

CHAPTER 187.

SALE OF ISLANDS IN THE WATERS OF THE STATE.

S. F. 280.

AN ACT relating to islands in the waters of the state, and authorizing the executive council to sell or lease the same.

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

SECTION 1. Sale or lease authorized. That the executive council of the state be, and it is hereby, authorized and empowered to sell, convey, lease or demise any of the islands belonging to the state which are within the meandered banks of rivers in the state, and to execute and deliver a patent or lease thereof. Provided that nothing in this act shall be construed to apply to islands in the Mississippi or Missouri rivers.

SEC. 2. Survey—appraisement—sale advertised—written bids. Before a sale of any island is made under the provisions of section one (1) hereof, the executive council shall cause a survey and plat of such island to be made, showing its location and area, and the plat and notes of such survey shall be filed with the secretary of state. The land composing the island shall then be appraised by a commission appointed by the governor, consisting of three (3) disinterested freeholders of the state, who shall report their appraisement to the executive council. The sale of the island shall then be advertised once each week for four consecutive weeks in some newspaper of general circulation published in the county where the island is located, and proof of such publication filed with the executive council. The sale shall be made upon written bids addressed to the executive council of the state, and the advertisement shall fix the time when such bids will be received and opened. All bids shall be opened by the executive council at the time fixed, and the island may thereupon be sold to the highest bidder and at not less than its appraised value.

SEC. 3. Lease—written bids. If it shall be deemed expedient to lease any such island, a lease thereof may be made upon written bids addressed to the executive council, and the island proposed to be leased shall be surveyed and platted, and notice of the leasing thereof and of the receiving and opening of bids shall be published, in the manner provided in section two (2) hereof, but no appraisement shall be necessary. Upon the opening of the bids received by the executive council it may make a lease of such island to the highest bidder for such term as is deemed advisable.

SEC. 4. Sales and leases for cash—expenses. All sales and leases must be for cash, and the money received therefor shall be paid into the state treasury. All expenses incurred in making the survey, plat, appraisement, sale or lease of any such island shall be certified by the executive council to the auditor of state, who shall draw his warrant upon the state treasury for the amount, and the same shall be paid from the general fund.

SEC. 5. Patent or lease. When any sale or lease of any island belonging to the state is made by the executive council as herein provided, the governor shall execute and deliver to the purchaser or lessee a patent or a lease thereof, as the case may be, duly attested by the seal of the state of Iowa.

Approved April 29, A. D. 1904.