

Judiciary
Rush, Chairperson
Kudart
Slater

FILED FEB 18 1980

SENATE FILE 2219

By HANSEN

Substituted for H.F. 2517

Passed Senate, Date 3-5-80 (p. 693) Passed House, Date 4/8/80 (p. 1433)

Vote: Ayes 42 Nays 0 Vote: Ayes 89 Nays 1

Approved April 30, 1980

*Motion to reconsider w/d 3/13
Repassed Senate w/w House Amendment
4/14/80 (p. 1415)
49-0*

A BILL FOR

- 1 An Act to legalize proceedings taken by the board of super-
- 2 visors of Black Hawk county relating to the sale of
- 3 certain properties.

4
5
6

SENATE FILE 2219

H-5574

- 1 Amend Senate File 2219, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 and figures "August 15, 1977," the word and figures
- 5 "May 14, 1979,".
- 6 2. Page 1, line 11, by striking the words "at
- 7 least" and inserting in lieu thereof the words "not
- 8 more than".
- 9 3. Page 1, line 12, by inserting after the word
- 10 and figures "August 15, 1977," the word and figures
- 11 "May 14, 1979,".
- 12 4. Page 1, line 17, by inserting after the word
- 13 and figures "August 15, 1977," the word and figures
- 14 "May 14, 1979,".
- 15 5. Page 1, line 25, by inserting after the word
- 16 and figures "August 15, 1977," the word and figures
- 17 "May 14, 1979,".
- 18 6. Page 1, line 27, by striking the words "at
- 19 least" and inserting in lieu thereof the words "not
- 20 more than".
- 21 7. Page 1, line 30, by inserting after the word
- 22 and figures "August 15, 1977," the word and figures
- 23 "May 14, 1979,".

H-5574 FILED
MARCH 18, 1980
Adopted 4/8/80 (p. 1433)

BY RAPP of Black Hawk

1 WHEREAS, the board of supervisors of Black Hawk county
2 acquired certain property by virtue of a tax deed; and

3 WHEREAS, the board of supervisors of Black Hawk county
4 subsequently offered these properties for sale as provided
5 in section five hundred sixty-nine point eight (569.8) of
6 the Code on June 27, 1977, August 15, 1977, June 11, 1979,
7 and October 22, 1979; and

8 WHEREAS, the board of supervisors complied with all of
9 the provisions of the law, except that the board failed to
10 publish two notices of the date, time, and place of the sale
11 at public auction at least fifteen days prior to the date
12 of the sales held on June 27, 1977, August 15, 1977, June
13 11, 1979, and October 22, 1979; and

14 WHEREAS, some doubt has arisen as to the validity of the
15 sales of the properties and the doubts may raise an issue
16 concerning the merchantability of the title to properties
17 sold at public auction on June 27, 1977, August 15, 1977,
18 June 11, 1979, and October 22, 1979 and the acts should be
19 legalized and the matter once and for all be put to rest;
20 NOW THEREFORE,

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

22 Section 1. That all proceedings taken by the board of
23 supervisors of Black Hawk county pertaining to the sale of
24 property acquired by virtue of a tax deed and sold at public
25 auction on June 27, 1977, August 15, 1977, June 11, 1979,
26 and October 22, 1979 where the board failed to publish two
27 notices of the time, date, and place of the sale at least
28 fifteen days prior to the dates of the sales are legalized
29 and constitute a legal and binding sale of those properties
30 sold on June 27, 1977, August 15, 1977, June 11, 1979, and
31 October 22, 1979 by the board of supervisors of Black Hawk
32 county.

33 EXPLANATION

34 The bill legalizes the sales of certain properties acquired
35 by virtue of a tax deed by the board of supervisors of Black

1 Hawk county. The bill takes effect on July first following
2 enactment.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

HOUSE AMENDMENT TO SENATE FILE 2219

S-5698

1 Amend Senate File 2219, as passed by the Senate,
2 as follows:

3 1. Page 1, line 6, by inserting after the word
4 and figures "August 15, 1977," the word and figures
5 "May 14, 1979,".

6 2. Page 1, line 11, by striking the words "at
7 least" and inserting in lieu thereof the words "not
8 more than".

9 3. Page 1, line 12, by inserting after the word
10 and figures "August 15, 1977," the word and figures
11 "May 14, 1979,".

12 4. Page 1, line 17, by inserting after the word
13 and figures "August 15, 1977," the word and figures
14 "May 14, 1979,".

15 5. Page 1, line 25, by inserting after the word
16 and figures "August 15, 1977," the word and figures
17 "May 14, 1979,".

18 6. Page 1, line 27, by striking the words "at
19 least" and inserting in lieu thereof the words "not
20 more than".

21 7. Page 1, line 30, by inserting after the word
22 and figures "August 15, 1977," the word and figures
23 "May 14, 1979,".

S-5698 FILED
APRIL 10, 1980

RECEIVED FROM THE HOUSE

Received from the House 4/10/80 (S-5698)

SENATE FILE 2219

properties sold on June 27, 1977, August 15, 1977, May 14, 1979, June 11, 1979, and October 22, 1979 by the board of supervisors of Black Hawk county.

AN ACT

TO LEGALIZE PROCEEDINGS TAKEN BY THE BOARD OF SUPERVISORS OF BLACK HAWK COUNTY RELATING TO THE SALE OF CERTAIN PROPERTIES.

WHEREAS, the board of supervisors of Black Hawk county acquired certain property by virtue of a tax deed; and

WHEREAS, the board of supervisors of Black Hawk county subsequently offered these properties for sale as provided in section five hundred sixty-nine point eight (569.8) of the Code on June 27, 1977, August 15, 1977, May 14, 1979, June 11, 1979, and October 22, 1979; and

WHEREAS, the board of supervisors complied with all of the provisions of the law, except that the board failed to publish two notices of the date, time, and place of the sale at public auction not more than fifteen days prior to the date of the sales held on June 27, 1977, August 15, 1977, May 14, 1979, June 11, 1979, and October 22, 1979; and

WHEREAS, some doubt has arisen as to the validity of the sales of the properties and the doubts may raise an issue concerning the merchantability of the title to properties sold at public auction on June 27, 1977, August 15, 1977, May 14, 1979, June 11, 1979, and October 22, 1979 and the 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 Black Hawk county pertaining to the sale of property acquired by virtue of a tax deed and sold at public auction on June 27, 1977, August 15, 1977, May 14, 1979, June 11, 1979, and October 22, 1979 where the board failed to publish two notices of the time, date, and place of the sale not more than fifteen days prior to the dates of the sales are legalized and constitute a legal and binding sale of those

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2219, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved 4/30, 1980

ROBERT D. RAY
Governor