

CHAPTER 278

POLK COUNTY LEGALIZING ACT

H. F. 515

AN ACT to legalize and validate the proceedings of the board of township trustees of Delaware township of Polk county, Iowa, in connection with certain elections held to authorize a tax levy for fire protection purposes and the issuance of bonds in anticipation of said tax and declaring the validity of said elections and that bonds issued pursuant to said proceedings shall be enforceable obligations of said township.

WHEREAS it appears from the records of the Board of Township Trustees of Delaware Township in Polk County, Iowa, that said Board of Township Trustees adopted a resolution on August 7, 1954, calling a special election to be held in said Township on August 24, 1954, at which there was submitted to the voters of said Township the proposition of authorizing the levy of a tax of $1\frac{1}{2}$ mills on the taxable property in the Township for fire protection as authorized by Sections 359.42 and 359.43, Code of Iowa (1966); and

WHEREAS after canvassing the results of the election on the proposition of levying said tax it was found and determined that said proposition was approved by more than eighty-five percent of the total number of votes cast for and against said proposition at said election, there being 448 votes cast in favor of said proposition and 73 votes cast against the same; and

WHEREAS, it further appears from the records of said Board of Township Trustees, that said Board by resolution caused a special election to be conducted on May 7, 1969, upon the proposition of contracting indebtedness of not to exceed \$40,000.00 for the purchase of new fire fighting equipment, said bonds to be retired from the tax levy of $1\frac{1}{2}$ mills previously authorized, and at which election 366 votes were cast in favor of the proposition and 2 votes were cast against the proposition; and

WHEREAS in reliance upon the favorable vote cast at said elections, the Board of Township Trustees of said Township proposes to provide for the issuance of bonds to the amount and for the purpose aforesaid in anticipation of the collection of the tax levy of $1\frac{1}{2}$ mills authorized on August 24, 1954; and

WHEREAS doubts have arisen concerning the validity and legal sufficiency of said elections and proceedings and authority for the issuance and payment of said bonds and it is deemed advisable to put such doubts and all others that might arise concerning the same forever at rest; NOW, THEREFORE,

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

- 1 SECTION 1. That all proceedings heretofore taken by the Board
- 2 of Township Trustees of Delaware Township, Polk County, Iowa,
- 3 preliminary to and in connection with the special elections held in said
- 4 Township on August 24, 1954, and May 7, 1969, respectively, provid-
- 5 ing for the levy of a tax of $1\frac{1}{2}$ mills for the purposes authorized by
- 6 Sections 359.42 and 359.43, Code of Iowa (1966), and providing for
- 7 the issuance of fire equipment bonds of said Township to the amount
- 8 of not to exceed \$40,000.00 in anticipation of and to be retired from

9 the proceeds of said tax, and said elections are hereby legalized, vali-
 10 dated and confirmed and said bonds when issued, sold and delivered
 11 pursuant to and in accordance with said proceedings are hereby de-
 12 clared to be legal and to constitute valid and binding obligations of
 13 said Township.

1 SECTION 2. This Act being deemed of immediate importance shall
 2 be in full force and effect from and after its passage and publication in
 3 The Altoona Herald, a newspaper published at Altoona, Iowa, and in
 4 the Lee Town News, a newspaper published at Des Moines, Iowa,
 5 without expense to the State.

6 Published in the Altoona Herald, March 4, 1971.

Approved May 20, 1971.

I hereby certify that the foregoing Act, House File 515, was published in The Altoona Herald, Altoona, Iowa, June 3, 1971, and in the Lee Town News, Des Moines, Iowa, June 3, 1971.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 279

POWESHIEK COUNTY LEGALIZING ACT

H. F. 716

AN ACT to legalize and validate the procedures followed by the Poweshiek county board of supervisors in contracting with the Frank Wheeler Construction Company of Montezuma, Iowa, for the repair and remodeling of the Poweshiek county jail located at Montezuma, Iowa.

WHEREAS, on the 5th day of August, 1970, the Poweshiek County Board of Supervisors contracted with Wetherell, Harrison, McKlveen, Carney for a preliminary study to determine the feasibility of remodeling the Poweshiek County jail in Montezuma, Iowa; and

WHEREAS, on the 17th day of December, 1970, the Poweshiek County Board of Supervisors advertised for bids for the remodeling of the Poweshiek County jail located in Montezuma, Iowa; and

WHEREAS, the Poweshiek County Board of Supervisors entered into a contract on the 31st day of December, 1970, with the Frank Wheeler Construction Company of Montezuma, Iowa, to remodel the Poweshiek County jail in Montezuma, Iowa; and

WHEREAS, the original contract price was under the sum of \$50,000.00; and

WHEREAS, the actual cost is in the sum of \$49,903.00 for the repair and renovation of the jail; and

WHEREAS, in addition to the sum of \$49,903.00 for the repair and renovation of the jail, there is an architect's fee in the sum of \$7,485.45, which will bring the total cost in excess of \$50,000.00; and

WHEREAS, said sums may still be paid without the levy of additional taxes; and