

Reported Recommending
Ind. Postponed.....
Passed House
Failed to Pass House.....
Passed Senate
Failed to Pass Senate.....

House File 225

February 5, 1945.
Judiciary No. 1.

By COX.

A BILL FOR

An Act to legalize the action of the Independent School District of Fort Dodge, Iowa, in conveying certain real estate to Fort Dodge Gas & Electric Company and certain real estate to Harold Ertl, without holding an election.

WHEREAS, the Independent School District of Fort Dodge, Iowa, on the 25th day of February, 1940, by deed recorded in Land Deed Records 44, page 546, in the recorder's office of Webster County, Iowa, conveyed to Fort Dodge Gas & Electric Company the following described real estate, to wit:

A tract of land twenty (20) feet in length North and South and sixteen (16) feet in length East and West in the Northeast corner of a tract of land described as follows:

Commencing at a point 525 feet East of the Southwest corner of the Southwest Quarter of Section 17, Township 89 North, Range 28 West; running thence north 124 feet, thence East 52 feet, thence South 124 feet, thence West 52 feet to the place of beginning.

Also a strip of land 3 feet in width off the East side of said tract of land extending from the tract 20 feet by 16 feet in the Northeast corner thereof South along the East line of said tract to Tenth Avenue North (Fort Dodge, Iowa).

and

WHEREAS, the Independent School District of Fort Dodge, Iowa, on the 22nd day of April, 1940, by deed recorded in Land Deed Records 44, at page 356, of the records in the office of the County Recorder of Webster County, Iowa, conveyed to Harold Ertl the following described real estate, to-wit:

A tract of land commencing at a point 473 feet East of the Southwest Corner of the Southeast Quarter of Section 17, Township 89 North, Range 28, thence

running North 124 feet, thence East 104 feet, thence South 124 feet, thence West 104 feet to the place of beginning; excepting and reserving therefrom a tract of land 20 feet in length north and south and 16 feet in length east and west in the northeast corner of the said tract, together with a strip of land 3 feet in width off the east side of the said tract, running south along the east line thereof to Tenth Avenue North, Fort Dodge, Iowa, heretofore granted to the Fort Dodge Gas and Electric Company; and all subject to streets and highways located thereon or upon any portion thereof. and

WHEREAS, the aforesaid conveyances were made for the purposes of exchange and of completing title to the school house site and athletic field belonging to the Independent School District of Fort Dodge, Iowa, but were made without compliance with the provisions of the law with reference to notice and approval at an election by the voters of said Independent School District; and

WHEREAS, a doubt has arisen as to the legality of said conveyance and the authority of the Independent School District of Fort Dodge, Iowa, to make said conveyances, therefore

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

1 Section 1. That the deed from the Independent School District
2 of Fort Dodge, Iowa, to Fort Dodge Gas & Electric Company, dated
3 February 25, 1940, and recorded in Book of Land Deeds 44, page
4 546 of the deed records of Webster County, Iowa, conveying to
5 said Fort Dodge Gas & Electric Company the following described
6 real estate, to wit:

7 A tract of land twenty (20) feet in length North and
8 South and sixteen (16) feet in length east and west
9 in the northeast corner of a tract of land described
10 as follows:

11 Commencing at a point 525 feet East of the Southwest

12 corner of the Southeast Quarter of Section 17, Township
13 89 North, Range 28 West; running thence north 124 feet,
14 thence East 52 feet, thence South 124 feet, thence West
15 52 feet to the place of beginning.

16 Also a strip of land 3 feet in width off the East side
17 of said tract of land extending from the tract 50 feet
18 by 16 feet in the Northeast corner thereof South along
19 the East line of said tract to Tenth Avenue North (Fort
20 Dodge, Iowa),

21 be and the same is hereby legalized and declared valid.

1 Sec. 2. That the deed from the Independent School
2 District of Fort Dodge, Iowa, to Harold Ertl, dated April 22,
3 1940, and recorded in Book of Land Deeds 44, at page 356 of
4 the deed records of Webster County, Iowa, conveying to said
5 Harold Ertl the following described real estate, to-wit:

6 A tract of land commencing at a point 473 feet East
7 of the Southwest corner of the Southeast Quarter
8 of Section 17, Township 89 North, Range 28, thence
9 running North 124 feet, thence East 104 feet, thence
10 South 124 feet, thence West 104 feet to the place
11 of beginning; excepting and reserving therefrom a
12 tract of land 20 feet in length North and South
13 and 16 feet in length East and West in the Northeast
14 corner of the said tract, together with a strip of
15 land 3 feet in width off the East side of said tract,
16 running South along the East line thereof to Tenth

17 Avenue North, Fort Dodge, Iowa, heretofore granted
18 to the Fort Dodge Gas and Electric Company; and all
19 subject to streets and highways located thereon or
20 upon any portion thereof,
21 be and the same is hereby legalized and declared valid.

1 Sec. 3. This act being deemed of immediate importance
2 shall be in full force and effect from and after its
3 publication in the Messenger and Chronicle, a newspaper
4 published at Fort Dodge, Iowa, and in the Dayton Review,
5 a newspaper published at Dayton, Iowa.

EXPLANATION OF H. F. 225

This is a legalizing bill to allow the Fort Dodge Independent School District to transfer property without going through an election. The reason for this is that the Fort Dodge Independent School District built an athletic field and some of the transformers and other equipment had to be moved. Consequently, the School District sold the Fort Dodge Gas and Electric Company a piece of property a short distance away for the transformers and other equipment.