

JUN 22 1973

Ways and Means

Calendar

HOUSE FILE

804

By COMMITTEE ON WAYS AND MEANS

Passed House, Date 6-23-73 (2331) Passed Senate, Date 6-23-73 (2060)

Vote: Ayes 94 Nays 0 Vote: Ayes 47 Nays 0

Approved June 29, 1973

A BILL FOR

1 An Act to legalize and validate the procedures whereby the
2 Nishna Valley Community School District in the County
3 of Mills contracted for the sale of several tracts of real
4 estate and the contracts entered into with the respective
5 purchasers.

6 WHEREAS, the electors of Nishna Valley Community School
7 District in Mills County, State of Iowa, at their regular
8 school election held September 11, 1972, authorized sale of
9 the following described parcels of real estate, to-wit:

10 Parcel 1: A tract of land described as follows: Com-
11 mencing at the Northwest corner of Section Nineteen (19),
12 Township Seventy-one (71) North, Range Forty (40) West of
13 the 5th P.M., Mills County, Iowa, thence East along section
14 line 7 chains, thence South 8.19 chains, thence West 7 chains
15 to the section line, thence North 8.19 chains on section line
16 to the place of beginning, containing 5 acres, more or less,
17 subject to easements of record.

18 Parcel 2: Lot Nine Hundred Seven (907) and North Half
19 (N 1/2) of Lot Nine Hundred Eight (908) - all in the Town
20 of Hastings, Mills County, Iowa.

21 Parcel 3: Lots One (1), Two (2), Three (3), Four (4) and
22 Five (5) in Block Two (2) in the Town of Henderson, Mills
23 County, Iowa.

24 Parcel 4: A part of the Northwest Quarter of the South-
25 east Quarter (NW 1/4 SE 1/4) of Section Ten (10), Township

1 Seventy-three (73) North, Range Forty (40) West of the 5th
2 P.M., Mills County, Iowa, bounded and described as follows:
3 The point of commencing is a point 222 feet south of and
4 thence 373 feet East from the Northwest corner of the above
5 described forty-acre tract, thence South 340 feet, thence
6 West 280 feet, thence North 340 feet to the place of beginning,
7 containing 2 19/100 acre, sometimes known as Lot Seventeen
8 (17) of Boileau's Addition to the Town of Henderson, Iowa;
9 ALSO-

10 Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen
11 (14) and Fifteen (15) in Lawrence's Addition to the Town of
12 Henderson, Iowa.

13 Parcel 5: A tract of land located in Lot Eleven (11) of
14 the official plat of Section Ten (10), Township Seventy-three
15 (73) North, Range Forty (40) West of the 5th P.M., in Mills
16 County, Iowa, more particularly described as follows: Com-
17 mencing at a point 751 feet North and 653 feet East of the
18 Southwest corner of said Lot Eleven (11) and running thence
19 South 280 feet, thence West 280 feet, thence North 280 feet,
20 thence East 280 feet to the point of beginning; and

21 WHEREAS, the said tracts were appraised by appraisers ap-
22 pointed by the County Superintendent of Mills County pursuant
23 to the provisions of Section 297.22, Code of Iowa, 1973; and

24 WHEREAS, the Board of Directors advertised for bids on
25 said property, but through error or misunderstanding notice
26 was published in one publication in each of several news-
27 papers rather than by two consecutive publications in one
28 newspaper of general circulation within the district as re-
29 quired by Section 297.23, Code of Iowa, 1973; and

30 WHEREAS, said parcels were sold at public auction April
31 7, 1973, at which there was competitive bidding, for con-
32 siderations in excess of the appraised valuations of the
33 respective tracts and contracts entered into on that date
34 with the high bidders on all parcels offered for sale as
35 follows:

	Parcel..Name of Purchaser	Consideration	Down Payment
1			
2			
3	1 Jered S. Woodfill.....	\$6,500.	\$1,300.
4	2 Earl Ridgely.....	8,100.	1,620.
5	3 Floyd D. Timson.....	7,500.	1,500.
6	4 Henderson Little League, Inc.....	6,500.	1,300.
7	5 Albert T. and Dorothy L. Benton...	2,700.	540.

8 and

9 WHEREAS, doubts have arisen concerning the legality of
10 the notice to bidders and subsequent proceedings for the sale
11 of said lands and it is deemed advisable to remove forever
12 all such doubts as to the validity of these transactions;

13 NOW THEREFORE,

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

15 Section 1. All proceedings heretofore taken by the Board
16 of Directors of Nishna Valley Community School District in
17 the County of Mills, State of Iowa, in connection with the
18 advertising for bids, public auction, and contracting for
19 sale of the following described parcels, to-wit:

20 Parcel 1: A tract of land described as follows: Com-
21 mencing at the Northwest corner of Section Nineteen (19),
22 Township Seventy-one (71) North, Range Forty (40) West of
23 the 5th P.M., Mills County, Iowa, thence East along section
24 line 7 chains, thence South 8.19 chains, thence West 7 chains
25 to the section line, thence North 8.19 chains on section line
26 to the place of beginning, containing 5 acres, more or less,
27 subject to easements of record.

28 Parcel 2: Lot Nine Hundred Seven (907) and North Half
29 (N 1/2) of Lot Nine Hundred Eight (908) - all in the Town
30 of Hastings, Mills County, Iowa.

31 Parcel 3: Lots One (1), Two (2), Three (3), Four (4) and
32 Five (5) in Block Two (2) in the Town of Henderson, Mills
33 County, Iowa.

34 Parcel 4: A part of the Northwest Quarter of the South-
35 east Quarter (NW 1/4 SE 1/4) of Section Ten (10), Township

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2 P.M., Mills County, Iowa, bounded and described as follows:
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6 West 280 feet, thence North 340 feet to the place of beginning,
7 containing 2 19/100 acre, sometimes known as Lot Seventeen
8 (17) of Boileau's Addition to the Town of Henderson, Iowa.

9 ALSO-

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11 (14) and Fifteen (15) in Lawrence's Addition to the Town of
12 Henderson, Iowa.

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15 (73) North, Range Forty (40) West of the 5th P.M., in Mills
16 County, Iowa, more particularly described as follows: Com-
17 mencing at a point 751 feet North and 653 feet East of the
18 Southwest corner of said Lot Eleven (11) and running thence
19 South 280 feet, thence West 280 feet, thence North 280 feet,
20 thence East 280 feet to the point of beginning;
21 and the contracts of sale entered into with Jered S. Woodfill
22 for sale and purchase of Parcel 1, Earl Ridgely for sale and
23 purchase of Parcel 2, Floyd D. Timson for sale and purchase
24 of Parcel 3, Henderson Little League, Inc., for sale and pur-
25 chase of Parcel 4, and Albert T. Benton and Dorothy L. Benton
26 for sale and purchase of Parcel 5 are hereby legalized,
27 validated and confirmed.

28 EXPLANATION

29 This bill legalizes the proceedings of the Nishna Valley
30 Community School district relating to the sale of real estate.

31 *Proof of Publication 6/22*
32 *The Malvern Leader 6/21*

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