

CHAPTER 254.

THE CITY OF OSCEOLA.

H. F. 492.

AN ACT to legalize and validate the acts of the city council of the city of Osceola, Iowa, in varying from, and constructing paving and curbing on portions of Washington and Webster streets in said city on grades different from the established grades.

WHEREAS, the council of the city of Osceola, Iowa, in April, 1910, duly adopted by the required vote, a preliminary resolution providing for the paving and curbing of certain streets in said city, including portions of Washington and Webster streets and,

WHEREAS, a time was fixed for the final consideration of such resolution, and the proper notices were then given as provided by law, and,

WHEREAS, said resolution was considered and portions of Washington and Webster streets, together with other streets, were ordered paved and curbed, and, the cost ordered assessed against abutting property as provided by law, and,

WHEREAS, said council did at a later date let a contract for the construction of said paving and curbing, and,

WHEREAS, said paving and curbing has been done honestly and well, and at a large expense, and with the full belief that all of the requirements of the law had been complied with, and that the paving and curbing had been constructed strictly in accordance with said resolution and contract and the laws of Iowa, and,

WHEREAS, in paving and curbing the portions of Washington and Webster streets between Main street and the tracks of the Keokuk and Western railroad company, now the Chicago, Burlington & Quincy railroad company, the established grade has been varied from and the paving and curbing as laid and constructed does not conform with the established grade, and that in varying therefrom the property abutting was not damaged or injured, but benefited, and,

WHEREAS, the proper assessments were on January 30th, 1911, made against the abutting property, and,

WHEREAS, doubts have arisen in regard to the regularity and legality of constructing the paving and curbing on a grade different from the established grade of said city, and,

WHEREAS, it appears that the city of Osceola, and its council, acted in the utmost good faith, and under the belief that all its acts were legal, therefore,

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

SECTION 1. Acts and assessments legalized. That the acts of the council of the city of Osceola, Iowa, in permitting and causing the paving and curbing on Washington and Webster streets in said city, to be laid and constructed at and on a different grade, from the established grade of the city of Osceola, be and are hereby legalized, and the assessments made by the city council of said city on January 30th, 1911, against the real estate and properties along and abutting on Washington and Webster streets for such paving, curbing and street improvements are all legalized and validated, so as to be and have the same force and effect as though constructed and laid on the established grade, and every provision of the laws of the state had been strictly followed.

SEC. 2. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Evening Tribune, a newspaper published in the city of Des Moines, Iowa, and the

Osceola Sentinel, a newspaper published in the city of Osceola, Iowa, both publications to be without expense to the state.

Approved March 30, A. D. 1911.

I hereby certify that the foregoing act was published in the Evening Tribune April 1, 1911, and in the Osceola Sentinel April 6, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 255.

THE CITY OF OTTUMWA.

S. F. 459.

AN ACT to legalize certain warrants of the city of Ottumwa, Iowa.

WHEREAS, the city of Ottumwa, county of Wapello, state of Iowa, did hitherto make expenditures in the amount of \$73,036.89, and

WHEREAS, said city of Ottumwa, issued warrants in the sum of \$73,036.89, to evidence the indebtedness incurred in making said expenditures, and

WHEREAS, said warrants did not when issued and do not now exceed the constitutional limitation of indebtedness, and

WHEREAS, said expenditures were all made for purposes authorized by law, and

WHEREAS, the city of Ottumwa has been and now is enjoying the use and benefit of said expenditures, and

WHEREAS, the result of said expenditures were well worth the price, the city of Ottumwa contracted should be paid therefor, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants and accrued interest, or a portion thereof, on the ground that the aforesaid expenditures or a portion thereof, were contracted in excess of the city's authorized annual revenue, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that aforesaid expenditures, or a portion thereof, were not provided for in the city's annual appropriations, and

WHEREAS, doubts have arisen concerning the legality of aforesaid warrants, or a portion thereof, on the ground that the indebtedness which said warrants evidence, was contracted in excess of the statutory limitation of indebtedness, now therefore,

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

SECTION 1. Acts legalized. That the acts of the city council of the city of Ottumwa, in the county of Wapello, state of Iowa, in making expenditures for the city of Ottumwa and issuing warrants therefor in the sum of \$73,036.89 and accrued interest be and the same are hereby legalized, as though the law had in all respects been complied with.

SEC. 2. Warrants legalized. The aforesaid warrants of the city of Ottumwa, in the sum of \$73,036.89, with accrued interest, be and the same are hereby legalized and declared to be valid, legal and subsisting obligations, the same as though the law had in all respects been complied with.

SEC. 3. Pending litigation. Nothing in this act shall affect any pending litigation.