

House Judiciary 4/29 Do Pass 5/11 (p. 2164)

Senate File 362
Judiciary and Law
Enforcement
Pelton, chair
Patehett
Shimanek

FILED APR 21 1977

SENATE FILE 362

By COMMITTEE ON JUDICIARY
Approved 4/22 (p. 1152)

Passed Senate, Date 4-25-77 (p. 1164) Passed House, Date 5-20-77 (2519)

Vote: Ayes 45 Nays 0 Vote: Ayes 27 Nays 1

Approved 6/30/77

Motion to reconsider adopted 11/79
Repassed Senate 4-25-77 (p. 1180)
46.0

A BILL FOR

1 An Act to legalize proceedings taken by the board of
2 supervisors of Wayne county relating to the sale of
3 certain properties.
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Proof of Publication 4/21 (p. 1144)

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S.F. 362

S-3418

SENATE FILE 362

1 Amend Senate File 362 as follows:
2 1. Page 1, line 27, by striking the words "sold"
3 on or before" and inserting in lieu thereof the words
4 "sold on or after".

S-3418 FILED & ADOPTED (p. 1180) BY RICHARD R. RAMSEY
APRIL 25, 1977

1 WHEREAS, the board of supervisors of Wayne county acquired
2 certain property by virtue of a tax deed; and

3 WHEREAS, the board of supervisors of Wayne county
4 subsequently offered these properties for sale as provided
5 in section five hundred sixty-nine point eight (569.8) of
6 the Code on or after October 9, 1967 and on or before October
7 8, 1974; and

8 WHEREAS, the board of supervisors complied with all of
9 the provisions of the law, except that the board failed to
10 publish notice of the date, place, and time of the sale at
11 least ten days prior to the date of the sale; and

12 WHEREAS, some doubt has arisen as to the validity of the
13 sales of such properties and such doubts may raise an issue
14 concerning the merchantability of the title to properties
15 sold on or after October 9, 1967 and on or before October
16 8, 1974 and said acts should be legalized and the matter once
17 and for all be put to rest; NOW THEREFORE,

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

19 Section 1. That all proceedings taken by the board of
20 supervisors of Wayne county pertaining to the sale of property
21 acquired by virtue of a tax deed and sold on or after October
22 9, 1967 and on or before October 8, 1974 where the board of
23 supervisors failed to publish notice of the time, place, and
24 date of the sale at least ten days prior to the date of the
25 sale are validated, legalized, and confirmed and shall
26 constitute a valid, legal, and binding sale of those properties
7 sold on or before October 9, 1967 and on or before October
8, 1974 by the board of supervisors of Wayne county.

EXPLANATION

30 This bill legalizes the sale of properties acquired by
31 the board of supervisors of Wayne county by virtue of a tax
32 deed and sold between October 9, 1967 and October 8, 1974.
33 The board of supervisors complied with the provisions of the
34 law except that it failed to publish notice of the time,
35 place, and date at least ten days prior to the date of the

1 sale. Thus a question has arisen regarding the merchantability
2 of the title to the properties which were sold by the board
3 of supervisors.

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Published copy of Senate File 362 and verified proof of publication of said
bill in The Seymour Herald, a newspaper published in Seymour, Iowa, on
April 7, 1977, was filed with the Chief Clerk of the House prior to the time
said bill was placed on passage in the House.

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SENATE FILE 362

constitute a valid, legal, and binding sale of those properties sold on or after October 9, 1967 and on or before October 8, 1974 by the board of supervisors of Wayne county.

AN ACT

TO LEGALIZE PROCEEDINGS TAKEN BY THE BOARD OF SUPERVISORS OF WAYNE COUNTY RELATING TO THE SALE OF CERTAIN PROPERTIES.

WHEREAS, the board of supervisors of Wayne county acquired certain property by virtue of a tax deed; and

WHEREAS, the board of supervisors of Wayne county subsequently offered these properties for sale as provided in section five hundred sixty-nine point eight (569.8) of the Code on or after October 9, 1967 and on or before October 8, 1974; and

WHEREAS, the board of supervisors complied with all of the provisions of the law, except that the board failed to publish notice of the date, place, and time of the sale at least ten days prior to the date of the sale; and

WHEREAS, some doubt has arisen as to the validity of the sales of such properties and such doubts may raise an issue concerning the merchantability of the title to properties sold on or after October 9, 1967 and on or before October 8, 1974 and 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 supervisors of Wayne county pertaining to the sale of property acquired by virtue of a tax deed and sold on or after October 9, 1967 and on or before October 8, 1974 where the board of supervisors failed to publish notice of the time, place, and date of the sale at least ten days prior to the date of the sale are validated, legalized, and confirmed and shall

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 362, Sixty-seventh General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved June 30, 1977

ROBERT D. RAY
Governor