

FILED MAR 13 1980

SENATE FILE 2317

By COMMITTEE ON JUDICIARY

*Approved 3/11 (p. 802)*

*Substituted for H.F. 2526*

Passed Senate, Date 3-18-80 (p. 426) Passed House, Date 3/21/80 (p. 1230)

Vote: Ayes 40 Nays 1 Vote: Ayes 88 Nays 3

Approved Apr 27, 1980

### A BILL FOR

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

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2317

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

3 WHEREAS, the board of supervisors of Pottawattamie 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 January 22, 1977, February 11, 1978, and April  
7 7, 1979; 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 two notices of the date, time, and place of the sale  
11 at public auction not more than fifteen (15) days prior to  
12 the date of the sales held on January 22, 1977, February 11,  
13 1978, and April 7, 1979; and

14 WHEREAS, some doubt has arisen as to the validity of the  
15 sales of the properties and the doubts may raise an issue  
16 concerning the merchantability of the title to properties  
17 sold at public auction on January 22, 1977, February 11, 1978,  
18 and April 7, 1979 and the acts should be legalized and the  
19 matter once and for all be put to rest; NOW THEREFORE,

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

21 Section 1. That all proceedings taken by the board of  
22 supervisors of Pottawattamie county pertaining to the sale  
23 of property acquired by virtue of a tax deed and sold at  
24 public auction on January 22, 1977, February 11, 1978, and  
25 April 7, 1979 where the board failed to publish two notices  
26 of the time, date, and place of the sale not more than fifteen  
27 (15) days prior to the dates of the sales are validated,  
28 legalized, and confirmed and shall constitute a valid, legal,  
29 and binding sale of those properties sold on January 22, 1977,  
30 February 11, 1978, and April 7, 1979 by the board of  
31 supervisors of Pottawattamie county.

32 EXPLANATION

33 The bill legalizes the sales of certain properties acquired  
34 by virtue of a tax deed by the board of supervisors of  
35 Pottawattamie county. The bill takes effect on July first  
36 following enactment.

SENATE FILE 2317

February 11, 1978, and April 7, 1979 by the board of supervisors of Pottawattamie county.

AN ACT

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

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

WHEREAS, the board of supervisors of Pottawattamie county subsequently offered these properties for sale as provided in section five hundred sixty-nine point eight (569.8) of the Code on January 22, 1977, February 11, 1978, and April 7, 1979; and

WHEREAS, the board of supervisors complied with all of the provisions of the law, except that the board failed to publish two notices of the date, time, and place of the sale at public auction not more than fifteen (15) days prior to the date of the sales held on January 22, 1977, February 11, 1978, and April 7, 1979; and

WHEREAS, some doubt has arisen as to the validity of the sales of the properties and the doubts may raise an issue concerning the merchantability of the title to properties sold at public auction on January 22, 1977, February 11, 1978, and April 7, 1979 and the 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 Pottawattamie county pertaining to the sale of property acquired by virtue of a tax deed and sold at public auction on January 22, 1977, February 11, 1978, and April 7, 1979 where the board failed to publish two notices of the time, date, and place of the sale not more than fifteen (15) days prior to the dates of the sales are validated, legalized, and confirmed and shall constitute a valid, legal, and binding sale of those properties sold on January 22, 1977,

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TERRY E. BRANSTAD  
President of the Senate

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WILLIAM H. HARBOR  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2317, Sixty-eighth General Assembly.

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FRANK J. STORK  
Secretary of the Senate

Approved 4/7, 1980

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ROBERT D. RAY  
Governor