

Senate File 1269  
Ways and Means  
Wyckoff, Chair  
Bittle  
Danker

FILED MAR 19 1976

4/5, Page 4/19

Senate File 1269  
Ways and Means  
Add: Readinger  
Delete: Bittle

SENATE FILE 1269

By COMMITTEE ON JUDICIARY

Passed Senate, Date 3-24-76 (1025) Passed House, Date 5-13-76 (p. 3720)

Vote: Ayes 41 Nays 0 Vote: Ayes 91 Nays 1

Approved 5-28-76

*Repassed Senate as amended by House*  
5-19-76 (p. 2073)  
44-0

## A BILL FOR

1 An Act to legalize and validate an election upon the proposi-  
2 tion to authorize the board of directors of the Saydel  
3 Consolidated School District to sell and convey, or lease,  
4 or otherwise dispose of certain real estate.

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1 WHEREAS, at the special school election of September 9,  
2 1975, the board of directors of the Saydel Consolidated School  
3 District presented the proposition on the question to sell  
4 and convey, or lease, or otherwise dispose of real estate,  
5 based upon the following proposition:

6 "Shall the Saydel Consolidated School District, by its  
7 Board of Directors, sell and convey, or lease, or otherwise  
8 dispose of the following-described real estate:

9 "The East 66 feet of the West 755.5 feet of Lot Twelve  
10 (12) of the Official Plat of the North 3/4, Section 22, Town-  
11 ship 79 North, Range 24, West of the 5th P.M., Polk County,  
12 Iowa (commonly known as Saylor Center School Property).

13 "The East 422 feet of Lot 12 in the Official Plat of North  
14 Three Quarters (N 3/4) of Section 22, Township 79 North, Range  
15 24 West 5th P.M., Iowa (commonly known as Saylor Center School  
16 Property).

17 "Lot Thirteen (13) of the Official Plat of the North Three-  
18 fourths (N 3/4) of Section 22, Township 79, North, Range 24,  
19 West of the 5th P.M., Iowa Subject to legally established  
20 highways (commonly known as Saylor Center School Property).

21 "Lot Fourteen (14) of Official Plat of North Three Quarters  
22 (N 3/4) of Section 22, Township 79 North, Range 24, West of  
23 the 5th P.M., Iowa (commonly known as Saylor Center School  
24 Property).

25 "Lot Sixteen (16) in Saylorville Replat, an Official Plat,  
26 Polk County, Iowa (commonly known as Saylorville School  
27 Property).

28 "For such consideration and upon such terms as may in the  
29 judgment of said Board of Directors be for the best inter-  
30 ests of said School District and apply the proceeds of said  
31 sale or lease to the Schoolhouse Fund of said District.";  
32 and

33 WHEREAS, the voters at said election approved the foregoing  
34 proposition; and

35 WHEREAS, when the school district obtained appraisals in

1 preparation for selling, conveying, leasing, or otherwise  
2 disposing of the aforescribed real estate, the appraisers  
3 discovered that there is an additional lot as part of the  
4 Saylor Center School Property which had not been listed as  
5 part of the proposition, such lot being the South Forty Feet  
6 (S 40') and the North Ninety-eight point Eight feet (N 98.8')  
7 of the East Four Hundred Forty point Eighty-nine feet (E  
8 440.89') of Lot Eleven (11) in the Official Plat of North  
9 Three Quarters (N 3/4) of Section 22, Township 79 North, Range  
10 24 West, 5th P.M., Iowa; and

11 WHEREAS, the secretary of the school district has before  
12 the election, and since the election, searched the records  
13 of the school district, and can find no deed, abstract, or  
14 other record in the records of the school district which would  
15 have given her information that this additional legal descrip-  
16 tion for said Lot Eleven (11) should have been included as  
17 part of the description of the Saylor Center School Property,  
18 but it appears that the South Forty feet (S 40') and North  
19 Ninety-eight point Eight feet (N 98.8') of the East Four  
20 Hundred Forty point Eighty-nine feet (E 440.89') of Lot Eleven  
21 (11) is part of the property owned by the Saydel Consolidated  
22 School District as Saylor Center School Property; and

23 WHEREAS, the proposition clearly seeks approval to sell  
24 the Saylor Center School Property, and the intent of the  
25 District was stated to be and is to sell the entire Saylor  
26 Center School Property as an entire parcel; and

27 WHEREAS, doubts have arisen concerning the validity and  
28 legal sufficiency of the property described to be sold, con-  
29 veyed, or leased, or otherwise disposed of in the foregoing  
30 proposition, and it is deemed advisable to put such doubts  
31 and all others that might arise concerning the same forever  
32 at rest, NOW THEREFORE,

33 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
34 Section 1. All proceedings heretofore taken by the board  
35 of directors of the Saydel Consolidated School District in

1 the County of Polk, State of Iowa, and of the electors in  
2 connection with the proposition to sell and convey, or lease,  
3 or otherwise dispose of the following-described real property:

4 "The South Forty feet (S 40') and North Ninety-eight point  
5 Eight feet (N 98.8') of the East Four Hundred Forty point  
6 Eighty-nine feet (E 440.89') of Lot Eleven (11) in the Official  
7 Plat of the North Three Quarters (N 3/4) of Section 22,  
8 Township 79 North, Range 24, West of the 5th P.M., Iowa  
9 (commonly known as Saylor Center School Property.)

10 "The East 66 feet of the West 755.5 feet of Lot Twelve  
11 (12) of the Official Plat of the North 3/4, Section 22,  
12 Township 79 North, Range 24, West of the 5th P.M., Polk County,  
13 Iowa (commonly known as Saylor Center School Property).

14 "The East 422 feet of Lot 12 in the Official Plat of North  
15 Three Quarters (N 3/4) of Section 22, Township 79 North, Range  
16 24 West 5th P.M., Iowa (commonly known as Saylor Center School  
17 Property).

18 "Lot Thirteen (13) of the Official Plat of the North Three-  
19 fourths (N 3/4) of Section 22, Township 79, North, Range 24,  
20 West of the 5th P.M., Iowa Subject to legally established  
21 highways (commonly known as Saylor Center School Property).

22 "Lot Fourteen (14) of Official Plat of North Three Quarters  
23 (N 3/4) of Section 22, Township 79 North, Range 24, West of  
24 the 5th P.M., Iowa (commonly known as Saylor Center School  
25 Property.)

26 "Lot Sixteen (16) in Saylorville Replat, an Official Plat,  
27 Polk County, Iowa (commonly known as Saylorville School Prop-  
28 erty).

29 and the election to authorize such sale, conveyance, lease, or  
30 other disposition by the Board of Directors of said District,  
31 are hereby legalized, validated and confirmed, and the pro-  
32 ceedings of said Board of Directors relating thereto are here-  
33 by declared to be legal and valid, and the Board of Directors  
34 of said School District is authorized to sell, convey, lease,  
35 or otherwise dispose of the property described in this section

1 for such consideration and upon such terms as in the judgment  
2 of said Board of directors be for the best interest of said  
3 school district and apply the proceeds of said sale or lease  
4 to the schoolhouse fund of said district.

5 EXPLANATION

6 This bill legalizes proceedings whereby electors of the  
7 Saydel consolidated school district approved the sale of land  
8 but the land to be sold was not properly described.

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*Proof of Publication 3/19 (974)*

HOUSE AMENDMENT TO SENATE FILE 1269

S-5812

1 Amend Senate File 1269 as follows:

2 1. Page 2, by striking lines 5 through 10 and  
3 inserting in lieu thereof the words "part of the  
4 proposition, such lot being 40 feet off the South  
5 side of Lots 11 and 47 of the Official Plat of the  
6 North 3/4 of Section 22, Township 79, Range 24, also  
7 commencing at the Northeast corner of said Lot 11  
8 and running thence South 98.8 feet, thence West 440.89  
9 feet, thence North 98.8 ft. to the North line of said  
10 Lot 11, thence East 440.89 ft. to Place of beginning;  
11 and".

12 2. Page 2, line 16, by striking the words "for  
13 said Lot Eleven (11)".

14 3. Page 2, by striking lines 18 through 21 and  
15 inserting in lieu thereof the words "But it appears  
16 that the 40 feet off the South side of Lots 11 and  
17 47 of the Official Plat of the North 3/4 of Section  
18 22, Township 79, Range 24, also commencing at the  
19 Northeast corner of said Lot 11 and running thence  
20 South 98.8 ft., thence West 440.89 feet, thence North  
21 98.8 ft. to the North line of said Lot 11, thence  
22 East 440.89 ft. to Place of beginning, is part of  
23 the property owned by the Saydel Consolidated".

24 4. Page 3, by striking lines 4 through 8 and  
25 inserting in lieu thereof the following: "40 feet  
26 off the South side of Lots 11 and 47 of the Official  
27 Plat of the North 3/4 of Section 22, Township 79,  
28 Range 24, also commencing at the Northeast corner  
29 of said Lot 11 and running thence South 98.8 ft.,  
30 thence West 440.89 feet, thence North 98.8 ft. to  
31 the North line of said Lot 11, thence East 440.89  
32 ft. to Place of beginning".

S-5812 FILED  
MAY 18, 1976

RECEIVED FROM THE HOUSE

*Just received 5/17/76 (p. 2075)*

SENATE FILE 1269

H-6550

1 Amend Senate File 1269 as follows:

2 1. Page 2, by striking lines 5 through 10 and  
3 inserting in lieu thereof the words "part of the  
4 proposition, such lot being 40 feet off the South  
5 side of Lots 11 and 47 of the Official Plat of the  
6 North 3/4 of Section 22, Township 79, Range 24, also  
7 commencing at the Northeast corner of said Lot 11  
8 and running thence South 98.8 feet, thence West 440.89  
9 feet, thence North 98.8 ft. to the North line of said  
10 Lot 11, thence East 440.89 ft. to Place of beginning;  
11 and".

12 2. Page 2, line 16, by striking the words "for  
13 said Lot Eleven (11)".

14 3. Page 2, by striking lines 18 through 21 and  
15 inserting in lieu thereof the words "but it appears  
16 that the 40 feet off the South side of Lots 11 and  
17 47 of the Official Plat of the North 3/4 of Section  
18 22, Township 79, Range 24, also commencing at the  
19 Northeast corner of said Lot 11 and running thence  
20 South 98.8 ft., thence West 440.89 feet, thence North  
21 98.8 ft. to the North line of said Lot 11, thence  
22 East 440.89 ft. to Place of beginning, is part of  
23 the property owned by the Saydel Consolidated".

24 4. Page 3, by striking lines 4 through 8 and  
25 inserting in lieu thereof the following: "40 feet  
26 off the South side of Lots 11 and 47 of the Official  
27 Plat of the North 3/4 of Section 22, Township 79,  
28 Range 24, also commencing at the Northeast corner  
29 of said Lot 11 and running thence South 98.8 ft.,  
30 thence West 440.89 feet, thence North 98.8 ft. to  
31 the North line of said Lot 11, thence East 440.89  
32 ft. to Place of beginning".

H-6550 FILED - *Adopted* BY BYERLY of Polk  
MAY 5, 1976 *5/13 (27:9)*