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*Indefinite 2/24, Pass 3/1
then " 3/22, Pass 4/7*

SENATE FILE 277

By MOWRY

Passed Senate, Date 3-12-71 Passed House, Date 4-19-71
Vote: Ayes 40 Nays 1 Vote: Ayes 79 Nays 0
Approved 4-26-71

A BILL FOR

1 An Act to legalize and validate the procedures wherein the
2 West Marshall Community School District in the counties of
3 Marshall and Story entered into contract for the sale of
4 certain real estate.

5 WHEREAS, the West Marshall Community School District of
6 Marshall and Story counties initiated the sale of real property
7 described as Lot one (1) and Lot eight (8) in Block four (4),
8 Town of Edenville (now Rhodes), Marshall County, Iowa; and

9 WHEREAS, the notice for bids as required by the Code of
10 Iowa was advertised and published in the Marshalltown Times-
11 Republican on November 4 and 11, 1965; and

12 WHEREAS, the bids for said real property, though not shown
13 on the abstract, were taken in June, 1967 and it appears that
14 such bids should have been taken not later than six months after
15 the second publication of the notice as apparently required by
16 the Code of Iowa but through misunderstanding such requirement
17 was not met, and the notice set forth in the abstract is inadequate;
18 and

19 WHEREAS, the West Marshall Community School District has entered
20 into a contract of sale with John Bear of Marshall County for the
21 above described real property wherein John Bear has agreed to
22 pay three hundred sixty dollars (\$360.00) at the time of execution
23 of the contract and the balance of the purchase price of one thou-
24 sand eight hundred dollars (\$1,800.00) upon delivery of an abstract
25 of title showing merchantable title in the sellers and tender of a

1 deed therefor; and

2 WHEREAS, there remains a cloud on the title for the above
3 described real property because of the procedural defect herein
4 described which has prevented the two willing parties from
5 completing the duly executed contract which is believed by both
6 parties to be a fair contract, and the buyer pursuant to his
7 intention to complete purchase of the above described real
8 property has made substantial improvements on said real property;

9 NOW, THEREFORE,

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

11 Section 1. All proceedings heretofore taken by the West
12 Marshall Community School District in the counties of Marshall
13 and Story whereby the School District entered into a contract
14 of sale with John Bear for the sale of real estate owned by the
15 school district, described as Lot one (1) and Lot eight (8) in
16 Block four (4), Town of Edenville (now Rhodes), Marshall County,
17 Iowa, are hereby legalized, validated and confirmed and the
18 parties to said contract are authorized to complete the execution
19 of the contract which shall thereafter constitute a valid and
20 binding contractual obligation of the respective parties.

21 EXPLANATION

22 This bill legalizes proceedings wherein the counties of Marshall
23 and Story entered into a contract for the sale of certain real
24 estate.

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26 *2/24. Proof of Publication - State Center Enterprise 2/12*

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