

March 17, 1967

Passed on File

*Revising 3/27, Passed 4/17
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Senate File 591

By BRILES

Passed Senate, Date 5-11-67 Passed House, Date 6-1-67

Vote: Ayes 42 Nays 0 Vote: Ayes 97 Nays 1

Approved June 14, 1967

A BILL FOR

An Act to legalize and validate the proceedings of the town council of the town of Lenox, in Taylor county, Iowa, authorizing and providing for the establishment and erection of a municipal gasworks for said town and the issuance, sale, and delivery of gas revenue bonds of said town to pay the cost thereof, including the establishment of rates for gas service, and declaring the bonds issued, sold, and delivered pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that at a special election held in said town on November 23, 1965 the proposition of establishing and erecting a municipal gasworks for said town at a cost of not to exceed six hundred eleven thousand (611,000) dollars to be paid solely out of the net earnings of such municipal gasworks was approved by more than a majority of the total number of votes cast for and against said proposition at said election; and

WHEREAS, in reliance upon said election the town council of said town of Lenox thereafter authorized and provided for the construction of said municipal gasworks, the issuance, sale, and delivery of gas revenue bonds in the amount of six hundred eleven thousand (611,000) dollars to pay the cost of establishing and erecting said municipal gasworks, such bonds being payable as to both principal and interest solely out of the net earnings of such municipal gasworks, and the establishment of rates for gas service furnished customers by and through said municipal gasworks in order to provide revenues to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the construction of said municipal gasworks, the issuance, sale, and delivery of said bonds and the establishment of said rates for gas service, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; NOW THEREFORE,

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

- 1 Section 1. That all proceedings heretofore taken by the town
- 2 council of the town of Lenox, in Taylor county, Iowa, preliminary
- 3 to and in connection with the election held in said town on

4 November 23, 1965 on the proposition of establishing and erecting
5 a municipal gasworks and authorizing and providing for the con-
6 struction of said municipal gasworks, the issuance, sale, and de-
7 livery of gas revenue bonds of said town in the amount of six
8 hundred eleven thousand (611,000) dollars to pay the cost of
9 establishing and erecting said municipal gasworks and the estab-
10 lishment of rates for gas service furnished by and through said
11 municipal gasworks in order to provide revenues to pay said bonds
12 and the interest thereon are hereby legalized, validated, and con-
13 firmed, and said gas revenue bonds issued, sold, and delivered pur-
14 suant to and in accordance with said proceedings are hereby declared
15 to be legal and to constitute valid and binding obligations of said
16 town payable only from such revenues, but said bonds shall not be a
17 corporate indebtedness of said town, nor shall said town be auth-
18 orized to levy ad valorem taxes to pay either principal thereof or
19 interest thereon.

1 Sec. 2. This Act being of immediate importance shall be in full
2 force and effect from and after its passage and publication in The
3 Time-Table, a newspaper published at Lenox, Iowa, and in the Adams
4 County Free-Press, a newspaper published at Corning, Iowa, without
5 expense to the state.