

and buildings upon receipt of such request by the permit holder for good and sufficient reasons.

Sec. 3. Minnesota Statutes 1965, Section 90.211, is amended to read:

90.211 Purchase money, when forfeited. If the purchaser of any timber or his assignee fails to cut ~~and remove~~ any part thereof before the expiration of the permit, he shall nevertheless pay the price therefor; but under no circumstances shall he cut ~~or remove~~ any such timber after the expiration of the permit or extension thereof.

Sec. 4. **Effective date.** *This act is effective July 1, 1967.*

Approved March 1, 1967.

CHAPTER 28—H. F. No. 197

An act relating to publication of notice of lis pendens in actions to determine adverse claims to real estate; amending Minnesota Statutes 1965, Section 559.02.

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

Section 1. Minnesota Statutes 1965, Section 559.02, is amended to read:

559.02 Adverse claims to real estate; notice of lis pendens; unknown defendants. In any action brought under section 559.01, the plaintiff may insert in the title thereof, in addition to the names of such persons as are known or appear of record to have some right, title, estate, interest, or lien in or on the real property in controversy, the following: "Also all other persons unknown claiming any right, title, estate, interest, or lien in the real estate described in the complaint herein." *Service of the summons may be had upon all such unknown persons defendant by publication in the same manner as against non-resident defendants, upon the filing of an affidavit of the plaintiff, his agent or attorney, stating the existence of a cause of action under section 559.01, and if in addition to the above known or unknown defendants, the heirs of a deceased person are proper parties defendant, and their names are unknown, and such affidavit shall further state that the heirs of such deceased person are proper parties to such action, and that their names and residences cannot with reasonable diligence be ascertained, then service of summons*

Changes or additions indicated by italics, deletions by strikeout:

may be made on such unknown heirs by publication thereof in the same manner as against non-residents, and in such case the plaintiff may insert in the title thereof the following: "Also the unknown heirs of (naming him) and all other persons unknown claiming any right, title, estate, interest, or lien in the real estate described in the complaint herein." The plaintiff shall, before the commencement of such publication, file with the register of deeds a notice of the pendency of the action, ~~; a copy of which shall be published in the same newspaper with, and immediately following, the summons; but on publishing such notice of lis pendens it shall not be necessary to republish the names of the parties to the action and shall be sufficient to state in lieu thereof the following: "same parties as in summons immediately preceeding this notice."~~ All such unknown persons so served shall have the same rights to appear and defend before and after judgment as would named defendants upon whom service is made by publication, and any order or judgment in the action shall be binding upon them, whether they be of age or minors; but, if they be minors when judgment is rendered, they may be allowed to defend at any time within two years after becoming of age.

Approved March 1, 1967.

CHAPTER 29—H. F. No. 198

An act relating to the publication of notice of lis pendens in actions for partition of real estate; amending Minnesota Statutes 1965, Section 558.02.

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

Section 1. Minnesota Statutes 1965, Section 55802, is amended to read:

558.02 Partition of real estate; notice of lis pendens; summons; service. The summons shall be addressed by name to all the owners and lienholders who are known, and may also be addressed "to all other persons unknown having or claiming an interest in the property described in the complaint herein." Service of the summons may be had upon all such unknown persons defendant by publication in the same manner as against nonresident defendants, upon the filing of the complaint, in which case the plaintiff shall, before the commencement of the action, file with the register of deeds

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