

4 Iowa, and the Blakesburg Excelsior, a newspaper published at Blakes-  
5 burg, Iowa.

Approved May 15, 1959.

I hereby certify that the foregoing Act, House File 755, was published in the Ottumwa Daily Courier, Ottumwa, Iowa, May 20, 1959, and in the Blakesburg Excelsior, Blakesburg, Iowa, May 21, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 418

### LAND PATENT

H. F. 520

AN ACT to authorize and direct the issuance of a patent to certain real estate, to Lester Kizer and Mildred Kizer, by the governor and secretary of state.

WHEREAS, it appears of record that real estate described as the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 20 and the South Half (S $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) in Section 29, all in township 71 North of Range 13 West of the 5th P. M. in Wapello County, Iowa, was on July 3, 1891, mortgaged by Sarah Ann Bower and Daniel Bower, her husband to the school fund, Wapello County, Iowa, in the amount of \$200.00; and

WHEREAS, it appears that said mortgage was recorded in Book A, page 379, of the records of the recorder's office, Wapello County, Iowa; and

WHEREAS, in 1935 Wapello County, for the benefit of the school fund, instituted foreclosure proceedings on said mortgage, the foreclosure action having been entered in Docket 109, page 131, of the clerk's office, Wapello County, Iowa, Chancery Number 15574; and

WHEREAS, the action culminated in a decree of foreclosure of said school fund mortgage on May 10, 1935. Special execution issued to the sheriff of Wapello County and a sheriff's sale was conducted on the 12 day of June 1935, when the property was exposed to public sale by the sheriff and was bid in by Wapello County for the benefit of the school fund for \$326.14; and

WHEREAS, a sheriff's certificate of sale was issued to Wapello County for the benefit of the school fund during the period of redemption; and

WHEREAS, on August 8, 1936, the certificate of sale was, by Wapello County for the benefit of the school fund, assigned to Lester Kizer and Mildred Kizer, sale having been reported to the State Department in accordance with the statutes of the state; and

WHEREAS, on August 13, 1936, a sheriff's deed was issued to Lester Kizer and Mildred Kizer which deed is recorded in Record 155, page 398, of the records of the recorder's office, Wapello County, Iowa, conveying the above-described premises; and

WHEREAS, it appears that full payment has been made by the said Lester Kizer and Mildred Kizer, and it appears that the State of Iowa claims no ownership in the foregoing-described land although the apparent legal title thereto still remains in the state of Iowa; and

WHEREAS, previously through error or oversight, a patent was issued for a portion of the foregoing-described lands to Lester Kizer and Mildred Kizer, and that no patent otherwise conveying the entire tract was ever issued by the state of Iowa covering said lands foreclosed for the benefit of the school fund, relinquishing and conveying the rights of the state of Iowa in and to the above-described real estate; now therefore,

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

1 SECTION 1. The governor of the state of Iowa and the secretary  
2 of state of the state of Iowa are authorized and directed to issue a  
3 patent to the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter  
4 (SE $\frac{1}{4}$ ) of Section 20 and the South Half (S $\frac{1}{2}$ ) of the Northeast  
5 Quarter (NE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the North-  
6 east Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the North-  
7 west Quarter (NW $\frac{1}{4}$ ) in Section 29, all in township 71 North of  
8 Range 13 West of the 5th P.M. in Wapello County, Iowa, to Lester  
9 Kizer and Mildred Kizer.

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

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Eldon Forum, a newspaper published at Eldon, Iowa, and in the  
4 Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa.

Approved April 7, 1959.

I hereby certify that the foregoing Act, House File 520, was published in the Eldon Forum, Eldon, Iowa, April 16, 1959, and in the Blakesburg Excelsior, Blakesburg, Iowa, April 16, 1959.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 419

### LAND PATENT IN HENRY COUNTY

S. F. 377

AN ACT authorizing a patent to the northeast quarter of the northeast quarter (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of section sixteen (16), Township seventy north (70N), Range five (5) West of the 5th principal meridian, Henry County, Iowa.

WHEREAS, heretofore a patent issued from the United States of America to the state of Iowa for section sixteen (16) township seventy north (70N) range five (5) west of the 5th principal meridian, a tract of land within Henry County, Iowa; and,

WHEREAS, prior to the year A.D. 1849 Joseph Wright purchased from the state of Iowa the northeast quarter of the northeast quarter (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of section sixteen (16) above described; and,