

between sections nine (9) and sixteen (16), eight (8) and seventeen (17), and seven (7) and eighteen (18), township twenty-eight (28), range twenty-five (25) west, and between sections twelve (12) and thirteen (13), township twenty-eight (28), range twenty-three (23) west, from the Mississippi river on the east to the west line of block eighty-eight (88), Banning & Olivier's addition to West St. Paul,' be and the same is hereby in all things repealed.

SEC. 2. That any and all assessments made under and pursuant to the authority conferred by said act are hereby in all things annulled, and the county auditors of Ramsey county and Dakota county are hereby authorized, empowered and directed to cancel any and all assessments made under the authority conferred by said act, that appear from the records of their respective offices, so that any and all real estate that may have been assessed pursuant to the said act shall appear and be free and clear of any and all such assessments.

SEC. 3. That the counties of Ramsey and Dakota are hereby authorized, empowered and directed to refund and repay to the parties entitled thereto any and all amounts that have been paid into the respective treasuries of said counties on account of any assessment that has been made under the authority conferred by said act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 18, A. D. 1891.

CHAPTER 29.

[S. F. No. 416.]

AN ACT TO AUTHORIZE THE CITY OF ST. PAUL TO CONDEMN LAND FOR A STREET KNOWN AS ANNAPOLIS STREET, EXTENDING BETWEEN SECTIONS NINE (9) AND SIXTEEN (16), EIGHT (8) AND SEVENTEEN (17), AND SEVEN (7) AND EIGHTEEN (18), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-TWO (22) WEST, AND BETWEEN SECTIONS TWELVE (12) AND THIRTEEN (13), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23) WEST, FROM THE MISSISSIPPI RIVER ON THE EAST TO THE WEST LINE OF BLOCK EIGHTY-EIGHT (88), BANNING & OLIVIER'S ADDITION TO WEST ST. PAUL, AND TO GRADE SAID STREET WHEN THE LAND THEREFOR HAS BEEN CONDEMNED.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the city of St. Paul be and is hereby authorized and empowered to condemn land for a street, to be called Annapolis street, between sections nine (9) and sixteen (16), eight (8) and seventeen (17), and seven (7) and eighteen (18), of township twenty-eight (28), range twenty-two (22) west of the [fourth (4th)] principal meridian and between sections twelve (12) and thirteen (13), township twenty-eight (28), range twenty-three (23) west of the fourth (4th) principal meridian, in the counties of Ramsey and Dakota, from the Mississippi river on the east to the west line of block eighty-eight (88), Banning & Olivier's addition to West St. Paul, and to establish the grade thereof and to grade the same; *Provided*, that said Annapolis street shall be made of a general width of sixty (60) feet.

SEC. 2. The said city of St. Paul shall, in condemning land for said street, proceed in every respect as is provided in the charter of said city for the condemnation of land for streets in said city, and shall award damages for lands condemned and assess benefits therefor as provided in said city charter, whether the lands condemned and the lands upon which benefits are assessed are situate in said city of St. Paul or in the county of Dakota, in said state, and all the provisions of the city charter of said city relating to the condemnation of lands for streets are hereby made applicable to the condemnation of lands for said Annapolis street, as herein described.

That upon the confirmation of the award of damages and assessment of benefits the title to the lands so condemned, which are situate in the city of St. Paul, shall vest in said city of St. Paul in fee simple, and the title of the lands condemned, and which are situate in the city of South St. Paul, shall vest in said city of South St. Paul in fee simple, and the title of the lands condemned, and which are situate in the city of West St. Paul, shall vest in said city of West St. Paul in fee simple, and the title of the lands condemned, and which are situate in the township of Mendota, in Dakota county, shall vest in said township in fee simple.

SEC. 3. Before the grading of said street the common council shall cause to be established, under the direction of the city engineer of said city, the grade of said street, and shall cause accurate profiles thereof to be made, one of which shall be filed in the office of the register of deeds of Ramsey county and one in the office of the register of deeds of Dakota county.

SEC. 4. That after the completion of said condemnation proceedings the city of St. Paul shall proceed to grade said Annapolis street; *Provided, however,* that the matter of grading said street shall not be placed under contract until the owners of a majority of the real estate fronting on said street shall have petitioned for the grading of said street; that all the provisions of the charter of said city relating to the grading of streets, making assessments of benefits upon property benefited by reason of the grading of streets and the collection of such assessments, are hereby in all respects made applicable to the grading of said street; and the assessment to pay the cost of said grading shall be made upon the real estate benefited thereby in the manner as provided in said city charter, whether such real estate is situate in the city of St. Paul or in the county of Dakota.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 16, 1891.