

February 7, 1967  
Judiciary, *Pass 2-28*

House File 117  
By MOFFITT

Passed House, Date 3-10-67 Passed Senate, Date 4-5-67  
Vote: Ayes 111 Nays 0 Vote: Ayes 48 Nays 0  
Approved April 17, 1967

## A BILL FOR

*Substituted for H. F. 183*

An Act to authorize and direct the issuance of a patent to certain real estate by the governor and secretary of state to Joe Varese, Sr., and Louis Sacco.

WHEREAS, it appears of record that real estate described as, The Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) and the South Half (S1/2) of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4), all in Section Sixteen (16), Township Sixty-nine (69) North, Range Seventeen (17) West of the Fifth (5th) Principal Meridian, Appanoose County, Iowa, was purchased, with other property not here in question, by Joe Varese, Sr., and Louis Sacco from Alonzo Silliman; and

WHEREAS, Section Sixteen (16), Township Sixty-nine (69), Range Seventeen (17), is one (1) of the sections conveyed by the United States government to the state of Iowa for the benefit of the school funds, but the state of Iowa has no record of ever having issued a patent to the tract in question; and

WHEREAS, the records of the county auditor's office in Appanoose County, Iowa, pertaining to the sale of lands in Section Sixteen (16), or lands selected in lieu thereof, for the benefit of the school funds, prior to 1890, have been destroyed, and it is impossible to determine therefrom whether a consideration was paid to said school fund for said tract; and

WHEREAS, it does appear from the abstract of title that more than seventy-five (75) years have elapsed since the sale of said land to the predecessors in title of the present owners, who have paid a fair and adequate consideration therefor, and it would be unjust and inequitable to require further payment at this time, and

WHEREAS, the present owners are entitled to have said land free from any claims of the state of Iowa; NOW, THEREFORE,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. That the governor and secretary of state of the  
2 state of Iowa are hereby authorized and directed to execute and  
3 deliver to Joe Varese, Sr., and Louis Sacco a patent conveying  
4 the real estate hereinafter described:

5 The Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4)  
6 and the South Half (S1/2) of the Southwest Quarter of the  
7 Northeast Quarter (SW1/4 NE1/4), all in Section Sixteen (16),  
8 Township Sixty-nine (69) North, Range Seventeen (17) West of  
9 the Fifth (5th) Principal Meridian, Appanoose County, Iowa.

1 Sec. 2. Nothing in this Act shall be deemed or construed to  
2 affect pending litigation.

#### EXPLANATION

This bill is necessary to clear title to certain real estate in Appanoose County.