

A BILL FOR AN ACT

To authorize the governor and secretary of state to execute certain conveyances conveying certain lands to the Des Moines Western Railway Company upon certain conditions.

(1) *Whereas*, on or about the 31st day of December, A. D. 1915, the executive council of the state of Iowa and the Des Moines Western Railway Company, for the purpose of establishing a suitable boundary line between the state capitol grounds and the grounds of the said Des Moines Western Railway Company, made and entered into a written agreement subject to the approval of the state to be evidenced by an act of this, the thirty-seventh general assembly of Iowa, the terms of which were to convey to the said Des Moines Western Railway Company the following described real estate, to wit:

All of lot six (6) in block thirteen (13) of the town of Demoiné, and all that part of the following lots, to-wit: lots one (1), two (2), three (3), seven (7), and the north ten (10) feet of lot eight (8), in block twelve (12), town of Demoiné, and lot eleven (11) in block eleven (11) town of Demoiné, which lies southerly of the following described line:

Commencing at a point in the west line of lot one (1), in block twelve (12), town of Demoiné, which is forty-seven and nine-tenths (47.9) feet south of the northwest corner of said lot one (1), thence southeasterly in a direct course seven hundred nine and nine-tenths (709.9) feet to a point in the south line of lot eleven (11), in block eleven (11), town of Demoiné, which is two hundred eighteen and eighty-five one hundredths (218.85) feet east of the southwest corner of lot twelve (12), in block eleven (11), town of Demoiné; thence southeasterly parallel with and forty (40) feet distant northerly, at right angles, from the center line of the Des Moines Western Railway Company's main track as now constructed, a distance of four hundred fifty-nine and twenty-two one hundredths (459.22) feet, to a point in lot eleven (11), in the official

plat of lots three (3), four (4), five (5), six (6), seven (7) and eight (8) in block twenty-two (22), town of Demoine, said point being five and one-tenth (5.1) feet south of the north line of said lot eleven (11) (said distance being measured on a line parallel with the east line of said lot eleven (11), and fifty-four and eight-tenths (54.8) feet west of the east line of said lot eleven (11), (said distance being measured on a line parallel with the north line of said lot eleven (11); thence southeasterly on a 4° 07' curve to the left and parallel with the center line of said main track, a distance of one hundred forty-eight and thirty-five one-hundredths (148.35) feet to a point in the west line of lot three (3), in block twenty-three (23), town of Demoine, said point being sixty-seven and thirty-five one hundredths (67.35) feet south of the northwest corner of said lot three (3), and forty (40) feet distant northerly measured at right angles from the center of said main track.

Also all the streets and alleys vacated by Ordinance No. 2388, passed by the city council of the city of Des Moines July 28, 1915, and conveyed by said city of Des Moines to the state of Iowa by deed dated the..... day of August, 1915, and recorded in Deed Record.....at page..... of the records of Polk County, Iowa, which lie south of the above described division line and north of the north line of the right of way of the Des Moines Union Railway Company, together with that part of East Eighth Street vacated by said ordinance, which lies south of the projection westward of the first named course of the above described division line and north of the right of way of the Des Moines Union Railway Company, also the east and west alley in block thirteen (13), town of Demoine east of the west line of lot seven (7) in said block.

Also the following portion of East Market street in the city of Des Moines, Iowa, vacated by Ordinance No. 2388, passed and approved by the city of Des Moines July 28, 1915, to wit: East Market street from the north line of the right of way of the Des Moines Union Railway Company to the east line of block twenty-three (23), town of De Moine; and,

(2) *Whereas*, by the terms of the same agreement, the state was to execute a proper instrument to vest in the said Des Moines Western Railway Company, its grantees, successors and assigns, the right in perpetuity to the use of the following described property-to wit:

Commencing at a point on the west line of lot (1) in block twelve (12) of the town of Demoine, Iowa, forty-seven and nine-tenths (47.9) feet south of the northwest corner thereof, thence north along said west line of said lot one (1) to the northwest corner hereof; thence westerly along the south line of Court avenue to a point where such line crosses a projection of the division line hereinbefore referred to, the same being extended northwesterly; thence southeasterly along said projected line to the place of beginning, for the purpose of access to and from the property of the said Des Moines Western Railway Company and Court avenue; and,

(3) *Whereas*, by the terms of the same contract, the Des Moines Western Railway Company was to convey to the state of Iowa by good and sufficient title the following described real estate:

Lot twelve (12) in block ten (10), lot fifteen (15) in block eleven (11), and lot ten (10) in block twenty-two (22), all in the town of Demoine, Iowa, and the following real estate, to wit:

All that part of the south forty-six (46) feet of lot eight (8) in block twelve (12), town of Demoine, lots twelve (12), thirteen (13) and fourteen (14) in block eleven (11), town of Demoine, lots one (1), two (2) and nine (9) in block twenty-two (22), town of Demone, and lot eleven (11) in the official plat of lots three (3), four (4), five (5), six (6), seven (7) and eight (8), in block twenty-two (22), in the town of Demoine, which lies north of the following described line:

Commencing at a point in the west line of lot (1), in block twelve (12), town of Demoine, which is forty-seven and nine-tenths (47.9) feet south of the northwest corner of said lot one (1), thence southeasterly in a direct course seven hundred nine and nine-tenths (709.9) feet to a point in the south line of lot eleven (11), in block eleven (11), town of Demoine, which is two hundred eighteen and eighty-five one-hundredths (218.85)

feet east of the southwest corner of lot twelve (12), in block eleven (11), town of Des Moines; thence southeasterly, parallel with and forty (40) feet distant northerly (at right angles) from the center line of the Des Moines Western Railway Company's main track as now constructed, a distance of four hundred fifty-nine and twenty-two one hundredths (459.22) feet to a point in lot eleven (11), in the official plat of lots three (3), four (4), five (5), six (6), seven (7) and eight (8), in block twenty-two (22), town of Des Moines; said point being five and one-tenth (5.1) feet south of the north line of said lot eleven (11), (said distance being measured on a line parallel with the east line of said lot) and fifty-four and eight-tenths (54.8) feet west of the east line of said lot eleven (11) (said distance being measured on a line parallel with the north line of said lot); thence southeasterly on a $4^{\circ} 07'$ curve to the left and parallel with the center line of said main track, a distance of one hundred forty-eight and thirty-five one-hundredths (148.35) feet to a point in the west line of lot three (3), in block twenty-three (23), town of Des Moines; said point being sixty-seven and thirty-five one-hundredths (67.35) feet south of the northwest corner of said lot three (3), and forty (40) feet distant northerly measured at right angles from the center of said main track; all of which will more fully appear by reference to said contract which appears of record at page 285 of book 684 of the records of the office of the county recorder of Polk county; and,

Whereas, all of the terms and provisions of said contract heretofore required to be performed have been performed by the several parties to said contract, now, therefore,

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

- 1 Section 1. That the governor and secretary of
- 2 state are hereby authorized to execute and deliver to the
- 3 Des Moines Western Railway Company the proper conveyances
- 4 conveying to it the real estate described in paragraph one
- 5 of the preamble hereof, and also the proper writing giving

6 said railway company the perpetual use, for the purposes
7 stated, of the lands described in paragraph two of the
8 preamble hereof upon the delivery to the state of the
9 proper conveyance from the said railway company of the
10 real estate described in paragraph three of the preamble
11 hereof.

1 Sec. 2. This act being deemed of immediate
2 importance shall be in full force and effect upon its
3 passage and publication in the Des Moines Register and
4 Des Moines Capital, newspapers published at Des Moines,
5 Iowa.

