

February 16, 1955.
Judiciary 2.

House File 357
By TABOR.

Passed House, Date *March 1, 1955*
Vote: Ayes Nays
Passed Senate, Date
Vote: Ayes Nays
Approved

A BILL FOR

An Act to legalize a contract for sale and authorizing the issuance of a patent to Lots three (3) and four (4), Block twelve (12) of the Town of Decatur, Decatur County, Iowa.

WHEREAS, the state of Iowa, for the use and benefit of the permanent school fund, acquired title to the following described lands:

Lots three (3) and four (4), Block twelve (12) of the town of Decatur, Decatur County, Iowa; and,

WHEREAS, it appears that the state of Iowa, for the use and benefit of the permanent school fund, acquired the above-described premises by a warranty deed executed by Chloe Maude Ross, dated February 3, 1937, based on a school-fund mortgage executed by said Chloe Maude Ross on March 10, 1919, and satisfied February 3, 1937; and,

WHEREAS, it appears that a contract of sale of the foregoing described premises was executed by the county auditor of Decatur County, Iowa, October 14, 1948, to M. Bronson; and,

WHEREAS, it does not appear of record that the county auditor or county board of supervisors of Decatur County complied with the provisions of the law governing the sale of school lands in contracting to sell the aforesaid described property to the said M. Bronson in that there is no showing of record that:

(a) The county board of supervisors of Decatur County passed a resolution providing for the sale of said property and directing and authorizing the trustees of the township to appraise the value of said property.

(b) The trustees of the township certified to the said county board of supervisors their appraisement thereof finding and fixing the value of said property and action of the board thereon.

(c) The county auditor posted notice and advertised said property for sale at public auction to the highest and best bidder therefor as provided by statute.

(d) The county auditor exposed, offered for sale and struck off said property to the highest and best bidder therefor; and

WHEREAS, the said M. Bronson, his assigns or grantees have been in open, actual, notorious and adverse possession of said lands at all times since the execution of the contract for sale on the 14th day of October, 1948; and

WHEREAS, the state of Iowa has no claims upon said property adverse to those of the said M. Bronson, his assigns or grantees, and it appears that the said M. Bronson, his assigns or grantees are entitled to a patent conveying the foregoing described property to him, his assigns or grantees upon payment of all sums due or to become due under the contract for sale, now, therefore,

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

1 Section 1. The contract for sale executed by the county
2 auditor of Decatur County, Iowa, to M. Bronson on the 14th day
3 of October, 1948, for the sale of the following described
4 property, to wit:

5 Lots three (3) and four (4), Block twelve (12),
6 of the town of Decatur, Decatur County, Iowa,
7 is hereby legalized, validated and confirmed.

1 Sec. 2. The auditor of Decatur County, Iowa, is hereby
2 authorized, empowered and directed to issue a certificate of
3 purchase and of final payment, which certificate shall contain
4 reference to this Act, to M. Bronson, his heirs, grantees or
5 assigns for the following described property, to wit:

6 Lots three (3) and four (4), Block twelve (12),
7 of the town of Decatur, Decatur County, Iowa,
8 upon payment of all sums due or to become due upon the contract
9 for sale of said property, and when the same has been transmitted
10 to the secretary of state, the Governor and the secretary of
11 state are hereby authorized, empowered and directed to issue a
12 patent to the said M. Bronson, his heirs, grantees or assigns
13 for the use and benefit of the successive owners of said land.

EXPLANATION OF H. F. 357

This bill is for the purpose of legalizing a contract for sale of certain land in Decatur County and for the legalization of the acts of the county auditor and the board of supervisors in connection therewith and authorizing the issuance of a patent to such lands.

