

*Law Judiciary 2/20
Do Pass 4/2 (p. 1003)*

MAR 23 1979

Place On Calendar

HOUSE FILE 713

By COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(Formerly House File 300)

Passed House, Date 3-22-79 (p. 1142) Passed Senate, Date 4-30-79 (p. 1306)

Vote: Ayes 86 Nays 5 Vote: Ayes 40 Nays 5

Approved May 4, 1979

A BILL FOR

1 An Act to legalize and validate the proceedings of the Menlo
2 community school district relative to the exchange of
3 certain real property.

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713

1 WHEREAS, the board of directors of the Menlo community
2 school district made an exchange of real property with Vada
3 Howard on July 26, 1968 which led to the conveyance by quit
4 claim deed of the following described property:

5 Lot Five (5) of Lot Four (4) of Lot Eight (8)
6 of the Southwest Quarter (SW 1/4) and Lot Nine (9)
7 of the Southwest Quarter, all in Section Twenty-
8 seven (27), Township Seventy-eight (78) North Range
9 Thirty-one (31) West of the Fifth P.M., Guthrie
10 County, Iowa, and

11 WHEREAS, the board of directors of the Menlo community
12 school district complied with all of the provisions of the
13 law, except that the board failed to have the above described
14 property appraised as required pursuant to section two hundred
15 ninety-seven point twenty-two (297.22) of the Code and failed
16 to authorize publication of notice as required under section
17 two hundred ninety-seven point twenty-three (297.23) of the
18 Code; and

19 WHEREAS, some doubt has arisen as to the validity of the
20 exchange of property and such doubt has raised an issue
21 concerning the merchantability of the title to the above
22 described property transferred to Vada Howard and the transfer
23 should be legalized and the matter finally put to rest; NOW
24 THEREFORE,

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

26 Section 1. That all proceedings taken by the board of
27 directors of the Menlo community school district pertaining
28 to the exchange of property between the Menlo community school
29 district and Vada Howard where the above described property
30 was transferred to Vada Howard and where the board of directors
31 of the Menlo community school district failed to have the
32 property appraised and authorize publication of notice as
33 required by law are validated, legalized, and confirmed and
34 shall constitute a valid, legal, and binding exchange of
35 properties by the board of directors of the Menlo community

1 school district and Vada Howard.

2 EXPLANATION

3 The bill legalizes the exchange of properties by the board
4 of directors of the Menlo community school district and Vada
5 Howard in 1968.

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HOUSE FILE 713

AN ACT

TO LEGALIZE AND VALIDATE THE PROCEEDINGS OF THE MENLO COMMUNITY SCHOOL DISTRICT RELATIVE TO THE EXCHANGE OF CERTAIN REAL PROPERTY.

WHEREAS, the board of directors of the Menlo community school district made an exchange of real property with Vada Howard on July 26, 1968 which led to the conveyance by quit claim deed of the following described property:

Lot Five (5) of Lot Four (4) of Lot Eight (8) of the Southwest Quarter (SW 1/4) and Lot Nine (9) of the Southwest Quarter, all in Section Twenty-seven (27), Township Seventy-eight (78) North Range Thirty-one (31) West of the Fifth P.M., Guthrie County, Iowa, and

WHEREAS, the board of directors of the Menlo community school district complied with all of the provisions of the law, except that the board failed to have the above described property appraised as required pursuant to section two hundred ninety-seven point twenty-two (297.22) of the Code and failed to authorize publication of notice as required under section two hundred ninety-seven point twenty-three (297.23) of the Code; and

WHEREAS, some doubt has arisen as to the validity of the exchange of property and such doubt has raised an issue concerning the merchantability of the title to the above described property transferred to Vada Howard and the transfer should be legalized and the matter finally 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 Menlo community school district pertaining to the exchange of property between the Menlo community school district and Vada Howard where the above described property

was transferred to Vada Howard and where the board of directors of the Menlo community school district failed to have the property appraised and authorize publication of notice as required by law are validated, legalized, and confirmed and shall constitute a valid, legal, and binding exchange of properties by the board of directors of the Menlo community school district and Vada Howard.

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 713, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved May 4, 1979

ROBERT D. RAY
Governor

H.F. 713