

March 17, 1967

Passed on File

*Amended 3/27, Passed 4/19
" 5/15, Passed 5/17*

Senate File 593

By BRILES

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

Vote: Ayes 39 Nays 0 Vote: Ayes 100 Nays 1

Approved June 10, 1967

A BILL FOR

An Act to legalize and validate proceedings authorizing and providing for the execution of a gas supply contract between the town of Lenox, in Taylor county, Iowa, and the town of Clearfield, in Taylor and Ringgold counties, Iowa, and declaring said gas supply contract to be legal, valid and enforceable according to its terms.

WHEREAS, it appears from the records of the town council of the town of Lenox, in Taylor county, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into a contract for and on behalf of said town with the town of Clearfield, Iowa, providing for the sale of natural gas by said town of Lenox to said town of Clearfield; and

WHEREAS, it appears from the records of the town council of the town of Clearfield, in Taylor and Ringgold counties, Iowa, that pursuant to resolution the town council of said town has authorized the mayor and town clerk of said town to execute and enter into said contract for and on behalf of said town of Clearfield with the town of Lenox, Iowa, providing for the purchase of natural gas by said town of Clearfield from said town of Lenox on the basis that payment for the gas supplied thereunder shall be made solely from revenues to be derived from the operation of the municipal gasworks of said town of Clearfield; and

WHEREAS, pursuant to and in accordance with said resolutions the town of Lenox, Iowa, acting by and through its mayor and town clerk, and the town of Clearfield, Iowa, acting by and through its mayor and town clerk, have executed and entered into a gas supply contract dated February 6, 1967 providing for the sale of natural gas by said town of Lenox to said town of Clearfield and setting forth the terms of such sale; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and gas supply contract 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
2 town council of the town of Lenox, in Taylor county, Iowa, and
3 the town council of the town of Clearfield, in Taylor and Ring-
4 gold counties, Iowa, authorizing and providing for the execution
5 of a gas supply contract between said municipalities whereunder
6 gas supplied by said town of Lenox to said town of Clearfield
7 shall be paid for solely from revenues derived from the opera-
8 tion of the municipal gasworks of said town of Clearfield are
9 hereby legalized, validated, and confirmed and said gas supply
10 contract dated February 6, 1967 between said town of Lenox and
11 said town of Clearfield entered into and executed pursuant to
12 and in accordance with said proceedings is hereby declared to be
13 legal, valid, and binding upon said municipalities, the purchase
14 price of the gas supplied thereunder being payable solely from
15 such revenues, but said contract shall not be a corporate in-
16 debtedness of said town of Clearfield within the meaning and
17 application of any debt limitation restrictions.

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