

CHAPTER 329

PRISONER OF WAR CAMP AT ALGONA

S. F. 478

AN ACT to legalize and validate proceedings authorizing acceptance of conveyance of lands known as "the Prisoner of War Camp", Algona, Iowa, with certain buildings and facilities thereon, from the United States of America by the city of Algona, Iowa, subject to provisions for reversion of title to the United States in the event of breach of conditions stipulated in said deed.

WHEREAS, the United States of America, acting by and through War Assets Administrator under and pursuant to Executive Order 9689, dated January 31, 1946, and powers and authority contained in the provisions of the Surplus Property Act of 1944 (58 Stat. 765); and the powers and authorities contained in the provisions of the Federal Airport Act of 1946 (60 Stat. 170), and War Assets Administration Regulation No. 1 as amended, in consideration of the development and operation of the premises conveyed as a public airport in perpetuity and for benefit which will accrue to the United States of America from the continued use of such property as an airport, conveyed by Quit Claim Deed to the City of Algona, Iowa, and to its successors in function a tract of real estate situated in Kossuth County, Iowa, consisting of 221.3 acres, more or less, and known as the "Prisoner of War Camp", Algona, Iowa, (W. A. A. No. W-Iowa-16) together with certain facilities thereon, and,

WHEREAS, said property was so conveyed subject to each and all of the following conditions, namely:

"PROVIDED, that the title to the said premises shall automatically revert to the United States if and in the event that the Administrator of Civil Aeronautics, or his successor in function, determines that the premises have not been developed for airport purposes within a reasonable period of time after the date hereof, or that after having been so developed the premises have ceased to be used or necessary for airport purposes.

"Said land was duly declared surplus and assigned to the War Assets Administrator for disposal, acting pursuant to Executive Order 9689 and War Assets Regulation No. 1 as amended.

"AND the Grantee for and in consideration of the property conveyed hereby does for itself and its successors in function, covenant and agree as follows:

First: That the Grantee will develop an airport upon the lands herein demised;

Second: That such airport will be operated as a public airport on fair and reasonable terms and without unjust discrimination;

Third: That any subsequent transfer of the property interest conveyed hereby will be made subject to all of the covenants, conditions and limitations contained in this instrument;

Fourth: That in the event of breach of any condition or covenant herein imposed, then the Administrator of Civil Aeronautics of the U. S. Department of Commerce or his successor may immediately enter and possess himself of title to the herein demised premises for and on behalf of the United States of America.

Fifth: That in the event of breach of any condition or covenant herein

imposed, the Grantee will, upon demand by the Administrator of Civil Aeronautics of the United States Department of Commerce, take such action, including the prosecution of suit, or execute such instruments, as may be necessary and required to evidence transfer of title to the herein demised premises to the United States of America.”

And, WHEREAS, the City of Algona, pursuant to proper proceedings of the Council thereof, heretofore accepted said conveyance by instrument in writing in which it did accept and bind itself by all of the terms and conditions of said deed of conveyance, and,

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of the action of the City Council of the City of Algona, Iowa, in accepting said conveyance and obligating itself and the citizens thereof under the express provisions of code section 565.6, Code 1946, and under the provisions and conditions contained in said conveyance, including the development of the airport upon the lands demised and the expenditure of municipal funds therefore,* in order to put all such doubts forever at rest, NOW THEREFORE,

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

1 SECTION 1. That all of the proceedings heretofore taken by the
2 City Council of the City of Algona, Iowa, providing for the acceptance
3 of the conveyance of those lands in Kossuth County, Iowa, known
4 as the “Prisoner of War Camp”, Algona, Iowa, (W.A.A. No. W-Iowa-
5 16) containing 221.3 acres, more or less, together with the described
6 facilities thereon, subject to all of the terms and conditions stipulated
7 in said deed of conveyance, including the obligation upon the City to
8 develop an airport upon the lands so conveyed and the expenditure
9 of municipal funds therefore* are hereby legalized, validated and con-
10 firmed and declared to be as legal and valid as if every provision of
11 law had been fully complied with, notwithstanding any irregularity,
12 omission or defect in connection therewith, regardless of any limita-
13 tions upon the right, power or authority of said City of Algona, Iowa,
14 to acquire such property pursuant to the provisions of Code Section
15 565.6, Code 1946, or any other statute relating to the right, power
16 and authority of the city council of Algona, Iowa, to acquire in any
17 manner lands for airport purposes.

Approved April 22, 1947.

*According to enrolled act.