

CHAPTER 292
DECATUR COUNTY LAND PATENT
H. F. 356

AN ACT to legalize proceedings of the county auditor and board of supervisors of Decatur County, Iowa, related to a contract for sale of school land and authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of section thirty (30) in Township sixty-nine (69) North, Range twenty-five (25) West of the fifth (5th) Principal Meridian in Decatur County, Iowa.

WHEREAS, Decatur County, Iowa, for the use and benefit of the permanent school fund of the state of Iowa, acquired title to the following described lands:

The southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of section thirty (30) in township sixty-nine (69) north, range twenty-five (25) west of the fifth (5th) principal meridian, in Decatur County, Iowa; and

WHEREAS, it appears that Decatur County, Iowa, for the use and benefit of the permanent school fund of the state of Iowa, acquired the above described premises by a sheriff's deed dated December 4, 1953 based on a sheriff's certificate of sale issued November 21, 1932 under a foreclosure filed October 5, 1932 of a school-fund mortgage executed on January 5, 1921 by Lee J. Little and Bess L. Little, his wife; and

WHEREAS, it further appears that a decree quieting title in the name of Decatur County, Iowa, for the use and benefit of the permanent school fund of the state of Iowa was rendered and entered of record in the district court of Iowa, in and for Decatur County on the 17th day of January, 1953; and

WHEREAS, it further appears that a contract for sale of the foregoing described property was executed by the county auditor of Decatur County, Iowa, on the 4th day of December, 1936, to W. A. Rumley and Etta Rumley; and

WHEREAS, it does not appear of record that the county auditor or the county board of supervisors of Decatur County, Iowa, complied with the provisions of the law governing the sale of school lands in that there is no showing of record that:

(a) The county board of supervisors of Decatur County passed a resolution providing for the sale of said property and directing and authorizing the trustees of the township to appraise the value of said property.

(b) The trustees of the township certified to the said county board of supervisors their appraisalment thereof finding and fixing the value of said property and action of the board thereon.

(c) The county auditor posted notice and advertised said property for sale at public auction to the highest and best bidder therefor as provided by statute.

(d) The county auditor exposed, offered for sale and struck off said property to the highest and best bidder therefor; and

WHEREAS, it further appears that on the 1st day of October, 1953, the board of supervisors of Decatur County authorized a resale of the said property to comply with the provisions of chapter three hundred two (302) of the Code; and

WHEREAS, it further appears that in accordance with the resolution of the board of supervisors and after compliance with the provisions of chapter three hundred two (302) of the Code, the property, less improvements made by W. A. Rumley, was resold to the said W. A. Rumley; and

WHEREAS, it appears that the secretary of the state of Iowa has denied the issuance of a patent conveying said property to the said W. A. Rumley without authority of the general assembly; and

WHEREAS, the said W. A. Rumley has been in open, actual, notorious and adverse possession of said lands at all times since the execution of the contract for sale on the 4th day of December, 1936; and

WHEREAS, the state of Iowa has no claims upon said property adverse to those of the said W. A. Rumley, and it appears that the said W. A. Rumley is entitled to a patent conveying the foregoing described property to him upon payment of all sums due or to become due under the contract for sale; now, therefore,

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

1 SECTION 1. All proceedings of the auditor of Decatur County,
2 Iowa, together with the proceedings of the board of supervisors of De-
3 catur County, Iowa, relative to the contract for sale and resale to W. A.
4 Rumley of the following described property, to wit:

5 The southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of
6 section thirty (30) in township sixty-nine (69) north, range twenty-
7 five (25) west of the fifth (5th) principal meridian, in Decatur County,
8 Iowa,
9 are hereby legalized, validated and confirmed.

1 SEC. 2. The auditor of Decatur County, Iowa, is hereby author-
2 ized, empowered and directed to issue a certificate of purchase and of
3 final payment to W. A. Rumley, his heirs, grantees or assigns for the
4 following described property, to wit:

5 The southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of
6 section thirty (30) in township sixty-nine (69) north, range twenty-
7 five (25) west of the fifth (5th) principal meridian, in Decatur County,
8 Iowa,
9 upon the payment of all sums of money due or to become due upon the
10 contract for sale of said property, and when the same has been trans-
11 mitted to the secretary of state the governor and the secretary of state
12 of the state of Iowa are hereby authorized, empowered and directed
13 to issue a patent to the said W. A. Rumley, his heirs, grantees or
14 assigns for the use and benefit of the successive owners of said land.

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Leon
3 Journal-Reporter, a newspaper published at Leon, Iowa, and in the
4 Lamoni Chronicle, a newspaper published at Lamoni, Iowa, said pub-
5 lication to be without expense to the state.

Approved April 5, 1955.

I hereby certify that the foregoing Act, House File 356, was published in the Leon Journal-Reporter, Leon, Iowa, April 14, 1955, and in the Lamoni Chronicle, Lamoni, Iowa, April 21, 1955.

MELVIN D. SYNHORST, *Secretary of State.*