

## CHAPTER 167

## STATE AND SUBDIVISION OWNED REAL ESTATE

## H. F. 151

AN ACT to repeal sections ten thousand two hundred fifty (10250) to ten thousand two hundred sixty (10260), inclusive, code, 1931, and to enact substitutes therefor, relating to the management of state, county, and municipally owned real estate.

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

1 SECTION 1. Sections ten thousand two hundred fifty (10250) to  
2 ten thousand two hundred sixty (10260), inclusive, code, 1931, are  
3 repealed and the following is enacted in lieu thereof, to wit:

4 "10260-e1. When the title to real estate becomes vested in the  
5 state, or in a county or municipality under chapter four hundred  
6 forty-nine (449), code, 1931, or by conveyance under the statutes  
7 relating to taxation, the executive council, board of supervisors or  
8 other governing body, as the case may be, shall manage, control, pro-  
9 tect by insurance, lease or sell said real estate on such terms, condi-  
10 tions, or security as said governing body may deem best.

11 "10260-e2. The cost and expense resulting from the exercise of  
12 said powers shall be paid from the fund to which said real estate be-  
13 longs and the proceeds of a lease or sale shall be credited to said fund.

14 "10260-e3. The said governing body may appoint its chairman,  
15 president or other member to execute and acknowledge, for and on  
16 behalf of the state, county, or municipality, leases and deeds of con-  
17 veyance, but said instruments when executed shall be approved by  
18 the said body and said approval spread upon its minutes with the yea  
19 and nay vote thereon. A transcript of said minutes certified by the  
20 secretary of said body shall be entitled to be recorded in the same  
21 manner as the approved instrument is entitled to be recorded."

House File No. 151. Approved April 19, 1933.

## CHAPTER 168

## THRESHERMAN AND CORN SHELLER'S LIEN

## H. F. 266

AN ACT to provide a lien on grain and seed threshed or corn shelled for the benefit of persons operating grain-threshing or corn-shelling equipment, and the method of perfecting said lien, and to provide the limitations of actions to enforce said lien and the procedure for the enforcement thereof.

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

1 SECTION 1. Any person, firm, corporation or association engaged in  
2 operating a machine for the threshing of any kind of grain or seed  
3 or for the shelling of corn, shredding corn, filling silos, and doing  
4 custom threshing or corn shelling for hire shall have a first lien on  
5 any grain, seed or corn threshed or shelled for the reasonable value  
6 of said services.

1 SEC. 2. Said lien shall be prior and superior to any landlord's lien  
2 or mortgage lien upon said grain, seed or corn.

1 SEC. 3. In order to preserve said lien the person entitled thereto  
 2 must, within ten days from the completion of the work for which the  
 3 lien is claimed, file in the office of the clerk of the district court of  
 4 the county in which said services were rendered an itemized and  
 5 verified statement setting forth the services rendered, the number  
 6 of bushels of grain threshed or corn shelled, the value of said services  
 7 and the name of the person for whom said services were rendered and  
 8 the place where said services were rendered; and the clerk of the  
 9 district court shall note the filing of said verified statement in a book  
 10 kept by him for that purpose and index the same under the name of  
 11 the person for whom such service was performed.

1 SEC. 4. Proceedings to enforce said lien must be brought within  
 2 thirty days after the filing of said verified statement and cannot be  
 3 brought thereafter.

1 SEC. 5. Said lien may be foreclosed as a chattel mortgage lien  
 2 under the provisions of chapter five hundred twenty-three (523), code,  
 3 1931, except that the notice of sale need not be published but in lieu  
 4 thereof may be posted in three public places of the county, one of  
 5 which shall be the bulletin board in the corridor of the courthouse  
 6 and one of which shall be the place where the grain or seed or corn  
 7 is located.

House File No. 266. Approved April 4, 1933.

## CHAPTER 169

### LEGALIZING CERTAIN EXECUTION SALES

#### H. F. 307

AN ACT to legalize execution sales made by execution officers without making proper and required entries and indorsements on the execution, as provided by law.

WHEREAS, many of the execution officers of the various counties of Iowa have failed and neglected to indorse on executions issued by them, the day and hour when received, the levy, sale or other act done by virtue thereof, with the date thereof, the dates and amounts of any receipts or payment in satisfaction thereof at the time of the receipt or act done, and have also failed to indorse upon said execution, an exact description of the property at length with the date of levy, and

WHEREAS, the supreme court of the state of Iowa has determined by official opinion that the provisions of sections 11664 and 11668, code, 1931, providing for such indorsements, entries and acts on the part of such execution officer are mandatory; now therefore

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

1 SECTION 1. That all execution sales heretofore had and the execu-  
 2 tion officer having failed to indorse on the execution the day and hour  
 3 when received, the levy, sale or other act done by virtue thereof, with  
 4 the date thereof, the dates and amounts of any receipts or payment  
 5 in satisfaction thereof at the time of the receipt or act done, or has  
 6 failed to indorse thereon, an exact description of the property at length