

Sen. Judiciary 3/12 D. Pass 3/25 (p. 916)

HOUSE FILE 2422

Judiciary
Doyle, Chair
Taylor
Delahery

4 1982

Place On Calendar

HOUSE FILE 2422

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly Study Bill 654)

Passed House, Date 3-9-82 (p. 119) Passed Senate, Date 4-5-82 (p. 1034)

Vote: Ayes 92 Nays 0 Vote: Ayes 37 Nays 3

Approved April 19, 1982

A BILL FOR

1 An Act to legalize the proceedings of the Oskaloosa community
2 school district relating to a sale of land.

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2422

1 WHEREAS, the electors of the Oskaloosa community school
2 district of Oskaloosa, Iowa, at the regular school election
3 held September 12, 1978, authorized the sale of the follow-
4 ing parcel of real estate:

5 Commencing at the southwest corner of lot seven of the
6 subdivision of the southeast quarter of the southwest
7 quarter of section 3, township 75, range 14, running
8 thence north 13 1/3 rods, thence east 24 rods, thence
9 south 13 1/3 rods to the south line of said lot seven,
10 thence west 24 rods to place of beginning; and

11 WHEREAS, the Oskaloosa community school district sub-
12 sequently entered into a contract with Binns & Stevens
13 Sprayers, Inc. for the sale of that real estate in accordance
14 with the 1977 Code of Iowa; and,

15 WHEREAS, the abstract of title to that real estate shows
16 that O. Willis Moore and Edith R. Moore conveyed that real
17 estate to the independent school district of North White Oak
18 by warranty deed dated October 15, 1918, and filed for record
19 January 22, 1919, in book 105, page 304 of the records of
20 the recorder's office of Mahaska county, Iowa; and,

21 WHEREAS, after January 12, 1919, the independent school
22 district of North White Oak was reorganized into the Oskaloosa
23 community school district and no conveyance of that real es-
24 tate was made to the Oskaloosa community school district;
25 and,

26 WHEREAS, now doubt has arisen concerning the validity of
27 the proceedings of the independent school district of North
28 White Oak and the proceedings of the Oskaloosa community
29 school district relative to the described property and such
30 doubt may raise an issue concerning the merchantability of
31 the title to the property and the actions of the board of
32 directors should be legalized and the matter once and for
33 all put to rest; NOW THEREFORE,

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

35 Section 1. That all proceedings taken by the board of

1 directors of the independent school district of North White
2 Oak and the directors of the Oskaloosa community school
3 district pertaining to the sale of the described property
4 are validated, legalized and confirmed and shall constitute
5 a valid, legal, and binding sale of the above described
6 property by the Oskaloosa community school district.

7 EXPLANATION

8 This bill legalizes the proceedings of the independent
9 school district of North White Oak and the Oskaloosa community
10 school district involving the sale of land. A conveyance
11 of the property was not made when the former school district
12 was reorganized into the latter district.

13 The bill takes effect July 1 following enactment.

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HOUSE FILE 2422

AN ACT

TO LEGALIZE THE PROCEEDINGS OF THE OSKALOOSA COMMUNITY SCHOOL DISTRICT RELATING TO A SALE OF LAND.

WHEREAS, the electors of the Oskaloosa community school district of Oskaloosa, Iowa, at the regular school election held September 12, 1978, authorized the sale of the following parcel of real estate:

Commencing at the southwest corner of lot seven of the subdivision of the southeast quarter of the southwest quarter of section 3, township 75, range 14, running thence north 13 1/3 rods, thence east 24 rods, thence south 13 1/3 rods to the south line of said lot seven, thence west 24 rods to place of beginning; and

WHEREAS, the Oskaloosa community school district subsequently entered into a contract with Binns & Stevens Sprayers, Inc. for the sale of that real estate in accordance with the 1977 Code of Iowa; and,

WHEREAS, the abstract of title to that real estate shows that O. Willis Moore and Edith R. Moore conveyed that real estate to the independent school district of North White Oak by warranty deed dated October 15, 1918, and filed for record January 22, 1919, in book 105, page 304 of the records of the recorder's office of Mahaska county, Iowa; and,

WHEREAS, after January 12, 1919, the independent school district of North White Oak was reorganized into the Oskaloosa community school district and no conveyance of that real estate was made to the Oskaloosa community school district; and,

WHEREAS, now doubt has arisen concerning the validity of the proceedings of the independent school district of North White Oak and the proceedings of the Oskaloosa community school district relative to the described property and such doubt may raise an issue concerning the merchantability of the title to the property and the actions of the board of

directors should 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 directors of the independent school district of North White Oak and the directors of the Oskaloosa community school district pertaining to the sale of the described property are validated, legalized and confirmed and shall constitute a valid, legal, and binding sale of the above described property by the Oskaloosa community school district.

DELWYN STROMER
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 2422, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved *April 19*, 1982

ROBERT D. RAY
Governor