

## CHAPTER 183—S. F. No. 874

*An act legalizing and validating for all purposes the proceedings for detachment of unplatted agricultural lands from cities containing 10,000 inhabitants or less, the territorial limits of which were identical with a school district created by special law, situated therein, in certain cases and declaring such detached lands to be a part of the school district or school districts adjoining such cities, providing for the payment of pro rata share of bonded indebtedness of such special school district, and defining the duties of county commissioners in such cases.*

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

**Section 1. Detachment of lands in certain cases legalized.**—That in all cases where in a proceeding instituted in court for the detachment of unplatted agricultural lands from cities containing 10,000 inhabitants, or less, the territorial limits of which were identical with a school district created by special law, situated therein, the territorial limits of such school district, when organized being defined as being the territorial limits of such city, where judgment detaching such lands from such cities was entered more than 20 years prior to the passage of this act, and no appeal was taken from such judgment, all proceedings in reference to such detachment, are hereby legalized and the detachment of such lands thereunder validated for all purposes.

**Sec. 2. Lands to become part of school district.—Petition.**—That all such unplatted agricultural lands thus detached, so situated as to come under the conditions and provisions of section one of this act, shall form and become a part of the organized school district or school districts existing adjoining such city as determined by the board of county commissioners as herein provided, to the same force and effect as if the proceedings for the detachment of such lands had provided, and the laws of this state, then in force, had permitted the detachment of such lands from such special school district of which said lands were formerly a part, providing that the owner or owners of such lands within six months after the passage of this act, prepare and file a petition setting forth the facts as above, in the office of the County Auditor of the county in which said lands are situated, to have the share of any outstanding bonded indebtedness, which said lands should bear prorated and determined as hereinafter provided.

**Sec. 3. Hearing on petition.**—When such petition is thus filed it shall be the duty of the board of county commissioners at its next meeting to set a time and place for hearing upon such petition and the petitioner shall serve or cause to be served a notice of such hearing upon the president or clerk of such special school district from which said lands, describing the same, have been detached by the detachment thereof from such city, at least ten days before the time fixed for such hearing on said petition.

**Sec. 4. County Board to pro-rate indebtedness.**—If upon such hearing it shall be made to appear that there is any outstanding bonded indebtedness of such special school district, then the board of county commissioners in its order attaching such lands to and including the same in such school district or districts adjoining such city and said lands and within said county, shall fix and determine the pro-rata share of such bonded indebtedness, based upon assessed valuations then existing, which such lands should pay and bear, and such detached lands shall pay such fixed share of such outstanding bonded indebtedness and any renewal thereof and interest thereon, and unless the same is paid in full by the owner of such detached lands, which may be made at any time, there shall be levied at the time of the levying of the taxes for school purposes upon the taxable property of such special school district, an equal rate for the payment of interest and any maturing principal of such bonded indebtedness, upon the real estate and lands thus detached, each year until the amount so designated and fixed by the board of county commissioners shall be paid in full, and the county auditor shall levy upon such detached lands and place the same upon the tax list of the taxing district where the same is then situate, in the same manner as other taxes therein and such taxes shall be collected with and in like manner as county and state taxes are paid and payment thereof enforced, and the county treasurer shall pay such taxes when collected over to the treasurer of such special school district from which said lands have been detached, in the same manner as other taxes are paid over.

**Sec. 5. Application.**—The provisions of this act shall not affect any action or proceeding now pending in any of the courts of this state.

**Sec. 6. Invalidity of one part not to affect balance of act.**—If any provision or part of this act shall be held invalid it shall not invalidate or in any manner affect any other provision or part thereof.

**Sec. 7.** This act shall take effect and be in force from and after its passage.

Approved April 13, 1929.