

CHAPTER 246.

CONVEYANCE OF CERTAIN REAL ESTATE TO MARY A. T. SANDERS.

H. F. 462.

AN ACT to release and convey to Mary A. T. Sanders all right, title and interest of the state of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot three (3), in section three (3), township seventy-nine (79) north, range six (6) west of the fifth P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster Road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam situated between lots three and six (3 and 6) in said section three (3), and south 150 feet from said dam.

WHEREAS, On the 20th day of August, 1903, Mary A. T. Sanders and her husband, Euclid Sanders, conveyed by warranty deed recorded in book 84, page 558, deed records of Johnson county, Iowa, to the state of Iowa for the use and benefit of the state university of Iowa, the property described below, a copy of the granting clause of said deed being as follows, to-wit:

"Know all men by these presents: That Mary A. T. Sanders and Euclid Sanders, her husband, of Johnson county, state of Iowa, in consideration of the sum of one dollar and other valuable considerations in hand paid by the state of Iowa, do hereby sell and convey unto the said state of Iowa, for the use and benefit of the state university of Iowa, the following described premises situated in the county of Johnson and state of Iowa, to-wit:

"All right, title and interest in and to the dam and waterpower on the Iowa river, known as the Terrill dam, situated between lots 3 and 6, section 3, township 79, range 6 west of the 5th principal meridian; also the cribbing and rock-work at the west end of said dam; also a strip of land situated in west end of lot 3 in said section 3 above mentioned, and lying between the public highway known as the Foster road and the bank of the Iowa river, and extending north 150 feet from the east end of said dam, and south 150 feet from said dam. The conditions of said conveyance are that said water-power shall be for the use and benefit of the state university of Iowa and for no other purpose, and that no steam plant or other than water or electric-power plant shall be erected or used on said premises without the written consent of grantors, their heirs or assigns, and in case of violation of these conditions, or abandonment, or non-use of said water-power for a period of three years or for the purposes above mentioned, then this conveyance is to be void and the property herein granted is to revert to the grantors, their heirs or assigns: Provided, however, if the said grantee construct a dam within a distance of two miles and below the present site, and of such height as to maintain the level of the water in the river at its present level above the dam herein conveyed, in that case the present site may be abandoned by said grantee and only the title to the strip of land herein conveyed shall revert to the grantors, their heirs or assigns, and the grantee shall have the right to remove within a reasonable time any buildings, fixtures or machinery located on said grounds"; and,

WHEREAS, The said dam and water-power have been destroyed and a new dam has been constructed across the Iowa river within a distance of two miles below the site of said old dam, and by the terms of said deed the strip of land above described reverts to the grantors, their heirs or assigns; therefore

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

SECTION 1. **Conveyance of title.** The state of Iowa hereby relinquishes and conveys to Mary A. T. Sanders all of its right, title and interest in the

following described real estate, to-wit: A strip of land situated in the west end of lot three (3) in section three (3), township seventy-nine (79) north, range six (6) west of the fifth P. M., in Johnson county, Iowa, lying between the public highway, known as the "Foster road", and the bank of the Iowa river, and extending north one hundred and fifty (150) feet from the east end of the dam and water-power on the Iowa river, known as the "Terrill dam", situated between lots three and six (3 and 6), in said section three (3), and extending south one hundred and fifty (150) feet from said dam.

SEC. 2. Patent. The governor of the state of Iowa is hereby authorized and directed to execute and deliver to the said Mary A. T. Sanders a deed conveying to her all of the right, title and interest of the state of Iowa in or to said land.

Approved April 13, A. D. 1907.