

Reprinted 3/13/86

SENATE FILE 2232

BY COMMITTEE ON JUDICIARY

Approved (p 549)

4 1986

Passed Senate, Date 3-11-86 (p. 654) Passed House, Date _____

Vote: Ayes 34 Nays 9 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to legalize and validate the proceedings of the City
2 council of the City of Ankeny, Iowa, authorizing and providing
3 for the issuance, sale and delivery of General Obligation
4 Bonds, providing for the levy of taxes for the payment of the
5 bonds and declaring the bonds to be enforceable obligations of
6 the City of Ankeny, Iowa.

7 WHEREAS, it appears from the records of the city council of
8 the city of Ankeny, Iowa, that in order to settle, adjust and
9 renew certain indebtedness of the city presently evidenced by a
10 deficit balance in the 1978 Capital Improvement Fund of the city
11 and certain outstanding revenue pledge orders of the city,
12 incurred in the construction of the Otter Creek Municipal Golf
13 Course Project for the city, resolutions instituting proceedings
14 taking additional action and authorizing the issuance of \$700,000
15 general obligation bonds were adopted by the city council; and

16 WHEREAS, the council proceedings make provision for the levy
17 of taxes to pay the bonds and interest thereon; and

18 WHEREAS, a public hearing on the issuance of the bonds, has
19 been conducted by the city council pursuant to public notice and
20 no objections have been filed to such action by any resident or
21 property owner of the city; and

22 WHEREAS, doubts have arisen concerning the validity and legal
23 sufficiency and the provisions made for the sale and issuance of
24 the bonds and for the levy and collection of taxes to pay the

S.F. 2232

1 principal of and interest on the bonds as the same become due,
2 and it is advisable to put the doubts and all others that might
3 arise concerning the same forever at rest; NOW THEREFORE
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 2232

S-5260

1 Amend Senate File 2232 as follows:

2 1. Page 1, line 17, by striking the words "the
3 Ankeny Press Citizen" and inserting the words "The
4 Altoona Herald-Mitchellville Index".

5 2. Page 1, line 18, by striking the word "Ankeny"
6 and inserting the word "Altoona".

S-5260 Filed March 5, 1986 BY DIELEMAN

Adopted 3/11 (p 654)

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1538

JOURNAL OF THE SENATE

109th Day

18

April 30, 1989

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Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

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Dear Ms. Thayer:

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I hereby certify that Senate File 2232 was published in the Diamond Trail News,
Sully, Iowa, on April 16, 1986, and in The Altoona Herald-Mitchellville Index,
Altoona, Iowa, on April 17, 1986.

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Respectfully submitted,
MARY JANE ODELL,
Secretary of State

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TLSB 8242SF 71

bk/rr/8

1 Section 1. That all proceedings taken by the city council
2 of the city of Ankeny, in Polk County, Iowa, providing for the
3 sale, issuance and delivery of general obligation bonds of the
4 city to the amount of \$700,000, to adjust, settle and renew
5 certain indebtedness incurred by the city in the construction
6 of the Otter Creek Municipal Golf Course Project, and for the
7 levy of taxes upon all the taxable property in the city to pay
8 the bonds and the interest thereon, are hereby legalized,
9 validated, and confirmed; and, that the general obligation
10 bonds when issued, sold, and delivered pursuant to and in
11 accordance with all proceedings, shall be and are hereby
12 declared to be legal and to constitute valid and binding
13 obligations of the city issued for a valid essential corporate
14 purpose of the city.

15 Sec. 2. This Act being deemed of immediate importance
16 shall take effect and be in force from and after its passage
17 and publication in the Ankeny Press Citizen, a newspaper
18 published in Ankeny, Iowa, and in the Diamond Trail News, a
19 newspaper published in Sully, Iowa, all without expense to the
20 state.

21 EXPLANATION

22 This bill legalizes proceedings of the city council of the
23 city of Ankeny, Iowa, relating to the issuance of certain
24 general obligation bonds.

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SF 2232

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2 the bonds and for the levy and collection of taxes to pay the
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6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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11 accordance with all proceedings, shall be and are hereby
12 declared to be legal and to constitute valid and binding
13 obligations of the city issued for a valid essential corporate
14 purpose of the city.

15 Sec. 2. This Act being deemed of immediate importance
16 shall take effect and be in force from and after its passage
17 and publication in The Altoona Herald-Mitchellville Index, a
18 newspaper published in Altoona, Iowa, and in the Diamond Trail
19 News, a newspaper published in Sully, Iowa, all without
20 expense to the state.

21 EXPLANATION

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SSB 2179

SSB 2179

JUDICIARY: Dieleman, Chair; Gentleman and Horn

*Now
SF 2232*

SENATE FILE 2232
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to legalize and validate the proceedings of the City
2 council of the City of Ankeny, Iowa, authorizing and providing
3 for the issuance, sale and delivery of General Obligation
4 Bonds, providing for the levy of taxes for the payment of the
5 bonds and declaring the bonds to be enforceable obligations of
6 the City of Ankeny, Iowa.

7 WHEREAS, it appears from the records of the city council of
8 the city of Ankeny, Iowa, that in order to settle, adjust and
9 renew certain indebtedness of the city presently evidenced by a
10 deficit balance in the 1978 Capital Improvement Fund of the city
11 and certain outstanding revenue pledge orders of the city,
12 incurred in the construction of the Otter Creek Municipal Golf
13 Course Project for the city, resolutions instituting proceedings
14 taking additional action and authorizing the issuance of \$700,000
15 general obligation bonds were adopted by the city council; and

16 WHEREAS, the council proceedings make provision for the levy
17 of taxes to pay the bonds and interest thereon; and

18 WHEREAS, a public hearing on the issuance of the bonds, has
19 been conducted by the city council pursuant to public notice and
20 no objections have been filed to such action by any resident or
21 property owner of the city; and

22 WHEREAS, doubts have arisen concerning the validity and legal
23 sufficiency and the provisions made for the sale and issuance of

1 the bonds and for the levy and collection of taxes to pay the
2 principal of and interest on the bonds as the same become due,
3 and it is advisable to put the doubts and all others that might
4 arise concerning the same forever at rest; NOW THEREFORE
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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TL5B 8242SF 71

bk/rr/8

1 Section 1. That all proceedings taken by the city council
2 of the city of Ankeny, in Polk County, Iowa, providing for the
3 sale, issuance and delivery of general obligation bonds of the
4 city to the amount of \$700,000, to adjust, settle and renew
5 certain indebtedness incurred by the city in the construction
6 of the Otter Creek Municipal Golf Course Project, and for the
7 levy of taxes upon all the taxable property in the city to pay
8 the bonds and the interest thereon, are hereby legalized,
9 validated, and confirmed; and, that the general obligation
10 bonds when issued, sold, and delivered pursuant to and in
11 accordance with all proceedings, shall be and are hereby
12 declared to be legal and to constitute valid and binding
13 obligations of the city issued for a valid essential corporate
14 purpose of the city.

15 Sec. 2. This Act being deemed of immediate importance
16 shall take effect and be in force from and after its passage
17 and publication in the _____, a newspaper
18 published in _____, Iowa, and in the _____,
19 a newspaper published in _____, Iowa, all without
20 expense to the state.

21 EXPLANATION

22 This bill legalizes proceedings of the city council of the
23 city of Ankeny, Iowa, relating to the issuance of certain
24 general obligation bonds.

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SENATE FILE 2232

AN ACT

TO LEGALIZE AND VALIDATE THE PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA, AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF THE BONDS AND DECLARING THE BONDS TO BE ENFORCEABLE OBLIGATIONS OF THE CITY OF ANKENY, IOWA. WHEREAS, IT APPEARS FROM THE RECORDS OF THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA, THAT IN ORDER TO SETTLE, ADJUST AND RENEW CERTAIN INDEBTEDNESS OF THE CITY PRESENTLY EVIDENCED BY A DEFICIT BALANCE IN THE 1978 CAPITAL IMPROVEMENT FUND OF THE CITY AND CERTAIN OUTSTANDING REVENUE PLEDGE ORDERS OF THE CITY, INCURRED IN THE CONSTRUCTION OF THE OTTER CREEK MUNICIPAL GOLF COURSE PROJECT FOR THE CITY, RESOLUTIONS INSTITUTING PROCEEDINGS TAKING ADDITIONAL ACTION AND AUTHORIZING THE ISSUANCE

OF \$700,000 GENERAL OBLIGATION BONDS WERE ADOPTED BY THE CITY COUNCIL; AND WHEREAS, THE COUNCIL PROCEEDINGS MAKE PROVISION FOR THE LEVY OF TAXES TO PAY THE BONDS AND INTEREST THEREON; AND WHEREAS, A PUBLIC HEARING ON THE ISSUANCE OF THE BONDS, HAS BEEN CONDUCTED BY THE CITY COUNCIL PURSUANT TO PUBLIC NOTICE AND NO OBJECTIONS HAVE BEEN FILED TO SUCH ACTION BY ANY RESIDENT OR PROPERTY OWNER OF THE CITY; AND WHEREAS, DOUBTS HAVE ARISEN CONCERNING THE VALIDITY AND LEGAL SUFFICIENCY AND THE PROVISIONS MADE FOR THE SALE AND ISSUANCE OF THE BONDS AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AS THE SAME BECOME DUE, AND IT IS ADVISABLE TO PUT THE DOUBTS AND ALL OTHERS THAT MIGHT ARISE CONCERNING THE SAME FOREVER AT REST; NOW THEREFORE

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

Section 1. That all proceedings taken by the city council of the city of Ankeny, in Polk County, Iowa, providing for the sale, issuance and delivery of general obligation bonds of the city to the amount of \$700,000, to adjust, settle and renew certain indebtedness incurred by the city in the construction of the Otter Creek Municipal Golf Course Project, and for the levy of taxes upon all the taxable property in the city to pay the bonds and the interest thereon, are hereby legalized, validated, and confirmed; and, that the general obligation bonds when issued, sold, and delivered pursuant to and in accordance with all proceedings, shall be and are hereby declared to be legal and to constitute valid and binding obligations of the city issued for a valid essential corporate purpose of the city.

Sec. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in The Alcona Herald-Mitchellville Index, a

newspaper published in Altoona, Iowa, and in the Diamond Trail News, a newspaper published in Sully, Iowa, all without expense to the state.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2232, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved _____, 1986

TERRY E. BRANSTAD
Governor