

*Law. Judiciary 3/30
Do Pass 4/2 (p. 1007)*

MAR 22 1979

Place on Calendar

HOUSE FILE

696

By COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(Formerly Study Bill 222)

Passed House, Date 3-25-79 (p. 1187) Passed Senate, Date 4-20-79 (p. 1302)

Vote: Ayes 33 Nays 6 Vote: Ayes 32 Nays 1

Approved April 26, 1979

A BILL FOR

1 An Act legalizing proceedings taken in Linn county, Iowa,
2 relating to the sale of property.

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

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COMMUNICATION FROM SECRETARY OF STATE

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May 8, 1979

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David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

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I hereby certify that House File 696, was published in The Des Moines Register,
Des Moines, Iowa on April 30, 1979, and in The Cedar Rapids Gazette, Cedar Rapids,
Iowa on May 1, 1979.

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Respectfully submitted,
J. HERMAN SCHWEIKER
Deputy Secretary of State

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1 WHEREAS, the Board of Supervisors of Linn County acquired
2 certain properties by virtue of tax deeds, and

3 WHEREAS, the Board of Supervisors of Linn County
4 subsequently offered these properties for sale as provided
5 in Section 446 of the Code of Iowa, on September 24, 1974,
6 and

7 WHEREAS, the Board of Supervisors complied with all of
8 the provisions of the Law, except that the Board failed by
9 advertising notice of the date, place and time of the sale
10 twenty days (20) prior to the sale and not less than ten (10)
11 days nor more than fifteen (15) days prior to the date of
12 the sale, 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 the properties
16 sold on September 24, 1974, and said Acts should be legalized
17 and the matter once and for all be put to rest;

18 NOW THEREFORE, BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 THE STATE OF IOWA:

20 Section 1. That all proceedings taken by the Board of
21 Supervisors of Linn County pertaining to the sale of property
22 acquired by written virtue of tax deeds and sold on September
23 24, 1974, where the Board of Supervisors failed to by ad-
24 vertising notice of the date, place and time of the sale
25 twenty (20) days prior to the sale and not less than ten (10)
26 days nor more than fifteen (15) days prior to the date of
27 the sale are validated, legalized, and confirmed and shall
28 constitute a valid, legal and binding sale of those properties
29 sold on September 24, 1974, by the Board of Supervisors of
30 Linn County.

31 Section 2. This Act, being deemed of immediate importance,
32 shall take effect and be in force from and after its publica-
33 tion in The Des Moines Register, a newspaper published in
34 Des Moines, Iowa, and in The Cedar Rapids Gazette, a newspaper
35 published in Cedar Rapids, Iowa, without expense to the state.

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EXPLANATION

This bill legalizes proceedings taken in Linn County relating to the sale of property where publication was not carried out in the proper manner.



HOUSE FILE 696

AN ACT

LEGALIZING PROCEEDINGS TAKEN IN LINN COUNTY, IOWA, RELATING TO THE SALE OF PROPERTY.

WHEREAS, the Board of Supervisors of Linn County acquired certain properties by virtue of tax deeds, and

WHEREAS, the Board of Supervisors of Linn County subsequently offered these properties for sale as provided in Section 446 of the Code of Iowa, on September 24, 1974, and

WHEREAS, the Board of Supervisors complied with all of the provisions of the Law, except that the Board failed by advertising notice of the date, place and time of the sale twenty days (20) prior to the sale and not less than ten (10) days nor more than fifteen (15) 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 the properties sold on September 24, 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 Linn County pertaining to the sale of property acquired by written virtue of tax deeds and sold on September 24, 1974, where the Board of Supervisors failed to by advertising notice of the date, place and time of the sale twenty (20) days prior to the sale and not less than ten (10) days nor more than fifteen (15) days prior to the date of the sale are validated, legalized, and confirmed and shall constitute a valid, legal and binding sale of those properties sold on September 24, 1974, by the Board of Supervisors of Linn County.

Section 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Des Moines Register, a newspaper published in Des Moines, Iowa, and in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, without expense to the state.

FLOYD H. MILLEN
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 696, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved .. _____, 1979

ROBERT D. RAY
Governor