

Judiciary 4/2
Do Pass 4/5 (p. 1276)

FILED MAR 26 1979

SENATE FILE 475

By COMMITTEE ON JUDICIARY
approved 3/28 (p. 769)

Passed Senate, Date 3-30-79 (p. 1026) Passed House, Date 5-4-79 (p. 2071)

Vote: Ayes 44 Nays 0 Vote: Ayes 86 Nays 0

Approved June 1, 1979

A BILL FOR

- 1 An Act to legalize the proceeding of any county in the state
- 2 which sold certain county property without offering the
- 3 property for sale at a public auction.
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1 WHEREAS, the boards of supervisors of counties in this
2 state may have offered for sale county property which was
3 no longer needed for the purpose for which it was acquired
4 or for any other county purpose; and

5 WHEREAS, the boards of supervisors subsequently offered
6 those properties for sale on or after June 30, 1974 and on
7 or before July 1, 1975 and complied with all of the provisions
8 of section three hundred thirty-two point three (332.3),
9 subsection thirteen (13), of the Code, except that the boards
10 failed to offer the properties for sale at a public auction;
11 and

12 WHEREAS, some doubt has arisen as to the validity of the
13 sales of such properties and such doubts may raise an issue
14 concerning the merchantability of the title to such properties
15 sold on or after June 30, 1974 and on or before July 1, 1975
16 and said acts should be legalized and the matter once and
17 for all be put to rest; NOW THEREFORE,

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

19 Section 1. That all proceedings taken by the board of
20 supervisors of any county pertaining to the sale of any
21 property which was no longer needed for the purpose for which
22 it was acquired or any other county purpose and sold pursuant
23 to section three hundred thirty-two point three (332.3),
24 subsection thirteen (13), of the Code where the board failed
25 to offer such property for sale at a public auction on or
26 after June 30, 1974 and on or before July 1, 1975 are
27 validated, legalized, and confirmed and shall constitute a
28 valid, legal, and binding sale of such property sold on or
29 after June 30, 1974 and on or before July 1, 1975 by the board
30 of supervisors of any county.

31 EXPLANATION

32 The bill legalizes the sale of property pursuant to section
33 332.3, subsection 13, of the Code on or after June 30, 1974
34 and on or before July 1, 1975 by the board of supervisors
35 of any county where the board failed to offer the property

- 1 for sale at a public auction.
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SENATE FILE 475

AN ACT

TO LEGALIZE THE PROCEEDING OF ANY COUNTY IN THE STATE WHICH SOLD CERTAIN COUNTY PROPERTY WITHOUT OFFERING THE PROPERTY FOR SALE AT A PUBLIC AUCTION.

WHEREAS, the boards of supervisors of counties in this state may have offered for sale county property which was no longer needed for the purpose for which it was acquired or for any other county purpose; and

WHEREAS, the boards of supervisors subsequently offered those properties for sale on or after June 30, 1974 and on or before July 1, 1975 and complied with all of the provisions of section three hundred thirty-two point three (332.3), subsection thirteen (13), of the Code, except that the boards failed to offer the properties for sale at a public auction; and

WHEREAS, some doubt has arisen as to the validity of the sales of such properties and such doubts may raise an issue concerning the merchantability of the title to such properties sold on or after June 30, 1974 and on or before July 1, 1975 and said acts should be legalized and the matter once and for all be put to rest; NOW THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That all proceedings taken by the board of supervisors of any county pertaining to the sale of any property which was no longer needed for the purpose for which it was acquired or any other county purpose and sold pursuant to section three hundred thirty-two point three (332.3), subsection thirteen (13), of the Code where the board failed to offer such property for sale at a public auction on or after June 30, 1974 and on or before July 1, 1975 are

validated, legalized, and confirmed and shall constitute a valid, legal, and binding sale of such property sold on or after June 30, 1974 and on or before July 1, 1975 by the board of supervisors of any county.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 475, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved June 1, 1979

ROBERT D. RAY
Governor