

CHAPTER 117.

RELATING TO CITIES ACTING UNDER SPECIAL CHARTERS.

S. F. 215. AN ACT to Reduce the Limits of certain Cities incorporated under Special Charters. Additional to Code, Title IV, Chapter 10: "Of Cities and Incorporated Towns."

Be it enacted by the General Assembly of the State of Iowa:

Manner of severing territory.

Upon two-thirds vote.

Council shall file petition in circuit court.

Map. Notice of filing petition.

SECTION 1. That when any city, incorporated under a special charter, and having, according to the returns of the census taken under and by authority of the state of Iowa in the year 1875, a population of not less than ten thousand, nor more than twelve thousand inhabitants, shall desire to have any portion of the territory embraced within its limits severed from or stricken out of the limits of such city, the city council of said city may, upon a vote of two-thirds of the whole number of members of such council, present to the circuit court of the county in which such city is situated a petition setting forth the facts and describing the territory that is desired to have severed, with the names of each overseer of any portion of such territory, so far as shown by the assessment list of such city, which petition shall have attached thereto a map or plat of such territory. A notice of the filing of such petition shall be served by publication in one of the daily newspapers published in such city, for the period of four weeks prior to the meeting of the circuit court in which said petition is filed. And the city shall be plaintiff, and said overseers defendants, and issues joined, and the cause tried in the same manner as other causes so far as applicable, except that no judgment for costs shall be rendered against the defendants. If the court finds the allegations of the petition to be true and that justice and equity require that said territory, or any part thereof, should be severed from such city, a decree shall be entered accordingly, and from the time of entering such decree the territory therein described shall be severed from and no longer be a part of such city.

Approved, March 25, 1878.