

Senate File 1143
Judiciary
Doderer, Chairperson
Coleman
Hill of Polk

2/11, Pass 3/5

FILED FEB 15 1976

Senate File 1143
Ways and Means
Wyckoff, Chair
Danker
Bittle

2/8, Pass 3/23

SENATE FILE 1143

By ORR

Passed Senate, Date 3-8-76 (1774) Passed House, Date 3-26-76 (1453)

Vote: Ayes 40 Nays 3 Vote: Ayes 84 Nays 0

Approved 4-7-76

A BILL FOR

1 An Act to legalize proceedings taken by the board of directors
2 of the Grinnell-Newburg community school district relating
3 to the sale of certain property.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Senate File 1143
Judiciary
Doderer, Chairperson
Coleman
Hill of Polk

2/16, Pass 3/5

FILED FEB 13 1976

* Senate File 1143
Ways and Means
Wyckoff, Chair
Danker
Bittle

3/8, Pass 3/23

SENATE FILE 1143

By ORR

Passed Senate, Date 3-8-76 (p. 774) Passed House, Date 3-26-76 (1453)
Vote: Ayes 40 Nays 3 Vote: Ayes 84 Nays 0
Approved 4-7-76

A BILL FOR

1 An Act to legalize proceedings taken by the board of directors
2 of the Grinnell-Newburg community school district relating
3 to the sale of certain property.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 WHEREAS, at its regular meeting of July 14, 1971, the board
2 of directors of the Grinnell-Newburg community school district
3 adopted a resolution directing the board secretary to advertise
4 for public sale the following described property:

5 Part of Lot one (1) of the Subdivision of the Northeast
6 Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section
7 Twenty-four (24), Township Eighty-one (81) North, Range
8 Seventeen (17) West of the 5th P.M., Jasper County, Iowa,
9 as shown in Plat Book C page 6 in the office of the Recorder
10 of Jasper County, Iowa, described as: beginning at the
11 Northwest corner of said Lot one (1), run thence East Seventy-
12 six (E 76) Feet, thence South to the Northerly right-of-way
13 line of the M & St. L Railroad right-of-way, thence
14 Northwesterly along said right-of-way to the West line of
15 said Lot one (1), thence North to the point of beginning;
16 and

17 WHEREAS, the board secretary caused a public notice to
18 bidders to be printed and published in the Grinnell Herald-
19 Register, being a newspaper of general circulation published
20 within the school district, on August 12, 1971, August 19,
21 1971, and August 26, 1971, that the board of directors would
22 receive sealed bids for the sale of the above described
23 property due on five o'clock p.m. on September 1, 1971; and

24 WHEREAS, at its regular meeting of September 8, 1971, the
25 board of directors opened and reviewed the five bids received
26 on the above described property and further allowed each
27 bidder to increase the amount of his bid as provided in the
28 notice for sealed bids and the property above described was
29 sold to the highest bidder; and

30 WHEREAS, the board of directors complied with all of the
31 provisions of section two hundred ninety-seven point twenty-
32 two (297.22), Code 1971, except that the board failed to have
33 the property appraised by three disinterested freeholders
34 residing in the school district and appointed by the county
35 superintendent of schools of the county in which the property

1 is located; and

2 WHEREAS, some doubt has arisen as to the validity of the
3 proceedings of the school district and such doubt may raise
4 an issue concerning the merchantability of the title to the
5 property and that said acts should be legalized and the mat-
6 ter once and for all be put to rest; NOW THEREFORE,

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

8 Section 1. That all proceedings taken by the board of
9 directors of the Grinnell-Newburg community school district
10 pertaining to the sale of the above described property where
11 the board of directors failed to have the property appraised
12 by three disinterested freeholders appointed by the county
13 superintendent of schools of the county in which the property
14 is located are validated, legalized, and confirmed and shall
15 constitute a valid, legal, and binding sale of the above de-
16 scribed property by the school district.

17 EXPLANATION

18 This bill legalizes the sale of property by the Grinnell-
19 Newburg School District. The board of directors of the school
20 district failed to have the property appraised by three
21 disinterested freeholders residing in the school district.
22 Thus a question has arisen regarding the merchantability
23 of the title to the property which was sold by the school
24 district.

25
26 *Proof of Publication 2-13 (435)*
27 *Grinnell Herald-Register 1-26-76*
28
29
30
31
32
33
34
35

LSB 3049
bk/jw/5

AN ACT

TO LEGALIZE PROCEEDINGS TAKEN BY THE BOARD OF DIRECTORS OF THE GRINNELL-NEWBURG COMMUNITY SCHOOL DISTRICT RELATING TO THE SALE OF CERTAIN PROPERTY.

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

WHEREAS, at its regular meeting of July 14, 1971, the board of directors of the Grinnell-Newburg community school district adopted a resolution directing the board secretary to advertise for public sale the following described property:

Part of Lot one (1) of the Subdivision of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty-four (24), Township Eighty-one (81) North, Range Seventeen (17) West of the 5th P.M., Jasper County, Iowa, as shown in Plat Book C page 6 in the office of the Recorder of Jasper County, Iowa, described as: beginning at the Northwest corner of said Lot one (1), run thence East Seventy-six (E 76) Feet, thence South to the Northerly right-of-way line of the M & St. L Railroad right-of-way, thence Northwesterly along said right-of-way to the West line of said Lot one (1), thence North to the point of beginning; and

WHEREAS, the board secretary caused a public notice to bidders to be printed and published in the Grinnell Herald-Register, being a newspaper of general circulation published within the school district, on August 12, 1971, August 19, 1971, and August 26, 1971, that the board of directors would receive sealed bids for the sale of the above described property due on five o'clock p.m. on September 1, 1971; and

WHEREAS, at its regular meeting of September 8, 1971, the board of directors opened and reviewed the five bids received on the above described property and further allowed each bidder to increase the amount of his bid as provided in the notice for sealed bids and the property above described was sold to the highest bidder; and

WHEREAS, the board of directors complied with all of the

provisions of section two hundred ninety-seven point twenty-two (297.22), Code 1971, except that the board failed to have the property appraised by three disinterested freeholders residing in the school district and appointed by the county superintendent of schools of the county in which the property is located; and

WHEREAS, some doubt has arisen as to the validity of the proceedings of the school district and such doubt may raise an issue concerning the merchantability of the title to the property and that said acts should be legalized and the matter once and for all be put to rest; NOW THEREFORE,

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

Section 1. That all proceedings taken by the board of directors of the Grinnell-Newburg community school district pertaining to the sale of the above described property where the board of directors failed to have the property appraised by three disinterested freeholders appointed by the county superintendent of schools of the county in which the property is located are validated, legalized, and confirmed and shall constitute a valid, legal, and binding sale of the above described property by the school district.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1143, Sixty-sixth General Assembly.

Approved April 7, 1976

STEVEN C. CROSS
Secretary of the Senate

ROBERT D. RAY
Governor