

CHAPTER 297
KOSSUTH COUNTY

H. F. 388

AN ACT to legalize and validate the proceedings of the board of supervisors of Kossuth county, Iowa, with reference to the conveyance of real estate held for the benefit of permanent school fund, to P. P. Zerfass; and to authorize and direct the issuance of a patent to said real estate by the Governor and secretary of state.

WHEREAS, on March 28, 1922, one N. C. Rice and Harriett Rice, his wife, executed to Kossuth County, Iowa, a school fund mortgage covering the following-described real estate in Kossuth County, Iowa, to-wit:

The Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Fifteen (15), Township Ninety-seven (97) North, Range Twenty-seven (27), West of the Fifth P. M., and

WHEREAS, said mortgage having become in default, was foreclosed by Kossuth County, Iowa, and sold at public execution sale, and pursuant to said foreclosure proceedings a Sheriff's Deed was issued to the State of Iowa by the Sheriff of Kossuth County, Iowa, on May 20, 1935, covering said real estate, and

WHEREAS, on or about the 22nd day of May, 1935, the Board of Supervisors of Kossuth County, Iowa, negotiated a sale of said real estate to one P. P. Zerfass, and at the direction of said Board a Warranty Deed to said premises was executed to said purchaser, said Deed being executed on behalf of Kossuth County, Iowa, by the County Auditor, and

WHEREAS, the grantee in said Deed paid the full purchase price and took possession of said premises and has made valued improvements on said property since the purchase of the same, and

WHEREAS, doubts have arisen as to the legal sufficiency of the proceedings and as to the authority of the said Board of Supervisors to sell said real estate, and as to the validity of the Deed executed by the County Auditor conveying said premises, and it is deemed advisable to put said doubts, and all others that 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 taken by the Board of Supervisors
2 of Kossuth County, Iowa, authorizing the conveyance of real estate
3 situated in Kossuth County, Iowa, described as follows, to-wit:
4 The Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter
5 (NE $\frac{1}{4}$) of Section Fifteen (15), Township Ninety-seven
6 (97) North, Range Twenty-seven (27), West of the Fifth
7 P. M.,
8 and the conveyance thereof to P. P. Zerfass, are hereby legalized,
9 validated and confirmed as transferring to the said P. P. Zerfass all
10 right, title and interest of Kossuth County and/or the permanent
11 school fund of the State of Iowa, in and to said real estate.

1 SEC. 2. Upon the receipt by the Secretary of State of a proper
2 Certificate of Sale executed by the Auditor of Kossuth County, Iowa,
3 showing that the full amount of the purchase price has been paid by
4 the purchaser, the Governor and Secretary of State are authorized

5 and directed to issue a patent to the above-described real estate, to
6 P. P. Zerfass.

1 SEC. 3. Nothing in this Act shall be deemed or construed to affect
2 pending litigation.

1 SEC. 4. This Act being deemed of immediate importance, shall
2 take effect and be in force from and after its passage and publication
3 in the Kossuth County Advance, a newspaper published at Algona,
4 Iowa, and in the Algona Upper Des Moines, a newspaper published at
5 Algona, Iowa.

Approved March 26, 1943.

I hereby certify that the foregoing act was published in the Kossuth County Advance,
Algona, Ia., April 6, 1943, and the Algona Upper Des Moines, Algona, Ia., April 1, 1943.
WAYNE M. ROPES, *Secretary of State.*

CHAPTER 298

CITY OF BURLINGTON

H. F. 456

AN ACT to legalize proceedings of the city of Burlington, Iowa, with respect to the acquisition by said city of a municipal water works plant and system and the issuance of revenue bonds to pay for same, and providing for the creation of a board of water commissioners to manage and control the operation of such system.

WHEREAS the City Council of the City of Burlington, Iowa, did heretofore negotiate with Citizens Water Company for the acquisition of the water works plant and system furnishing water and water service in and to said City, and by proceedings heretofore taken did provide for such acquisition and for the issuance of Water Revenue Bonds of said City to the amount of two hundred twenty-eight thousand eight hundred dollars to pay part of the cost thereof, and also did provide for the creation of a board of water commissioners to manage and control the operation of such system; and

WHEREAS doubts have arisen concerning the legal sufficiency or validity of said proceedings and bonds and it is deemed advisable to put said doubts as well as any and all others at rest.

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

1 SECTION 1. That all proceedings of the City Council of the City of
2 Burlington, Iowa, with respect to the acquisition of a municipal water
3 works plant and system by said City and the issuance of revenue bonds
4 to pay for same and providing for the creation of a board of water
5 commissioners to manage and control the operation of such system,
6 are hereby declared to be legally sufficient according to their import.

1 SEC. 2. That nothing in this Act shall affect pending litigation.

1 SEC. 3. That this Act being deemed of immediate importance shall
2 take effect and be in force from and after its publication in the Daily