

March 9, 1961.
Passed on File.

Senate File 435

By JUDICIARY 2 COMMITTEE.

Passed Senate, Date 3-17-61 Passed House, Date 3-17-61
Vote: Ayes 42 Nays 0 Vote: Ayes 81 Nays 0

Approved 3-21-61

A BILL FOR

An Act to legalize and validate the proceedings for the organization and establishment of the Community School District of Atlantic in the counties of Cass, Pottawattamie and Audubon, state of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, pursuant to proceedings taken by the County Superintendent of schools of Cass county, Iowa, and the County Boards of Education of Cass, Pottawattamie and Audubon counties, Iowa, an election was held on July 2, 1959, on the proposition of establishing a new school district to be known as the Community School District of Atlantic, in the counties of Cass, Pottawattamie and Audubon, state of Iowa, by uniting territory then lying within the boundaries of eleven (11) school corporations located in Cass, Pottawattamie and Audubon counties; and

WHEREAS, pursuant to the favorable results of said election, officials were elected, descriptions of the boundaries of the new and enlarged Community School District of Atlantic were filed with the county auditors of Cass, Pottawattamie and Audubon counties, and a new school corporation was organized in accordance with the county plans, effective July 1, 1960, which is known and has been officially designated as the Community School District of Atlantic, in the counties of Cass, Pottawattamie and Audubon, state of Iowa; and

WHEREAS, the northwest fractional one-quarter (NW fr. $\frac{1}{4}$) of Section Thirty (30) in Franklin Township, Cass County, Iowa, was impeded in the proposal and ballot to be included in said Community School District and that all of the workers residing in said territory participated in the election held thereon and voted in favor of the formation of said district; and

WHEREAS, the official publications in connection with the formation of said district including the ballot for the formation of said district erroneously described the property in Franklin Township, Cass County, Iowa, as the west fractional half of the northwest fractional quarter (W fr. $\frac{1}{2}$ of NW fr. $\frac{1}{4}$) of Section Thirty (30) in said Franklin Township; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and establishment of the said Community School District of Atlantic, in the counties of Cass, Pottawattamie and Audubon, state of Iowa, and the legality of including the entire northwest fractional quarter (NW fr. $\frac{1}{4}$) of Section Thirty (30) in Franklin

Township, Cass county, Iowa, within the Community School District for tax purposes, and it is deemed advisable and necessary to put such 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:

1 Section 1. All proceedings heretofore taken in connection
2 with the organization, creation and establishment of the school
3 corporation now known and identified as the Community School
4 District of Atlantic, in the counties of Cass, Pottawattamie
5 and Audubon, state of Iowa, are hereby legalized, validated
6 and confirmed and that said school district is hereby declared
7 to constitute a legal school corporation created in conformity
8 with the provisions of chapter two hundred seventy-five (275),
9 Code 1958, and the boundaries of said Community School District
10 of Atlantic including the entire northwest fractional quarter
11 (NW fr. $\frac{1}{4}$) of Section Thirty (30) in Franklin Township, Cass
12 county, Iowa, and all the remainder of said boundaries as now
13 shown by the records of the county auditors of Cass, Pottawattamie
14 and Audubon counties, Iowa, are hereby declared to be the legally
15 established boundaries of said school district.

1 Sec. 2. This Act being deemed of immediate importance shall
2 be in full force and effect from and after its passage and publi-
3 cation in the Atlantic News-Telegraph, a newspaper published at
4 Atlantic, Iowa, and the Cumberland Enterprise, a newspaper pub-
5 lished at Cumberland, Iowa, without expense to the state.

SENATE FILE 485

1 Amend Senate File 485, line 3 of the third paragraph of the
2 preamble by striking the word "impended" and inserting in lieu
3 thereof "intended".

Filed
March 13, 1961.

By SHOEMAN