

MAR 25 1971

Judiciary, Pass 4/7
Sen. " 4/16, Pass 4/29

HOUSE FILE 515

By SKINNER

Passed House, Date 4-16-71 Passed Senate, Date 5-11-71
Vote: Ayes 82 Nays 0 Vote: Ayes 45 Nays 0
Approved 5-20-71

A BILL FOR

1 An Act to legalize and validate the proceedings of the Board
2 of Township Trustees of Delaware Township of Polk County,
3 Iowa, in connection with certain elections held to autho-
4 rize a tax levy for fire protection purposes and the issu-
5 ance of bonds in anticipation of said tax and declaring
6 the validity of said elections and that bonds issued pur-
7 suant to said proceedings shall be enforceable obligations
8 of said Township.

9 WHEREAS it appears from the records of the Board of Township
10 Trustees of Delaware Township in Polk County, Iowa, that said
11 Board of Township Trustees adopted a resolution on August
12 7, 1954, calling a special election to be held in said Township
13 on August 24, 1954, at which there was submitted to the voters
14 of said Township the proposition of authorizing the levy of
15 a tax of 1 1/2 mills on the taxable property in the Township
16 for fire protection as authorized by Sections 359.42 and
17 359.43, Code of Iowa (1966); and

18 WHEREAS after canvassing the results of the election on
19 the proposition of levying said tax it was found and deter-
20 mined that said proposition was approved by more than eighty-
21 five percent of the total number of votes cast for and against
22 said proposition at said election, there being 448 votes cast
23 in favor of said proposition and 73 votes cast against the
24 same; and

25 WHEREAS, it further appears from the records of said Board

1 of Township Trustees, that said Board by resolution caused
2 a special election to be conducted on May 7, 1969, upon the
3 proposition of contracting indebtedness of not to exceed
4 \$40,000.00 for the purchase of new fire fighting equipment,
5 said bonds to be retired from the tax levy of 1 1/2 mills
6 previously authorized, and at which election 366 votes were
7 cast in favor of the proposition and 2 votes were cast against
8 the proposition; and

9 WHEREAS in reliance upon the favorable vote cast at said
10 elections, the Board of Township Trustees of said Township
11 proposes to provide for the issuance of bonds to the amount
12 and for the purpose aforesaid in anticipation of the collec-
13 tion of the tax levy of 1 1/2 mills authorized on August 24,
14 1954; and

15 WHEREAS doubts have arisen concerning the validity and
16 legal sufficiency of said elections and proceedings and
17 authority for the issuance and payment of said bonds and it
18 is deemed advisable to put such doubts and all others that
19 might arise concerning the same forever at rest; NOW, THERE-
20 FORE,

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

22 Section 1. That all proceedings heretofore taken by the
23 Board of Township Trustees of Delaware Township, Polk County,
24 Iowa, preliminary to and in connection with the special elec-
25 tions held in said Township on August 24, 1954, and May 7,
26 1969, respectively, providing for the levy of a tax of 1 1/2
27 mills for the purposes authorized by Sections 359.42 and
28 359.43, Code of Iowa (1966), and providing for the issuance
29 of fire equipment bonds of said Township to the amount of
30 not to exceed \$40,000.00 in anticipation of and to be retired
31 from the proceeds of said tax, and said elections are hereby
32 legalized, validated and confirmed and said bonds when issued,
33 sold and delivered pursuant to and in accordance with said
34 proceedings are hereby declared to be legal and to constitute
35 valid and binding obligations of said Township.

1 Section 2. This Act being deemed of immediate importance
 2 shall be in full force and effect from and after its passage
 3 and publication in The Altoona Herald, a newspaper published
 4 at Altoona, Iowa, and in the Lee Town News, a newspaper pub-
 5 lished at Des Moines, Iowa, without expense to the State.
 6 Published in the Altoona Herald, March 4, 1971.

EXPLANATION

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 8 This bill legalizes proceedings taken by Delaware Township
 9 in Polk County whereby certain elections were held to autho-
 10 rize a tax levy for fire protection purposes and the issuance
 11 of bonds in anticipation of the tax.

Proof of Publication 3/25
Lee Town News 3/5

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