

## CHAPTER 239

## ROAD USE TAX FUND

S. F. 199

AN ACT to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns which have been incorporated since the taking of the federal census of 1940 and prior to the census of 1950.

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

1 SECTION 1. Section three hundred eight A point three (308A.3),  
 2 Code 1950, is hereby amended by adding thereto the following sub-  
 3 section:  
 4 "In any case, where a city or town became incorporated after the  
 5 federal census of 1940 and prior to the federal census of 1950 and  
 6 where the treasurer of state, pursuant to a certification to him by offi-  
 7 cers of any such city or town, paid or reserved funds for the payment  
 8 of any such city or town's portion of the road use tax fund, all such  
 9 payments are hereby legalized and made valid and where such funds  
 10 have been reserved and set aside but not paid, the treasurer of state  
 11 shall forthwith make such payments."

1 SEC. 2. This Act being deemed of immediate importance shall be  
 2 in full force and effect upon its publication in the Clear Lake Mirror, a  
 3 newspaper published at Clear Lake, Iowa, and in The Clear Lake Re-  
 4 porter, a newspaper published at Clear Lake, Iowa.

Approved March 22, 1951.

I hereby certify that the foregoing act was published in the Clear Lake Mirror, Clear Lake, Iowa, March 29, 1951, and in The Clear Lake Reporter, Clear Lake, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 240

## TOWN OF ALBION LEGALIZING ACT

S. F. 338

AN ACT to legalize and validate the proceedings of the council of the town of Albion, Marshall County, Iowa, in calling and holding an election on the proposition to establish a waterworks system in said town and on the proposition to incur an indebtedness for the construction of said waterworks system and for the issuance of waterworks bonds in payment of such indebtedness and proceedings for the levy and collection of annual taxes to pay the same, and to legalize and validate the proceedings for the issuance, sale and delivery of such bonds and waterworks revenue bonds issued in payment for the construction of such waterworks system, and the provisions for payment thereof.

WHEREAS, the town of Albion, Marshall county, Iowa did heretofore, by resolution, and in response to a petition of qualified electors, authorize and submit at its regular election March 27, 1950, two (2) separate propositions, one (1) for the establishment of a waterworks system for said town at a cost not to exceed thirty-four thousand dollars (\$34,000.00) and another to incur and contract indebtedness for such purpose not exceeding fourteen thousand dollars (\$14,000.00) and to issue general obligation waterworks bonds in the amount of fourteen thousand dollars (\$14,000.00)

and levy an annual tax for twenty (20) years not exceeding ten (10) mills upon the taxable property to pay said bonds and interest, and at such election more than sixty percent (60%) of the votes cast for and against said propositions were in favor thereof, and

WHEREAS, for the purpose of paying the remaining cost of construction of said waterworks system, and in reliance upon the said election the council of said town authorized and provided for the issuance, sale and delivery of twenty thousand dollars (\$20,000.00) in waterworks revenue bonds of said town to make the total authorized cost of thirty-four thousand dollars (\$34,000.00), such waterworks revenue bonds to be payable, both as to principal and interest from future net revenues of said waterworks, and

WHEREAS, such general obligation waterworks bonds in the amount of fourteen thousand dollars (\$14,000.00) and such waterworks revenue bonds in the amount of twenty thousand dollars (\$20,000.00) have been sold and their issuance and delivery authorized by said town council, and

WHEREAS, doubts have arisen as to the legal sufficiency of the petition of electors for such waterworks election, for creation of such indebtedness and the issuance of general obligation waterworks bonds and the authority to levy and collect annual taxes to pay the principal and interest thereon as the same mature, and doubts have arisen as to the authority for the issuance and sale of the twenty thousand dollars (\$20,000.00) in waterworks revenue bonds for payment of the remaining cost of the waterworks system of said town although included in and not in excess of the amount authorized for the establishment thereof and to pledge the said system and its future net earnings in payment of said waterworks revenue bonds as the same mature with interest thereon, and it is deemed advisable to put such doubts, and all others, forever at rest and to cure any irregularities or insufficiencies that might have arisen, or may arise relative thereto,

NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the council of  
2 the town of Albion, in Marshall county, Iowa, in declaring the suffi-  
3 ciency of the electors' petition and in holding an election for the  
4 establishment of a waterworks system in said town at a cost not to  
5 exceed thirty-four thousand dollars (\$34,000.00) and to incur and  
6 contract indebtedness not exceeding fourteen thousand dollars (\$14,-  
7 000.00), and in authorizing and providing for the sale, issuance and  
8 delivery of fourteen thousand dollars (\$14,000.00) waterworks bonds  
9 by the town of Albion, Iowa, and providing for the levy and collection  
10 of annual taxes to pay principal and interest of said bonds, are hereby  
11 legalized, validated and confirmed and the said waterworks bonds,  
12 sold, issued and delivered pursuant to and in accordance with said  
13 proceedings are hereby declared to be legal and to constitute valid and  
14 binding obligations of said town.

1 SEC. 2. That all proceedings heretofore taken by the council of the  
2 town of Albion, in Marshall county, Iowa, in authorizing and provid-  
3 ing for the sale, issuance and delivery of twenty thousand dollars

4 (\$20,000.00), waterworks revenue bonds by the town of Albion, Iowa,  
 5 and providing for the payment of principal and interest on said bonds  
 6 from future net earnings of the waterworks system of said town are  
 7 hereby legalized, validated and confirmed and said waterworks revenue  
 8 bonds, sold, issued and delivered pursuant to and in accordance with  
 9 such proceedings are hereby declared to be legal and to constitute valid  
 10 and binding obligations of said town, payable only from such future  
 11 net earnings but said bonds shall not be a corporate indebtedness of  
 12 said town nor shall said town be authorized to levy and collect ad  
 13 valorem taxes to pay either principal or interest thereon.

1 SEC. 3. This Act being deemed of immediate importance it shall  
 2 take effect from and after its publication in the Marshalltown Times-  
 3 Republican, a newspaper published at Marshalltown, Iowa and in the  
 4 State Center Enterprise, a newspaper published at State Center, Iowa,  
 5 all without expense to the state of Iowa.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in the Marshalltown Times-  
 Republican, Marshalltown, Iowa, April 20, 1951, and in the State Center Enterprise,  
 State Center, Iowa, April 26, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 241

### CITY OF BURLINGTON LEGALIZING ACT

S. F. 468

AN ACT to legalize and validate the proceedings authorizing and providing for the  
 repair of the existing municipally owned toll bridge extending across the Missis-  
 sippi river from the city of Burlington, Iowa, and for the issuance, sale and  
 delivery by said city of "bridge revenue bonds" to pay the cost of such repairs, and  
 the provisions made for the payment of said bonds and declaring said proceedings  
 and the bonds issued pursuant thereto legally sufficient and enforceable.

WHEREAS, it appears from the official records of the city council of  
 the city of Burlington, Iowa, that said city council did heretofore authorize  
 and provide for the repair of the existing municipally owned toll bridge  
 extending across the Mississippi river from said city and by resolution did  
 authorize and provide for the issuance, sale and delivery of "Bridge Re-  
 venue Bonds" of said city in the principal amount of four hundred twenty-  
 five thousand dollars (\$425,000.00) for the purpose of paying the cost of  
 repairing said bridge and provided in and by said resolution for the use  
 and application of the income and revenues from said bridge to pay the  
 costs of its operation and maintenance and to pay the interest on and  
 principal of said bonds on a self-sustaining and liquidating basis; and

WHEREAS, doubts have arisen concerning the validity and legal suffi-  
 ciency of said proceedings and bonds, and the provisions made for the use  
 and application of the income and revenues for the payment of said bonds,  
 and it is deemed advisable to put said doubts and all others that might arise  
 concerning same 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 Burlington, Iowa, ordering and providing for the