

March 25, 1963.
Passed on File. *Calendar 3/25*

Senate File 406
By JUDICIARY 2.

Passed Senate, Date...*4-15-63*.....

Passed House, Date...*4-29-63*.....

Vote: Ayes...*48*..... Nays...*0*.....

Vote: Ayes...*101*..... Nays...*0*.....

Approved...*May 6, 1963*..... *Printing Committee 4/17*

A BILL FOR

An Act to legalize and validate the proceedings of the board of supervisors of Chickasaw county providing for the vacation of certain secondary highways within said county.

WHEREAS, on the 26th day of June, 1954 at 10:00 a.m. the Chickasaw county board of supervisors vacated the following described secondary highways:

Commencing at the west quarter corner of Section 11, Township 96 North, range 12 West of the 5th P.M. in said county and running southeasterly through the South one-half (S $\frac{1}{2}$) of said Section 11 and terminating at a point 43 rods East of the South Quarter (S $\frac{1}{4}$) corner of said Section 11, Township 96, Range 12.

Commencing at the East Quarter (E $\frac{1}{4}$) corner of Section 34, Township 97 North, Range 12 West of the 5th P.M. in said county, thence Northwesterly approximately 140 rods and terminating at a point 40 rods East of the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 34, Township 97, Range 12.

Commencing at the North Quarter (N $\frac{1}{4}$) corner of Section 4, Township 96 North, Range 12 West of the 5th P.M. in said county, thence East three-quarters (E $\frac{3}{4}$) of a mile and terminating at the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 3, Township 96 North, Range 12 west of the 5th P.M. in said county.

WHEREAS, on the 2nd day of August, 1956 at 10:00 a.m. the Chickasaw county board of supervisors vacated the following described secondary highways:

Commencing at the Northeast corner of Section 17, Township 96 North, Range 12 west of the 5th P.M. in said county, thence South terminating approximately 450 feet North of the Southeast corner of said Section 17, Township 96 North, Range 12.

Commencing at a point approximately 1117 feet East of the Northwest corner of Section 6, Township 95 North, Range 12 west of the 5th P.M. in said county, thence East, terminating at the west right of way line of U. S. Highway No. 63. Also, that portion of the county road located in the Northeast Quarter (NE $\frac{1}{4}$) of said Section 6, described as running Northerly from U. S. Highway No. 63 to the North line of Said Section 6, Township 95 North, Range 12.

Commencing at the Northwest corner of Section 2, Township 95 North, Range 11 west of the 5th P.M. in said county, thence East approximately 2100 feet along the North line of said

Section 2, Township 95 North, Range 11 and terminating at this point.

WHEREAS, on the 8th day of June, 1959 at 10:00 a.m. the Chickasaw county board of supervisors vacated the following described secondary highways:

Commencing at the Northwest corner of Section 19, Township 96 North, Range 13 west of the 5th P.M. in said county, thence South Three-Quarters ($S\frac{3}{4}$) mile terminating at the Northwest (NW) corner of the Southwest One-quarter ($SW\frac{1}{4}$) of the Southwest One-quarter ($SW\frac{1}{4}$) of Section 19, Township 96 North, Range 13 West.

Commencing at the Northwest (NW) corner of Section 17, Township 95 North, Range 13 west of the 5th P.M. in said county, thence west one mile, terminating at the Northwest (NW) corner of Section 18, Township 95 North, Range 13 West.

Commencing at the Northwest (NW) corner of Section 32, Township 95 North, Range 13 west of the 5th P.M. in said county, thence South one mile, terminating at the Southwest (SW) corner of said Section 32, Township 95 North, Range 13 west.

Commencing at the Northwest (NW) corner of Section 3, Township 94 North, Range 13 West of the 5th P.M. in said county, thence East .47 mile, terminating at a .03 mile west of the North One-quarter ($N\frac{1}{4}$) of said Section 3, Township 94 North, Range 13 West.

Commencing at a .06 mile East of the Northwest (NW) of the North One-quarter ($N\frac{1}{4}$) corner of Section 7, Township 94 North, Range 14 West of the 5th P.M. in said county, thence South .46 of a mile, terminating at a .06 of a mile East and .46 mile South of the North One-quarter ($N\frac{1}{4}$) corner of said Section 7, Township 94 North, Range 14 west.

Commencing at a point 40 rods West of the North One-quarter ($N\frac{1}{4}$) corner of Section 16, Township 94 North, Range 14 West of the 5th P.M. in said county, thence West 120 rods, terminating at the Northwest (NW) corner of said Section 16, Township 94 North, Range 14 west.

Commencing at a point one and one-half ($1\frac{1}{2}$) rods East of the Southwest (SW) corner of Section 3, Township 94 North, Range 14 west of the 5th P.M. in said county, thence North .34 of a mile, terminating at a point .16 of a mile South and One and one-half ($1\frac{1}{2}$) rods East of the West One-quarter ($W\frac{1}{4}$) corner of said Section 3, Township 94 North, Range 14 west.

Commencing at the Northwest corner of Section 13, Township 94 North, Range 12 west of the 5th P.M. in said county, thence South one mile terminating at the Southwest corner of said Section 13, Township 94 North, Range 12 west.

Commencing at the Southeast (SE) corner of the Southeast One-quarter ($SE\frac{1}{4}$) of the Southwest One-quarter ($SW\frac{1}{4}$) of Section 29, Township 95 North, Range 14 west, thence South 14 rods, thence West until it intersects Chickasaw and Nashua road, 14 rods South of the Southwest (SW) corner of the Southeast One-quarter ($SE\frac{1}{4}$) of the Southwest One-quarter ($SW\frac{1}{4}$) of the said Section 29, Township 95 North, Range 14 west.

Commencing at the West One-quarter ($W\frac{1}{4}$) corner of

Section 11, Township 95 North, Range 11 west of the 5th P.M. in said county, thence South One-half ($S\frac{1}{2}$) Mile, terminating at the Southwest corner of said Section 11, Township 95 North, Range 11 West.

Commencing at the Southwest (SW) corner of Section 31, Township 97 North, Range 11 west of the 5th P.M. in said county, thence East on said Section line to a point 20 feet West of the Southeast (SE) corner of the Southwest One-quarter ($SW\frac{1}{4}$) of the Southwest One-quarter ($SW\frac{1}{4}$), thence North to termination at a point 20 feet West and 10 feet North of the Northeast (NE) corner of the Northwest One-quarter ($NW\frac{1}{4}$) of the Southwest One-quarter ($SW\frac{1}{4}$) of said Section 31, Township 97 North, Range 11 west.

Commencing at the Southwest corner of the Northwest One-quarter ($NW\frac{1}{4}$) of the Northeast One-quarter ($NE\frac{1}{4}$) of Section 29, Township 96 North, Range 11 west of the 5th P.M. in said county, thence East .95 of a mile terminating at a point .05 of a mile west of the Southeast (SE) corner of the North One-half ($N\frac{1}{2}$) of the Northwest One-quarter ($NW\frac{1}{4}$) of Section 28, Township 96 North, Range 11 west.

WHEREAS, the procedure as set forth in section three hundred six point five (306.5), Code 1962, was followed and a date for hearing at the above times set as provided by statute, notice of the proposed vacations published in a newspaper of general circulation in Chickasaw county as provided in section three hundred six point six (306.6), Code 1962, hearings held at the date, place, and time set forth in the said notices and as set out above, and any and all claims for damages of adjacent landowners compromised and settled at the time of said hearings, and

WHEREAS, no entry has been made in the record books of Chickasaw county including the highway record book or minute book of the county board of supervisors regarding the motion to vacate the said highway or the hearings vacating the same, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings due to the failure to have proper record thereof; NOW, THEREFORE,

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

- 1 Section 1. That all of the proceedings heretofore taken by
- 2 the board of supervisors of Chickasaw county, Iowa, providing
- 3 for the vacation of the afore described secondary highways
- 4 are hereby declared to be legal and to constitute valid and
- 5 binding vacations of the afore described secondary highways.

SENATE FILE 406

- 1 Amend Senate File 406 as follows:
2 1. By inserting in line 61 of the preamble preceding the
3 figure ".08" the word "point".
4 2. By inserting in line 62 of the preamble following the
5 figure "(N $\frac{1}{4}$)" the word "corner".
6 3. By inserting in line 63 of the preamble preceding the
7 figure ".06" the word "point" and striking the words "of the
8 Northwest (NW)" following the word "East".
9 4. By inserting in line 66 of the preamble preceding the
10 figure ".06" the word "point".
11 5. By changing the word in line 124 of the preamble from
12 "highway" to "highways".

Filed
April 10, 1963.

adopted 4/15

By RIOLER