

## CHAPTER 361

## TOWN OF ANITA

S. F. 758.

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the town of Anita, Cass County, Iowa.

WHEREAS, the town of Anita, Cass county, Iowa, by its town council, did heretofore authorize and incur expenditures in the sum of eleven thousand dollars (\$11,000.00), for corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence such indebtedness; and

WHEREAS, said expenditures were made for proper corporate purposes and the town of Anita is enjoying the use and benefit thereof and the purpose for which said expenditures were made was and is well worth the sum which said town contracted should be paid therefor; and

WHEREAS, the town council of said town of Anita, has adopted a resolution authorizing the issue of eleven thousand dollars (\$11,000) of funding bonds designated "Funding bonds of February 1, 1921, for the purpose of funding the indebtedness represented by the aforesaid warrants; and

WHEREAS, the total indebtedness of said town, at the time said warrants were issued did not, and does not at this time, including said warrants, exceed the constitutional limitation on indebtedness; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants on the ground that the expenditures, or a portion thereof, evidenced thereby, were contracted in excess of the town's authorized annual revenue; said expenditures were not provided for in the town's annual appropriation; said expenditures were in excess of the statutory limitation on indebtedness; said warrants were drawn for the amount of more than five hundred dollars each; now, therefore:

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

1 SECTION 1. That the acts of the town council of the town of Anita  
2 in making expenditures for said town, issuing warrants therefor in  
3 the sum of eleven thousand dollars (\$11,000) as aforesaid, and  
4 authorizing and directing the issuance and sale of negotiable bonds  
5 in the amount of eleven thousand dollars (\$11,000.00) for the pur-  
6 pose of funding the aforesaid warrants, be and the same are hereby  
7 legalized and validated.

1 SEC. 2. That the aforesaid warrants of the town of Anita, Iowa,  
2 in the aggregate amount of eleven thousand dollars (\$11,000) be and  
3 the same is hereby legalized and declared to be valid, legal and sub-  
4 sisting obligations of said town.

1 SEC. 3. That the funding bonds of the town of Anita, Iowa, in the  
2 aggregate amount of eleven thousand dollars (\$11,000), thus author-  
3 ized and directed to be issued and sold, and designated "Funding  
4 bonds of February 1, 1921, for the purpose of funding the aforesaid  
5 warrants, be and the same is hereby legalized; and declared to be

6 valid, legal and subsisting obligations of the town of Anita, Iowa the  
7 same as though the law had in all respects been complied with.

1 SEC. 4. Nothing in this act shall affect any pending litigation.

1 SEC. 5. This act being deemed of immediate importance shall take  
2 effect and be in force from and after its publication in the Des Moines  
3 Capital and the Des Moines Register, newspapers published at Des  
4 Moines, Iowa, and in general circulation in the state of Iowa, said  
5 publication to be without expense to the state.

Approved April 1, A. D. 1921.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register April 4, 1921.

W. C. RAMSAY, *Secretary of State.*

## CHAPTER 362

### TOWN OF CHURDAN

H. F. 577.

AN ACT to legalize the making of special assessments for sewers and the issuance of bonds for sewer district number one of the town of Churdan, Iowa, in the sum of \$4,749.00.

WHEREAS, a general sanitary sewer system has been constructed with- in and for sanitary sewer district number one of the town of Churdan, Iowa, the limits and boundaries of said sewer district being identical with those of said town, and as a part of said general sanitary sewer system there has been constructed a purifying and disposal plant, and

WHEREAS, on the 15th day of October, 1920, the town council of the town of Churdan, Iowa, levied a special assessment upon all property benefited thereby and subject to assessment therefor within said town for the payment of the cost of said general sanitary sewer system including said disposal plant, and

WHEREAS, the town council of the town of Churdan, Iowa, by its council did on the 10th day of November, 1920, pass a certain resolution that there be issued sewer bonds of sewer district number one of said town in the sum of four thousand seven hundred forty-nine (\$4749.00) dollars, in anticipation of the deferred payment of said special assess- ments, to be used in the part payment of the cost of constructing said sewage disposal plant, the cost of which represented a valid and legal indebtedness of said town, and

WHEREAS, doubts have arisen as to the legality of said special assess- ments and the issuance of said bonds by reason of the fact that the pub- lished and posted notice of the filing of the plat and schedule and inten- tion of the council to make said special assessments for the cost of said general sanitary sewer system and disposal plant required by code sup- plement, 1913, section 823 as amended by the acts of the 38th general assembly, chapter 386, on account of the failure of said notice to describe said disposal plant and its location and to state that the assessments pro-