

CHAPTER 241

CEDAR FALLS, CITY OF

H. F. 291

AN ACT to legalize and validate the acts and proceedings taken by the city council of the city of Cedar Falls, in Black Hawk county, Iowa, authorizing and providing for the issuance and delivery of refunding bonds of said city and making provision for the levy of taxes to pay the principal of said bonds, together with interest thereon.

WHEREAS, by proceedings heretofore taken, the former town of Cedar Heights and all the territory formerly embraced within the boundaries thereof, being in Black Hawk county, Iowa, has been annexed to and has become a part of the city of Cedar Falls, in Black Hawk county, Iowa, the territory so annexed now constituting the Fifth Ward of said city of Cedar Falls, and

WHEREAS, at the time of such annexation the former town of Cedar Heights was indebted in the sum of at least twenty-nine thousand (29,000) dollars, such indebtedness being represented by its judgment funding bonds bearing interest at the rate of four and one-half (4½) per cent per annum, payable semi-annually, and

WHEREAS, such bonds are still outstanding and unpaid and continue to constitute a valid and legal indebtedness of said former town of Cedar Heights, now payable out of a general unlimited ad valorem tax upon all the taxable property within the boundaries of said former town of Cedar Heights, being now coincident with and identical to the boundaries of the Fifth Ward of said city of Cedar Falls, and

WHEREAS, on the 25th day of January, 1937, for the purpose of refunding at a lower rate of interest twenty-five thousand (25,000) dollars principal amount of the indebtedness represented by such judgment funding bonds of the former town of Cedar Heights, the city council of said city of Cedar Falls did, by resolution, authorize and provide for the issuance and delivery of twenty-five thousand (25,000) dollars refunding bonds, to be dated December 1, 1936, to bear interest at the rate of three and one-half (3½) per cent per annum, payable semi-annually, said refunding bonds to be exchanged for a like principal amount of said judgment funding bonds of said former town of Cedar Heights; and for the purpose of providing funds for the payment of the principal and interest of such refunding bonds as the same shall become due, the city council, for each of the years 1937 to and including 1947, did provide for the levy of a general tax upon all of the taxable property within the boundaries of the Fifth Ward of said city of Cedar Falls, Iowa, from the proceeds of which said refunding bonds shall be solely payable, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and concerning the provisions made for the levy of taxes as aforesaid, and it is deemed advisable to put said doubts and all other doubts which may arise, forever at rest; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. That all proceedings heretofore taken by the city coun-
- 2 cil of the city of Cedar Falls, in Black Hawk county, Iowa, authoriz-
- 3 ing and providing for the issuance and delivery of refunding bonds
- 4 of said city, in the principal amount of twenty-five thousand (25,000)

5 dollars, dated December 1, 1936, and making provision for the levy
6 of taxes upon all of the taxable property within the boundaries of the
7 Fifth Ward of said city of Cedar Falls, Iowa, for the purpose of pay-
8 ing the principal and interest of said bonds as the same mature, are
9 hereby legalized, validated and confirmed, and said refunding bonds
10 when issued and delivered as contemplated by said proceedings are
11 hereby declared to be legal and to constitute valid and binding obliga-
12 tions payable out of taxes levied and/or to be levied upon all of the
13 taxable property within the boundaries of the Fifth Ward of said city
14 of Cedar Falls, Iowa.

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Waterloo Courier, a newspaper published in the city of Waterloo,
4 Iowa, and in the Daily News and Waterloo Herald, a newspaper pub-
5 lished in the city of Cedar Falls, Iowa, all without expense to the state.

House File 291. Approved March 17, 1937.

I hereby certify that the foregoing act was published in the Cedar Falls Daily News
and Waterloo Herald, March 20, 1937, and the Waterloo Courier, March 22, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*

CHAPTER 242

LEGALIZING ACT

S. F. 52

AN ACT to legalize the action of the county board of supervisors of Wapello county, Iowa, in making expenditures and approving claims against the secondary road maintenance fund and construction fund of said county; to make the expenditures and the approving of the claims by the board of supervisors legal, valid and binding obligations of said county; to authorize the county auditor of said county to issue anticipatory warrants in 1937 against the maintenance fund and the construction fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1937 and belonging to the secondary road maintenance fund and the construction fund.

WHEREAS, the board of supervisors of Wapello county, Iowa, in the year 1936 incurred indebtedness for items payable from the maintenance fund and the construction fund of said county, and in 1937 allowed and authorized the payment of these claims against the maintenance and construction funds and authorized the county auditor of said county to issue anticipatory warrants against the maintenance and construction funds of said county in payment of said claims.

AND WHEREAS, said expenditures were for the purpose of maintaining roads, bridges, culverts, repairs of machinery and to carry on with the sponsor's share that the county had to pay in order to keep W. P. A. work in progress in Wapello county, Iowa,

AND WHEREAS, the board of supervisors in 1937 authorized the county auditor to pay the expenditures incurred in 1936,

AND WHEREAS, said claims so allowed were bona fide claims against said county and should be paid,

AND WHEREAS, at the time of the incurring of the indebtedness there was no money in the secondary road maintenance fund and the construction fund of said county adequate to pay said indebtedness,