

March 17, 1967

Passed on File

By BRILES

*Amended 3/27, Passed 4/19
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Passed Senate, Date 4-1 Passed House, Date 6-1-67
 Vote: Ayes 42 Nays 0 Vote: Ayes 99 Nays 1
 Approved June 16, 1967

A BILL FOR

An Act to legalize and validate proceedings authorizing and providing for the execution of a gas supply contract between the town of Lenox, in Taylor county, Iowa, and the town of Prescott, in Adams county, Iowa, and declaring said gas supply contract to be legal, valid, and enforceable according to its terms.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into a contract for and on behalf of said town with the town of Prescott, Iowa, providing for the sale of natural gas by said town of Lenox to said town of Prescott; and

WHEREAS, it appears from the records of the town council of the town of Prescott, in Adams county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into said contract for and on behalf of said town of Prescott with the town of Lenox, Iowa, providing for the purchase of natural gas by said town of Prescott from said town of Lenox on the basis that payment for the gas supplied thereunder shall be made solely from revenues to be derived from the operation of the municipal gasworks of said town of Prescott; and

WHEREAS, pursuant to and in accordance with said resolutions the town of Lenox, Iowa, acting by and through its mayor and town clerk, and the town of Prescott, Iowa, acting by and through its mayor and town clerk, have executed and entered into a gas supply contract dated February 6, 1967 providing for the sale of natural gas by said town of Lenox to said town of Prescott and setting forth the terms of such sale; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and gas supply contract and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; NOW THEREFORE,

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

1 Section 1. That all proceedings heretofore taken by the town

2 council of the town of Lenox, in Taylor county, Iowa, and the
3 town council of the town of Prescott, in Adams county, Iowa,
4 authorizing and providing for the execution of a gas supply con-
5 tract between said municipalities whereunder gas supplied by said
6 town of Lenox to said town of Prescott shall be paid for solely
7 from revenues derived from the operation of the municipal gasworks
8 of said town of Prescott are hereby legalized, validated, and con-
9 firmed and said gas supply contract dated February 6, 1967 between
10 said town of Lenox and said town of Prescott entered into and
11 executed pursuant to and in accordance with said proceedings is
12 hereby declared to be legal, valid, and binding upon said munic-
13 ipalities, the purchase price of the gas supplied thereunder being
14 payable solely from such revenues, but said contract shall not be
15 a corporate indebtedness of said town of Prescott within the mean-
16 ing and application of any debt limitation restrictions.

1 Sec. 2. This Act being of immediate importance shall be in full
2 force and effect from and after its passage and publication in the
3 Adams County Free-Press, a newspaper published at Corning, Iowa,
4 and in the Creston News-Advertiser, a newspaper published at Creston,
5 Iowa, without expense to the state.