

March 24, 1970  
Sifting Committee

HOUSE FILE 1356

By COMMITTEE ON JUDICIARY  
(Committee on Judiciary)

Passed House, Date 4-3-70 Passed Senate, Date 4-6-70

Vote: Ayes 92 Nays 0 Vote: Ayes 57 Nays 0

Approved April 10, 1970

## A BILL FOR

- 1 An Act to legalize and validate the use of a bridge acquired by
- 2 the Marion County board of supervisors from the Norfolk and
- 3 Western Railway Company as part of the secondary road system
- 4 in that county.
- 5 WHEREAS, on April 23, 1968 the Norfolk and Western Railway
- 6 Company executed a bill of sale to the Marion county board of
- 7 supervisors in which said railway company quitclaimed three
- 8 through truss spans and pier supports constituting a bridge
- 9 over the Des Moines river west of Harvey, Marion County, Iowa;
- 10 and
- 11 WHEREAS, the Marion county board of supervisors acquired
- 12 said bridge in good faith, believing it to be suitable for use
- 13 in the secondary road system; and
- 14 WHEREAS, it has since been discovered that said bridge does
- 15 not meet the requirements of section three hundred nine point
- 16 seventy-four (309.74) of the Code, in that in the specific area
- 17 of the bridge where each of the piers are located, the bridge
- 18 is less than sixteen feet in width; and
- 19 WHEREAS, said bridge is in all other respects suitable for
- 20 use in the secondary road system, and is necessary to serve the
- 21 residents of the county; and
- 22 WHEREAS, it is deemed advisable to legalize and validate the
- 23 use of said bridge in the secondary road system of Marion county;
- 24 NOW THEREFORE,
- 25 *Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. The Marion county board of supervisors is hereby  
 2 authorized to use as part of the secondary road system of Marion  
 3 county the bridge over the Des Moines river acquired from the  
 4 Norfolk and Western Railway on April 28, 1968 and located west  
 5 of Harvey, Marion county, Iowa.

6 Sec. 2. This Act being deemed of immediate importance shall  
 7 be in full force and effect from and after its final approval and  
 8 publication in The Knoxville Express, a newspaper published at  
 9 Knoxville, Iowa, and The Pella Chronicle-Advertiser, a news-  
 10 paper published at Pella, Iowa.

*Proof of publication  
 in The Knoxville Express 3/24*

EXPLANATION

This bill will legalize the use of an abandoned railway bridge in Marion County as part of the secondary road system in that county.