

CHAPTER 179

EXTENSION OF REDEMPTION PERIOD

H. F. 350

AN EMERGENCY ACT relating to the extension of the period of redemption of real estate in all real estate foreclosure actions now pending where deeds of conveyance have not been granted.

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

1 SECTION 1. In any action, for a real estate foreclosure of a mort-
2 gage or a deed of trust, which has been commenced in any of the
3 courts, and in which a decree has been or may hereafter be entered,
4 but the redemption period, as now provided, has not expired, upon
5 application of the owner or owners of such real estate, the court
6 shall, unless upon hearing upon said application good cause is
7 shown to the contrary, order that no sheriff's deed shall be issued
8 until March 1, 1935, and in the meantime the such owner or
9 owners may redeem such property, and are entitled to possession
10 thereof.

11 Provided, the court having jurisdiction of such foreclosure action
12 shall order and direct, that there shall be applied from the income
13 of said real estate so much thereof as is just and equitable, toward
14 the payment of taxes accruing thereon during the period of redemp-
15 tion extension as provided by this act, and any balance distributed
16 as the court may direct, and shall make such provision for the preser-
17 vation of said property as will be just and equitable during the
18 redemption period, and to this end the court may, in his discretion,
19 in order to carry out the foregoing powers, appoint a receiver of said
20 real estate, and invest said receiver with such powers as the court
21 may find will be just and equitable to all parties to the proceeding.

22 Providing, that in the event the said owner or owners do not comply
23 with the orders of the court, the order for extension of redemption
24 period as authorized by this act shall, on proper hearing, be set aside
25 by order of the court.

1 SEC. 2. During the period of extension of redemption, as herein
2 provided, the owner or owners of said real estate shall have the ex-
3 clusive right to redeem, and the rights of redemption of subsequent
4 mortgagees, junior lienholders, and creditors shall terminate within
5 the period as by law now provided, the provisions of this act not-
6 withstanding.

1 SEC. 3. During the period of extension of redemption, as herein
2 provided, the clerk of the district court of the county in which such
3 foreclosure action is brought, shall receive and disburse the income
4 from said real estate, as the court shall order as just and equitable.

1 SEC. 4. Any provision of any law or laws now in force, which are
2 in conflict with the provisions of this act, are hereby suspended until
3 March 1, 1935.

1 SEC. 5. From and after March 1, 1935, this act shall cease to be
2 in force.

1 SEC. 6. If any court of competent jurisdiction finds that any word,
2 phrase, clause, sentence, or part of this act is unlawful it shall not
3 invalidate any other part of this act.

1 SEC. 7. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sioux
3 City Tribune, a newspaper published at Sioux City, Iowa, and the
4 Davenport Democrat, a newspaper published at Davenport, Iowa.

House File No. 350. Approved March 18, 1933.

I hereby certify that the foregoing act was published in the Sioux City Tribune
March 18, 1933, and the Newton Daily News March 18, 1933.

MRS. ALEX MILLER, *Secretary of State.*

Note: Newton Daily News substituted for the Davenport Democrat in accordance
with section fifty-five (55), code, 1931.

CHAPTER 180

REFEREES IN PROBATE MATTERS

H. F. 124

AN ACT to amend section twelve thousand forty-one (12041), code, 1931, relating to the
appointment of referees in probate matters.

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

1 SECTION 1. That section twelve thousand forty-one (12041), code,
2 1931, be amended as follows:

3 By eliminating from lines two (2) and three (3) of said section the
4 following words "may appoint one or more referees," and substituting
5 in lieu thereof the following "may appoint a referee, which referee,
6 in all counties having a population of less than one hundred thousand
7 (100,000) shall, whenever in the opinion of the court it seems fit and
8 proper, be the clerk of the district court of the county in which the
9 estate is being probated, as referee,".

10 That said section be further amended by adding at the end thereof,
11 the following:

12 "All fees received by any county officer as such referee shall become
13 a part of the fees of his office and shall be accounted for as such."

House File No. 124. Approved April 4, 1933.