

## CHAPTER 256

## ROADS TO IOWA ORDNANCE PLANT

## H. J. R. 2

A JOINT RESOLUTION establishing the rights of Des Moines County, Iowa, in the money judgment in favor of the state of Iowa and Des Moines County, Iowa, rendered May 17, 1944, in an action entitled United States of America, Plaintiff, vs. Des Moines County, Iowa and the State of Iowa, Defendants, in the District Court of the United States for the Southern District of Iowa, Eastern Division.

WHEREAS on May 17, 1944, in an action entitled "United States of America, plaintiff, vs. Des Moines County, Iowa, and the State of Iowa, Defendants", then pending in the District Court of the United States for the Southern District of Iowa, Eastern Division, there was entered of record a judgment in favor of the State of Iowa and Des Moines County, Iowa, and against the United States of America in the sum of \$208,687.50, and

WHEREAS the United States of America, plaintiff in the above entitled action, has heretofore constructed at its own expense a like amount of primary roads outside of said Iowa Ordnance Plant area equal to the amount of primary roads which were included in said Iowa Ordnance Plant area and the State of Iowa has no claim or interest in the money judgment entered in said action as hereinbefore described, and

WHEREAS, the said judgment was the result of the findings of said court as to the amount of damages to which the said plaintiffs were entitled by reason of the taking by the United States of America of certain public secondary highways and bridges and culverts on the first day of March, 1941, in a certain area in Des Moines County, Iowa, known as the Iowa Ordnance Plant area, for the purposes of the Government of the United States, and

WHEREAS the said highways, bridges and culverts were established, constructed, improved and maintained with funds belonging to Des Moines County, Iowa, and derived from the revenues of said county, and as a result of the taking of said public roads, bridges and culverts, it will be necessary for said county to provide other highways, culverts and bridges, and to expend the necessary funds for the establishment, construction and improvement thereof, now therefore

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

1 SECTION 1. That the State of Iowa recognizes the rights of Des  
2 Moines County, Iowa, in said judgment entered by the United States  
3 District Court for the Southern District, Eastern Division, on the  
4 17th day of May, 1944, in the above entitled cause upon which said  
5 judgment was based, or in any subsequent judgment that may be  
6 entered in the same cause of action, and in the proceeds thereof; and  
7 the State of Iowa hereby assigns and transfers any interest it may  
8 have therein to Des Moines County, Iowa, and the Governor of the  
9 State of Iowa is hereby authorized to execute any instrument neces-  
10 sary to effectuate the purposes herein expressed. The net proceeds  
11 realized upon said judgment or judgments shall, when collected, be-  
12 come a part of the Secondary Road Construction funds of said Des  
13 Moines County.

- 1 SEC. 2. This act being deemed of immediate importance shall take
- 2 effect from and after its publication in the Burlington Hawkeye-
- 3 Gazette, a newspaper published in Burlington, Iowa, and in the Keokuk
- 4 Gate City, a newspaper published in Keokuk, Iowa.

Approved March 7, 1945.

I hereby certify that the foregoing act was published in the Burlington Hawkeye-Gazette, Burlington, Iowa, March 13, 1945, and the Keokuk Gate City, Keokuk, Iowa, March 13, 1945.

WAYNE M. ROPES, *Secretary of State.*

## CHAPTER 257

### MUSCATINE COUNTY DRAINAGE DISTRICT

#### H. J. R. 4

A JOINT RESOLUTION to provide that a survey be made of Drainage District No. 13 in Muscatine county with the purpose of abandoning said district and converting the area into a wildlife refuge.

WHEREAS, Drainage District No. 13 in Muscatine County as established requires the use of pumping stations to properly control the water level so that the land may be farmed, and

WHEREAS, this method of drainage as applied to this submarginal land is expensive and far from satisfactory and it would be better to abandon this futile attempt to effectively drain this land, for the State of Iowa has, since 1923, spent \$61,595.10 by appropriation to aid this district, as follows:

APPROPRIATION	Muscatine County
50th G. A.....	\$1,418.88
49th G. A.....	1,144.77
48th G. A.....	452.59
47th G. A.....	2,583.13
46th G. A.....	1,319.47
45th G. A.....	1,907.78
44th G. A.....	5,424.02
43rd G. A.....	4,708.53
42nd G. A.....	2,197.22
41st G. A.....	1,718.06
40th G. A.....	38,720.65 (1923)

\$61,595.10, and

there is now pending in this Legislature a bill to appropriate \$6,038.62 additional to this district, said bill being House File No. 178 and Senate File No. 58, and

WHEREAS, it would have been better from a standpoint of economy and as a move to conserve natural resources to have spent this money to establish a wildlife refuge in this area, now therefore

*Be It Resolved by the General Assembly of the State of Iowa:*

- 1 SECTION 1. The State Conservation Commission and the Committee
- 2 on Retrenchment and Reform are empowered and directed to make a