

JUDICIARY

2/4/99 Do Pass

H- 2/15/99 Judiciary

H- 3/17/99 Do Pass

FILED JAN 27 1999

SENATE FILE 55  
BY REHBERG

Passed Senate, <sup>(P. 256)</sup> Date 2/10/99 Passed House, <sup>(P. 1110)</sup> Date 4/7/99  
Vote: Ayes 48 Nays 0 Vote: Ayes 95 Nays 0  
Approved April 15, 1999

A BILL FOR

1 An Act to legalize the transfer of certain property by the joint  
2 county system of Black Hawk and Buchanan counties to the  
3 Independence community school district, and providing an  
4 effective date.

5 WHEREAS, 1974 Iowa Acts, chapter 1273, was enacted by the  
6 general assembly, approved by the governor, and became law; and

7 WHEREAS, 1974 Iowa Acts, chapter 1273, legalized, validated,  
8 and confirmed all acts and proceedings taken by the board of  
9 directors of the joint county system of Black Hawk and Buchanan  
10 counties in connection with the transfer from the joint county  
11 system of Black Hawk and Buchanan counties to the Independence  
12 community school district of property described as follows:

13 Commencing at a point thirty-nine (39) rods west of the  
14 southeast corner of the southeast quarter (SE 1/4) of section  
15 thirty-three (33), township eighty-nine (89) north, range nine  
16 (9) west of the 5th P.M. in Buchanan county, Iowa, running thence  
17 north three hundred thirty (330) feet, thence west two hundred  
18 (200) feet to the place of beginning; and

19 WHEREAS, 1974 Iowa Acts, chapter 1273, incorrectly described  
20 the property; and

21 WHEREAS, it is deemed advisable and necessary to enact a  
22 legalizing act to correct the error in the description to put to  
23 rest any doubts that may arise concerning the transfer of the  
24 property to the Independence community school district; NOW

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1 THEREFORE,

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

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1 Section 1. All acts and proceedings taken by the board of  
2 directors of the joint county system of Black Hawk and  
3 Buchanan counties in connection with the transfer from the  
4 joint county system of Black Hawk and Buchanan counties to the  
5 Independence community school district of the following  
6 described property are legalized, validated, and confirmed:

7 Commencing at a point thirty-nine (39) rods west of the  
8 southeast corner of the southeast quarter (SE 1/4) of section  
9 thirty-three (33), township eighty-nine (89) north, range nine  
10 (9) west of the 5th P.M. in Buchanan county, Iowa, running  
11 thence north three hundred thirty (330) feet, thence west two  
12 hundred (200) feet, thence south three hundred thirty (330)  
13 feet, thence east two hundred (200) feet, to the place of  
14 beginning.

15 Sec. 2. The quitclaim deed for the transfer of the  
16 property described in section 1 of this Act, signed by the  
17 president of the board of directors of the joint county system  
18 of Black Hawk and Buchanan counties, and which has been  
19 recorded, is legalized, validated, and confirmed.

20 Sec. 3. This Act, being deemed of immediate importance,  
21 takes effect upon its enactment.

22 EXPLANATION

23 This bill legalizes all acts and proceedings taken in 1974  
24 by the board of directors of the joint county school system of  
25 Black Hawk and Buchanan counties in connection with a transfer  
26 of property to the Independence community school district. A  
27 legalizing act was enacted in 1974 to put to rest doubts about  
28 the authority of the joint county school system to transfer  
29 property to the community school district. However, the legal  
30 description of the property in the legislation was incorrect.  
31 This bill corrects the legal description of the property  
32 transferred and legalizes the quitclaim deed transferring the  
33 property which was recorded. The bill takes effect upon its  
34 enactment.

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AN ACT

TO LEGALIZE THE TRANSFER OF CERTAIN PROPERTY BY THE JOINT COUNTY SYSTEM OF BLACK HAWK AND BUCHANAN COUNTIES TO THE INDEPENDENCE COMMUNITY SCHOOL DISTRICT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 1974 Iowa Acts, chapter 1273, was enacted by the general assembly, approved by the governor, and became law; and

WHEREAS, 1974 Iowa Acts, chapter 1273, legalized, validated, and confirmed all acts and proceedings taken by the board of directors of the joint county system of Black Hawk and Buchanan counties in connection with the transfer from the joint county system of Black Hawk and Buchanan counties to the Independence community school district of property described as follows:

Commencing at a point thirty-nine (39) rods west of the southeast corner of the southeast quarter (SE 1/4) of section thirty-three (33), township eighty-nine (89) north, range nine (9) west of the 5th P.M. in Buchanan county, Iowa, running thence north three hundred thirty (330) feet, thence west two hundred (200) feet to the place of beginning; and

WHEREAS, 1974 Iowa Acts, chapter 1273, incorrectly described the property; and

WHEREAS, it is deemed advisable and necessary to enact a legalizing act to correct the error in the description to put to rest any doubts that may arise concerning the transfer of the property to the Independence community school district; NOW THEREFORE,

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

Section 1. All acts and proceedings taken by the board of directors of the joint county system of Black Hawk and Buchanan counties in connection with the transfer from the joint county system of Black Hawk and Buchanan counties to the Independence community school district of the following described property are legalized, validated, and confirmed:

Commencing at a point thirty-nine (39) rods west of the southeast corner of the southeast quarter (SE 1/4) of section thirty-three (33), township eighty-nine (89) north, range nine (9) west of the 5th P.M. in Buchanan county, Iowa, running thence north three hundred thirty (330) feet, thence west two hundred (200) feet, thence south three hundred thirty (330) feet, thence east two hundred (200) feet, to the place of beginning.

Sec. 2. The quitclaim deed for the transfer of the property described in section 1 of this Act, signed by the president of the board of directors of the joint county system of Black Hawk and Buchanan counties, and which has been recorded, is legalized, validated, and confirmed.

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Sec. 3. This Act, being deemed of immediate importance,  
takes effect upon its enactment.

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MARY E. KRAMER  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 55, Seventy-eighth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved April 15, 1999

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THOMAS J. VILSACK  
Governor