

House substituted for S.F. 21 Jan 21 3.49

January 19, 1953.

Passed on File.

Public Lands - Beggs

Rec. Passage 1/30

Senate File 21
By HEDIN.

Passed Senate, Date..... *2-3-53*

Vote: Ayes..... *49* Nays..... *0*

Passed House, Date..... *3-13-53*

Vote: Ayes..... *74* Nays..... *0*

Approved..... *3-17-53*

House - Public Lands 74

Rec. Passage 79

A BILL FOR

An Act to authorize the sale and conveyance to Aluminum Company of America of certain submerged land in Scott County, Iowa below ordinary high-water mark of the Mississippi River.

WHEREAS, the state of Iowa is the owner of all that part of the bed of the Mississippi River hereinafter described, lying westerly of the center line of the main channel of said river and extending westerly to the ordinary high-water mark of said river on the westerly or Iowa shore or bank of said river within the state of Iowa; and

WHEREAS, under the provisions of section one hundred eleven point eighteen (111.18), Code 1950, the state conservation commission has jurisdiction of all meandered streams and lakes of the state of Iowa and of state lands bordering thereon; and

WHEREAS, the state conservation commission filed with the executive council of the state of Iowa a recommendation of said commission that real estate hereinafter described, comprising a portion of the Mississippi River bed along the easterly border of the state of Iowa, be sold and conveyed to Aluminum Company of America, a Pennsylvania corporation authorized to transact business in the state of Iowa and having a place of business in Scott County, Iowa for the amount of six hundred and no 100 dollars (\$600.00) and

WHEREAS the executive council of the state of Iowa has approved the sale by the state of Iowa to Aluminum Company of America of said real estate for six hundred and no 100 dollars (\$600.00); and

WHEREAS, the attorney general of the state of Iowa has ruled that legislative action is necessary in order to lawfully convey the said land; therefore

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

- 1 Section 1. The action of the state conservation commission
- 2 recommending the sale and of the executive council of the state

3 of Iowa approving the sale to Aluminum Company of America of
4 certain real estate in Scott County in the state of Iowa, lying
5 riverward and below the ordinary high-water mark on the westerly
6 or Iowa bank or shore of said Mississippi River, hereby is
7 approved and confirmed and upon receipt from Aluminum Company of
8 America of the consideration of six hundred and no/100 dollars
9 (\$600 00), which is on the basis of three hundred dollars (\$300.00)
10 per acre for the said land, the governor and the secretary of
11 state of the state of Iowa, with the great seal of the state
12 attached, pursuant to the provisions of section one hundred
13 eleven point thirty-three (111.33), Code 1950, hereby are
14 authorized to execute and deliver, in the name of the state of
15 Iowa, a patent conveying to said Aluminum Company, its
16 successors and assigns, the following described real estate
17 located in Scott County in the state of Iowa, to wit:
18 Part of section 26, Township 78 North, Range 4
19 East of the Fifth Principal Meridian in Scott
20 County in the state of Iowa, more particularly
21 described as follows:
22 Commencing at the northeasterly corner of the
23 real estate conveyed by Universal Atlas Cement
24 Company to Aluminum Company of America by
25 warranty deed which is recorded in Scott
26 County Iowa records in Book 86 of Land Deeds
27 commencing on page 509; thence running South
28 51 degrees 38 minutes East 610 feet, more or

29 less, to what is known as the wharf line,
30 which is the line extended northerly of the
31 outboard face of a wharf or dock; thence
32 South 40 degrees 46 minutes West along the
33 outboard face of said wharf line 2525 feet
34 to a point, which is the southwesterly corner
35 of real estate conveyed by the state of Iowa
36 to Aluminum Company of America by patent
37 which is recorded by Scott County Iowa records
38 in Book 89 of Land Deeds on page 544 and is
39 the place of beginning of the premises herein
40 described; thence running South 40 degrees 46
41 minutes West along the outboard face of said
42 wharf line a distance of 460 feet; thence
43 northeasterly and measured at a right angle
44 to said wharf line 270 feet, more or less,
45 to the ordinary high-water mark line on the
46 Iowa bank of the Mississippi River; thence
47 northerly on and along the ordinary high
48 water mark line on the Iowa bank of the
49 Mississippi River to the northwesterly corner
50 or real estate conveyed to Aluminum Company
51 of America by patent recorded in Scott County
52 Iowa records in Book 89 of Land Deeds on
53 page 544; thence southeasterly along the
54 westerly line of real estate owned by

55 Aluminum Company of America a distance of
56 110 feet, more or less, to the place of
57 beginning, bearings in this description being
58 referred to true North and said parcel
59 containing two (2) acres, more or less.

1 Sec. 2. This act, being deemed of immediate
2 importance, shall be in force and effect on its publication in
3 Farm Bureau News, a newspaper published at
4 Bettendorf, Iowa and in Times-Democrat
5 a newspaper published at Davenport, Iowa.

1 Amend Senate File 21 as follows:

2 1. In line 11 of the preamble insert the word "Iowa"
3 before the word "State".

4 2. In line 14 of the preamble after the word "Whereas"
5 strike the word "The" and insert the word "Iowa".

6 3. At the end of the preamble on page 1 delete the
7 last word "Therefore" and insert in lieu thereof "NOW
8 THEREFORE".

9 4. In section 1, line 1, strike "The action of the
10 State Conservation Commission" and insert in lieu
11 thereof "That the action of the Iowa State Conservation Com-
mission".

Filed
January 30, 1953.

By HEDIN.

adopted
2/3