

**80-904. Same; petition; election; duties of county commissioners.** The purchasing and securing of suitable grounds for the purpose of this act or the acquiring and taking over of parks and cemeteries already in existence, either by becoming absolute owners or as trustees under existing laws, shall not be done until twenty-five percent of the resident taxpayers of any such township shall petition in writing the board of county commissioners to submit to the qualified voters of such township a proposition to purchase, or secure, and maintain or acquire and take over and maintain a public park or parks or cemetery or cemeteries, or both such public parks and cemeteries and issue bonds of such township or levy a tax in payment therefor.

Said petition shall particularly describe the parcel or parcels or tract or tracts of land to be so purchased or secured and maintained, or if paid for by taxation, the number of annual installments into which the whole tax is to be divided, and if such petition be found true then the board of county commissioners shall cause an election to be held to determine whether such purchase or securing the grounds and issue of bonds therefor, if any are provided for, shall be made, and the same shall be submitted to the qualified electors of such township at a special or general election, as the same shall be specified in said petition: *Provided*, That where parks or cemeteries are already in existence and operated by a park or cemetery organization, corporation or association of persons are to be taken over and acquired that such petition, as is in this section provided, shall not be acted upon by the board of county commissioners until there has been filed with such board a written proposition stating the price, terms and conditions upon which the park or parks or cemetery association or cemetery associations engage themselves to convey to the township all the property of such association or associations, corporation or corporations, or organization or organizations within such township, has been filed with the clerk of the township board.

**History:** L. 1887, ch. 235, § 4; L. 1909, ch. 260, § 2; L. 1921, ch. 295, § 2; L. 1923, ch. 240, § 2; Feb. 28; R.S. 1923, 80-904.