

CHAPTER 282

HOWARD COUNTY

S. F. 15

AN ACT to legalize the action of the board of supervisors of Howard county, Iowa, in making expenditures from the poor fund of said county for the purchase of farm land for the county home or county farm.

WHEREAS, the Board of Supervisors of Howard County, Iowa, for the year 1942 paid out of the poor fund of said county the sum of nine thousand dollars (\$9,000.00) for the purchase of one hundred (100) acres of land adjoining the Howard County home and county farm, said one hundred (100) acres becoming a unit of the county home and county farm; and

WHEREAS, doubt has arisen as to the legality of such expenditures and the proceedings incident to the making of the same, and it is now deemed advisable to put such doubts at rest; now, therefore,

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

1 SECTION 1. That the action of the Board of Supervisors of Howard
2 County, Iowa, in making expenditures out of the poor fund of said
3 county for the year 1942 in the amount of nine thousand dollars
4 (\$9,000.00) for the purchase of one hundred (100) acres of land which
5 was added to the Howard County home and county farm is hereby legal-
6 ized and declared valid.

1 SEC. 2. This act being deemed of immediate importance, shall
2 be in full force and effect from and after its passage and publication
3 in the Cresco Plain Dealer, a newspaper published at Cresco, Iowa,
4 and the Elma New Era, a newspaper published at Elma, Iowa.

Approved March 19th, 1943.

I hereby certify that the foregoing act was published in the Cresco Plain Dealer, Cresco, Ia., April 8, 1943, and the Elma New Era, Elma, Ia., April 8, 1943.

WAYNE M. ROPES, *Secretary of State.*

CHAPTER 283

MUSCATINE ISLAND LEVEE DISTRICT

S. F. 58

AN ACT to authorize the joint boards of supervisors of Muscatine and Louisa counties acting as the governing body of Muscatine island levee district, to transfer jurisdiction of so much of said Muscatine island levee district as lies within the corporate limits of the city of Muscatine, Iowa, to said city, and requiring and empowering said city to repair, improve and maintain the same and providing procedure.

WHEREAS, there has been heretofore established under the laws of Iowa an inter-county levee district, known and designated as Muscatine Island Levee District, situated partly in Muscatine County and partly in Louisa County, said district extending along the Mississippi River with its southerly terminus in Louisa County and its northerly terminus within the corporate limits of the City of Muscatine, in Muscatine County; and

WHEREAS, there has also been constructed within the corporate limits of said City of Muscatine, a levee along the west bank of the Mississippi River extending from the northerly end of the levee improvement included in said Muscatine Island Levee District, for a distance of approximately thirteen hundred feet, which latter levee has been constructed and maintained solely by said City of Muscatine; and

WHEREAS, the City Council of the City of Muscatine desires to acquire jurisdiction over that part of the levee improvement in said Muscatine Island Levee District, situated within its corporate limits in order to combine the same as one improvement with the levee extension constructed by said city above described, and when such jurisdiction has been acquired, to maintain said levee and reinforce and repair the same, as may be deemed advisable in the interest of the public health, convenience and welfare of the citizens of Muscatine; and

WHEREAS, the Joint Boards of Supervisors of Muscatine and Louisa Counties, as the governing body of said Muscatine Island Levee District, believe that it will be to the best interest of said District and advantageous to the public health, convenience and welfare of the citizens of Muscatine if that part of said levee district and the levee improvement established and maintained therein, which is situated within the corporate limits of said City of Muscatine, shall be severed from said Muscatine Island Levee District, and jurisdiction thereof transferred to the City Council of said City of Muscatine, or the Levee Improvement Commission of said city, as the case may be; and

WHEREAS, there is some question as to whether or not the present statutes of the State of Iowa pertaining to drainage and levee districts provide for the necessary procedure to effect such severance and transfer of jurisdiction; and

WHEREAS, there are no outstanding obligations or indebtedness owing by said Muscatine Island Levee District; now therefore

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

1 SECTION 1. That if the City Council of the City of Muscatine, Iowa,
2 shall deem it for the best interest of said city, to pass, by majority
3 vote, a resolution requesting the Joint Boards of Supervisors of
4 Muscatine and Louisa Counties, to permit said city to take over, con-
5 trol and maintain that part of the levee improvement constructed
6 in said levee district and situated within the corporate limits of said
7 City of Muscatine, and to sever from said Levee District that part
8 thereof lying wholly within the limits of the City of Muscatine, the
9 said City Council shall, upon the passage and adoption of such reso-
10 lution, cause the same to be certified to said Joint Boards of Super-
11 visors of Muscatine and Louisa Counties and a copy thereof filed with
12 the auditor of each of said counties, and thereupon said resolution
13 shall be spread upon the records of said levee district by the sec-
14 retary thereof.

1 SEC. 2. Upon the filing of said resolution the said Joint Boards
2 of Supervisors shall fix a time and place for the hearing of said re-
3 quest and cause notice of the time and place thereof to be given to all
4 land owners whose lands are situated within said Muscatine Island

5 Levee District, as well as to all lien holders or other persons inter-
6 ested in said district or in the lands included therein, naming said
7 land owners and lien holders generally, such notice to be given by
8 one publication thereof in a newspaper of general circulation in the
9 City of Muscatine, Iowa, and in the City of Wapello, Iowa, at least
10 fifteen days before the date of such hearing. Such notice shall pro-
11 vide that any such land owners or others interested in said district
12 may file objections to the action proposed to be taken, or that they may
13 appear in person at such hearing to present any objections to such
14 proposed action.

1 SEC. 3. Upon said hearing, if it shall appear to said Joint Boards
2 of Supervisors that it will be to the best interests of said levee dis-
3 trict and that the health, convenience and welfare of the citizens of
4 Muscatine will be promoted by such action, the Joint Boards of Su-
5 pervisors shall by resolution, duly adopted by a majority vote, cause
6 so much of said levee district as lies within the corporate limits of
7 the City of Muscatine to be severed from said district and jurisdic-
8 tion thereof to be transferred to said City Council of the City of
9 Muscatine, who shall thereafter control the same, and said City of
10 Muscatine shall be responsible for the maintenance and upkeep of
11 the levee improvement in that part of said levee district lying wholly
12 within the corporate limits of said City of Muscatine, from and after
13 the date of such transfer.

1 SEC. 4. Appeal. Any person who is aggrieved by such action may
2 appeal therefrom in the manner and time provided by Secs. 7513 to
3 7527 inclusive of the Code of Iowa in so far as applicable.

1 SEC. 5. After that part of said levee district lying within the cor-
2 porate limits of the City of Muscatine, has been transferred to the
3 jurisdiction of said city, as above provided, the same shall be con-
4 trolled, maintained and repaired in the same manner as provided for
5 drainage districts lying wholly within the corporate limits of a city
6 or town by Section 7637 of the Code of Iowa, and the management,
7 control, and maintenance of said levee improvement shall thereafter
8 be vested in the Levee Improvement Commission of said city, and
9 the cost thereof financed in the manner provided by Sections 6823-
10 6825 of the Code of Iowa.

1 SEC. 6. This Act being deemed of immediate importance shall
2 take effect upon publication in the Muscatine Journal published
3 at Muscatine, Iowa, and the Wapello Republican published at Wapello,
4 Iowa, at no cost to the state of Iowa.

Approved February 8th, 1943.

I hereby certify that the foregoing act was published in the Muscatine Journal, Mus-
catine, Ia., February 10, 1943 and the Wapello Republican, Wapello, Ia., February 11,
1943.

WAYNE M. ROPES, *Secretary of State.*