowa. And it is hereby certified and recited that all acts,
 conditions and things required by the laws and constitution of the state of
 Iowa to be done precedent and in the issue of this warrant or certificate, have
 been properly done, happened and been performed in regular and due form,
 as required by law.

In testimony whereof said state, by its executive council, has caused this warrant or certificate to be signed by its chairman, and attested by its secretary, with the seal of said executive council attached this day of

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Chairman of the Executive
Council of the State of Iowa.

Attest:

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Secretary of the Executive Council
of the State of Iowa.

SEC. 10. **Certificates—how issued.** That all warrants or certificates issued under the provisions of this act shall be issued pursuant to and in conformity with a resolution adopted by the executive council, which shall specify the amount authorized to be issued, purpose for which issued, the rate of interest they shall bear, and whether payable annually or semi-annually, the place where the principal and interest shall be payable, and when to become due, and such other provisions, not inconsistent with law, in reference thereto, as the council shall think proper, which resolution shall be entered of record upon the minutes of the proceedings of the executive council, and a true and complete copy thereof printed on the back of each warrant or certificate, (which resolution shall constitute a contract between the state and the purchasers or holders of said warrants or certificates.)

SEC. 11. **Certificates deposited with treasurer of state—register.** That when warrants or certificates have been executed as aforesaid, they shall be delivered to the treasurer of state of the state of Iowa and his receipt taken therefor, who shall register the same in a book provided for that purpose, which shall show the number of each warrant or certificate, its date, date of sale, amount, date of maturity, and the name and address of the purchaser, which record shall at all times be open to the inspection of the citizens of said state. The treasurer of state of the state of Iowa shall thereupon certify upon the back of each warrant or certificate as follows:

“This warrant (or certificate) duly and properly registered is in my office this day of

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Treasurer of State of the state of Iowa.

and shall stand charged on his official bond with all warrants or certificates so delivered to him and the proceeds thereof.

SEC. 12. **Sale—certificates—proceeds.** The treasurer of state of the state of Iowa shall, under resolution and the direction of the executive council, sell the warrants or certificates for cash on the best available terms, and the proceeds shall be applied and exclusively used as hereinbefore provided and for the purposes for which said warrants or certificates are issued. In no case shall they be sold for a less sum than their face value, and all interest accrued at the date of sale. After registration the treasurer of state of the state of Iowa shall deliver said warrants or certificates to the purchaser thereof. If, in the judgment of the executive council, it should be deemed expedient warrants or certificates may be issued direct to the vendor in payment for any property purchased under the provisions of this act.

Approved April 10 A. D. 1913.