

Judiciary and Law Enforcement: Ritsema, Chair; Arnould and Conlon.

No Pass 2/27 (p. 487)

HOUSE FILE 2365

By HANSEN of O'Brien

JAN 31 1980

*Sen Judiciary & Law Enforcement 3/12
No Pass 3/25 (p. 1074)*

Passed House, Date 2-7-70 (p. 812) Passed Senate, Date 3/26/80 (p. 1094)

Vote: Ayes 95 Nays 0 Vote: Ayes 42 Nays 2

Approved April 4, 1980

A BILL FOR

1 An Act to legalize proceedings taken by the board of super-
2 visors of Osceola county relating to the sale of certain
3 properties.

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1 WHEREAS, the board of supervisors of Osceola county acquired
2 certain properties by tax deed at various times; and

3 WHEREAS, the board of supervisors of Osceola county subse-
4 quently offered these properties for sale pursuant to section
5 five hundred sixty-nine point eight (569.8) of the Code, on
6 or after July 1, 1967 and on or before June 30, 1975; and

7 WHEREAS, the board of supervisors complied with all the
8 provisions of the law, except that the board failed to properly
9 publish notice of the date, place and time of the sale as
10 required by law, or failed to acquire consents from other
11 tax certifying bodies when a sale was for an amount less than
12 the unpaid taxes; and

13 WHEREAS, some doubt has arisen as to the validity of the
14 sales of such properties and such doubts may raise an issue
15 concerning the merchantability of the title to properties
16 sold on or after July 1, 1967 and on or before June 30, 1975
17 and said acts should now be legalized and the matter once
18 and for all put to rest; NOW THEREFORE,

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

20 Section 1. That all proceedings taken by the board of
21 supervisors of Osceola county pertaining to the sale of real
22 property acquired by virtue of a tax deed and sold on or after
23 July 1, 1967 and on or before June 30, 1975, where the board
24 of supervisors failed to publish notice of the time, place
25 and date of the sale in compliance with the provisions of
26 section five hundred sixty-nine point eight (569.8) of the
27 Code, or failed to obtain consent from any other tax certify-
28 ing body concerned, where a property was sold for less than
29 the amount of the unpaid real estate taxes, are validated,
30 legalized, and confirmed and shall constitute a valid, legal
31 and binding sale of those properties sold on or after July
32 1, 1967 and on or before June 30, 1975, by the board of
33 supervisors of Osceola county.

34 EXPLANATION

35 The bill legalizes proceedings taken by the board of super-

1 visors of Osceola county relating to the sale of certain prop-
2 erties. The bill is effective July first following enactment.

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HOUSE FILE 2365

AN ACT

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

WHEREAS, the board of supervisors of Osceola county acquired certain properties by tax deed at various times; and

WHEREAS, the board of supervisors of Osceola county subsequently offered these properties for sale pursuant to section five hundred sixty-nine point eight (569.8) of the Code, on or after July 1, 1967 and on or before June 30, 1975; and

WHEREAS, the board of supervisors complied with all the provisions of the law, except that the board failed to properly publish notice of the date, place and time of the sale as required by law, or failed to acquire consents from other tax certifying bodies when a sale was for an amount less than the unpaid taxes; 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 July 1, 1967 and on or before June 30, 1975 and said acts should now be legalized and the matter once and for all 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 Osceola county pertaining to the sale of real property acquired by virtue of a tax deed and sold on or after July 1, 1967 and on or before June 30, 1975, where the board of supervisors failed to publish notice of the time, place and date of the sale in compliance with the provisions of section five hundred sixty-nine point eight (569.8) of the Code, or failed to obtain consent from any other tax certifying body concerned, where a property was sold for less than

the amount of the unpaid real estate taxes, are validated, legalized, and confirmed and shall constitute a valid, legal and binding sale of those properties sold on or after July 1, 1967 and on or before June 30, 1975, by the board of supervisors of Osceola county.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2365, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved April 4, 1980

ROBERT D. RAY
Governor

H.F. 2365