

6 assessment and levy of taxes to pay the cost and expense thereof,
7 where assessments have not yet been made and levied to pay for
8 the same as well as to proceedings hereafter instituted.

1 **SEC. 3. Publication clause.** This act is deemed of immediate im-
2 portance and shall take effect from and after the publication in the
3 Carroll Herald, Carroll, Iowa, and the Sac Sun, Sac City, Iowa.

Approved March 29, A. D. 1927.

I hereby certify that the foregoing act was published in the Carroll Herald April 6, 1927, and the Sac City Sun April 7, 1927.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 187

PAYMENT OF DRAINAGE ASSESSMENTS

S. F. 283

AN ACT authorizing the extension of the time of payment of drainage assessments and the issuance of drainage refunding bonds for the purpose of renewing and extending all or any part of the legal indebtedness for account of drainage districts.

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

1 **SECTION 1. Refunding bonds.** When outstanding drainage bonds
2 issued in anticipation of the collection of drainage assessments levied
3 upon property within a drainage district are due or are about to be-
4 come due and funds are not and will not be available for the pay-
5 ment thereof at maturity, the board of supervisors of any county
6 may extend the time of payment of such unpaid assessments or any
7 installment or installments thereof and may renew or extend the
8 time of payment of such legal bonded indebtedness or any part thereof,
9 for account of such drainage districts, in the sum of five thousand
10 dollars (\$5,000) or more, and may refund the same and issue drain-
11 age refunding bonds therefor subject to the limitations and in the
12 manner hereinafter provided.

1 **SEC. 2. Petition for refunding.** Before the time of payment of
2 said assessments or any installment or installments thereof shall be
3 extended and before the board shall institute proceedings for the
4 issuance of drainage refunding bonds, the owners of not less than
5 fifteen per cent (15%) of the land within a drainage district as shown
6 by the transfer books in the auditor's office upon which drainage
7 assessments are unpaid, shall file a petition with the board requesting
8 the extension of the time of payment of assessments levied in said
9 drainage district or of any installment or installments thereof, setting
10 forth the date said assessments to be extended were levied, the aggre-
11 gate amount thereof unpaid, and requesting the issuance of drainage
12 refunding bonds, stating the amount and purpose of said bonds.

1 **SEC. 3. Sufficiency of petition—hearing.** Upon the receipt of any

2 such petition the board shall, at the next regular meeting or regular
3 adjourned meeting, determine the sufficiency thereof and fix a date
4 of meeting of the board at which it is proposed to extend the time
5 of payment of said unpaid assessments and to take action for the
6 issuance of drainage refunding bonds.

1 **SEC. 4. Notice.** The board shall give ten (10) days notice of said
2 meeting as required in relation to the issuance of bonds under chapter
3 twenty-three (23) of the code.

1 **SEC. 5. Requirements of notice.** Said notice shall be directed to
2 each person whose name appears upon the transfer books in the
3 auditor's office as owner of lands within said drainage district upon
4 which said drainage assessments are unpaid, naming him, and also
5 to the person or persons in actual occupancy of any of said tracts
6 of land without naming them, and shall state the amount of unpaid
7 assessments upon each forty (40) acre tract of land or less, and
8 that all of said unpaid assessments, installment or installments thereof
9 as proposed to be extended, may be paid in cash on or before the time
10 fixed for said hearing, and that after the expiration of such time no
11 assessments may be paid except in the manner and at the times fixed
12 by the board in the resolution authorizing the issuance of said drain-
13 age refunding bonds.

1 **SEC. 6. Extending payment of assessments.** In case no appeal is
2 taken to the issuance of said bonds as provided by chapter twenty-
3 three (23), the board may extend the time of payment of said un-
4 paid assessment or any installment or installments thereof as
5 requested in the petition and may issue drainage refunding bonds, or,
6 in case of an appeal, the board may issue such bonds in accordance
7 with the decision of the director of the budget provided said assess-
8 ments, installment or installments thereof have not been entered on
9 the delinquent tax lists and have not been previously extended.

1 **SEC. 7. Appeal.** Any person aggrieved by the final action of the
2 board extending the time of payment of said unpaid assessment, in-
3 stallment or installments thereof may appeal therefrom to the dis-
4 trict court of the county in which such action was taken.

1 **SEC. 8. Time and manner of appeal.** All appeals shall be taken
2 in the manner provided in section seventy-five hundred fifteen (7515)
3 except that said appeal shall be taken within ten (10) days after the
4 date of the final action of the board.

1 **SEC. 9. Maximum extension.** The unpaid assessments against
2 said lands within said drainage district shall not be extended for a
3 period exceeding fifteen (15) years from the time any assessment,
4 installment or installments thereof to be extended become due. The
5 board shall fix the amount that shall be levied and collected each year
6 and may issue drainage refunding bonds covering all said unpaid
7 assessments.

1 **SEC. 10. Form of bonds.** Drainage refunding bonds shall be is-
2 sued in denominations of not less than one hundred dollars (\$100)

3 nor more than one thousand dollars (\$1,000), each, running not more
 4 than fifteen (15) years, bearing interest not exceeding six per cent
 5 (6%) per annum, payable semiannually, and shall be substantially in
 6 the form provided by law relating to drainage bonds, with such
 7 changes as shall be necessary to conform with this act.

1 **SEC. 11. Numbering, signing, and attestation.** Said bonds shall
 2 be numbered consecutively, signed by the chairman of the board and
 3 attested by the county auditor with the seal of the county affixed.
 4 The interest coupons attached thereto shall be executed by the county
 5 auditor.

1 **SEC. 12. Resolution required.** All bonds issued under the pro-
 2 visions of this chapter shall be issued pursuant to and in conformity
 3 with a resolution adopted by the board of supervisors which shall
 4 specify the amount of unpaid assessments to be extended, the times
 5 when the installment or installments of extended assessments shall
 6 become due, the amount of drainage refunding bonds authorized to
 7 be issued, the purpose for which issued, the rate of interest they shall
 8 bear, the place where the principal and interest shall be payable and
 9 the time or times when they shall become due, and such other pro-
 10 visions not inconsistent with law in reference thereto, as the board
 11 shall deem proper.

1 **SEC. 13. Record of resolution.** Said resolution shall be entered of
 2 record upon the minutes of proceedings of said board and shall consti-
 3 tute a contract between the drainage district and the purchasers
 4 or holders of said bonds and shall be full authority for the revision of
 5 the tax rolls to accord therewith.

1 **SEC. 14. Record of bonds.** When the bonds have been executed
 2 as aforesaid they shall be delivered to the county treasurer and his
 3 receipt taken therefor. He shall register said bonds in a book pro-
 4 vided for that purpose which shall show the number of each bond,
 5 its date, date of sale, amount, date of maturity, and the name and
 6 address of the purchaser, and if exchanged what evidences of in-
 7 debtedness were received therefor, which record shall at all times
 8 be open to the inspection of the owners of property within said drain-
 9 age district. The treasurer shall thereupon certify on the back of
 10 each bond as follows:

11 "This bond duly and properly registered in my office this.....
 12 day of....., 19.....
 13
 14 Treasurer of the county of
 15"

1 **SEC. 15. Liability of treasurer—reports.** The treasurer shall
 2 stand charged on his official bond with all bonds so delivered to him
 3 and the proceeds thereof. He shall report under oath to the board,
 4 at each first regular session thereof in each month, a statement of
 5 all such bonds sold or exchanged by him since his last report and
 6 the date of such sale or exchange and when exchanged a description
 7 of the indebtedness for which exchanged.

1 **SEC. 16. Sale, exchange, and cancellation.** He shall, under a reso-
2 lution and the direction of the said county board of supervisors, sell
3 the bonds for cash on the best available terms or exchange them on
4 like terms for the legal indebtedness of the said drainage district
5 evidenced by the outstanding drainage bonds, authorized to be re-
6 funded by the resolution authorizing the issue of said refunding
7 bonds, and the proceeds shall be applied and exclusively used for the
8 purpose for which said bonds are issued. In no case shall they be
9 sold or exchanged for a less sum than their face value and all interest
10 accrued. After registration the treasurer shall deliver said
11 refunding bonds to the purchaser thereof and when exchanged for
12 said bonded indebtedness of said district, shall at once cancel a like
13 amount of said drainage bonds.

1 **SEC. 17. Effect of extension.** The extension of the time of pay-
2 ment of any unpaid assessments or installment or installments thereof,
3 in the manner aforesaid shall in no way impair the lien of said
4 assessments as originally levied or the priority thereof, nor the right,
5 duty, and power of the officers authorized by law to levy, collect,
6 and apply the proceeds thereof to the payment of said drainage re-
7 funding bonds.

1 **SEC. 18. Additional assessments.** If said assessments should for
2 any reason be insufficient to meet the interest and principal of said
3 drainage refunding bonds additional assessments shall be made to
4 provide for such deficiency.

1 **SEC. 19. Applicability of funds.** All special assessments, taxes,
2 and sinking funds applicable to the payment of the indebtedness re-
3 funded by said drainage bonds shall be applicable in the same manner
4 and to the same extent to the payment of such refunding bonds
5 issued hereunder, and the powers, rights, and duties to levy and
6 collect special assessments or taxes, or create liens upon property
7 shall continue until all refunding bonds shall be paid.

1 **SEC. 20. Trust fund.** The special assessments out of which said
2 bonds are payable shall be collected and held separate and apart in
3 trust for the payment of said refunding bonds.

1 **SEC. 21. Liens unimpaired.** When drainage refunding bonds are
2 issued hereunder, nothing in this chapter shall be construed as im-
3 pairing the lien of any unpaid drainage assessments or installments
4 in such drainage district, the time of payment of which is not ex-
5 tended, nor shall this chapter be construed as impairing the priority
6 of the lien thereof nor the right, duty, and power of the officers
7 authorized by law to levy, collect, and apply the proceeds thereof to
8 the payment of outstanding drainage bonds issued in anticipation of
9 the collection thereof.

1 **SEC. 22. Limitation of action.** No action shall be brought ques-
2 tioning the validity of any of the bonds authorized by this chapter
3 from and after three (3) months from the time the same are ordered
4 issued by the proper authorities.

1 SEC. 23. **Void bonds or assessments.** The provisions of this chap-
2 ter shall not apply to bonds or assessments adjudicated to be void.

1 SEC. 24. **Interpretative clause.** This act shall be construed as
2 granting additional power without limiting the power already exist-
3 ing for the extension of the time of payment of drainage assessments
4 and the issuance of drainage bonds.

1 SEC. 25. **Publication clause.** This act is deemed of immediate im-
2 portance and shall take effect from and after its publication in the
3 Tipton Advertiser, a newspaper published at Tipton, Iowa, and the
4 Sioux City Journal, a newspaper published at Sioux City, Iowa.

Approved April 18, A. D. 1927.

I hereby certify that the foregoing act was published in the Tipton Advertiser April 28, 1927, and the Sioux City Journal April 22, 1927.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 188

DRAINAGE TAX FOR TOWNSHIP

H. F. 203

AN ACT to authorize certain townships to levy an additional drainage tax for the purpose of paying excess costs assessed against the township by reason of the construction of drainage districts.

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

1 SECTION 1. In any township where the township road drainage
2 fund has charged against it the township's portion of the cost of a
3 drainage district, which is in excess of the amount which can be
4 produced by the maximum levy authorized by the provisions of
5 section forty-seven hundred ninety-five (4795) of the code, in any
6 one year, the trustees may levy such additional road drainage tax
7 as they may determine, not exceeding eight (8) mills in any one
8 year, and the additional revenue so produced shall be used only for
9 the payment of such additional cost of drainage. The provisions
10 hereof shall apply to all townships where such drainage projects have
11 been completed before the taking effect of this act.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect from and after its publica-
3 tion in the Mitchell County Press, a newspaper published in Osage,
4 Iowa, and the St. Ansgar Enterprise, a newspaper published in St.
5 Ansgar, Iowa.

Approved April 6, A. D. 1927.

I hereby certify that the foregoing act was published in the Mitchell County Press April 12, 1927, and the St. Ansgar Enterprise April 13, 1927.

W. C. RAMSAY, *Secretary of State.*