

CHAPTER 150.

AN ACT TO AUTHORIZE THE LOCATION OF AN AVENUE
AROUND LAKE PHALEN.

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

SECTION 1. That Gen. R. W. Johnson, H. J. Brainard and Henry Brant, of the county of Ramsey, are hereby appointed commissioners to locate and survey a road sixty (60) feet wide, from a point on the St. Paul and Lake Phalen and White Bear Lake road where it crosses the north line of section number twenty-seven (27), township number twenty-nine (29), range twenty-two (22), thence running in a northwest direction to the shore of Lake Phalen; and to locate and survey a road or avenue one hundred (100) feet wide, commencing where said road strikes said lake, thence entirely around said lake and as near the shore as practicable, to place of beginning.

SEC. 2. Said commissioners or a majority of them, shall meet at the auditor's office in the city of St. Paul on or before the first (1st) day of June, one thousand eight hundred and seventy-eight (1878), and there make oath that they will faithfully discharge their duties as provided by this act, and impartially assess damages, if any, they find to be sustained by the owners of land through which said road may run; which oath shall be filed in said auditor's office; and proceed to the discharge of their duties.

SEC. 3. The said commissioners are hereby authorized to employ the county surveyor with such assistants as they may deem proper, as may be necessary for the proper location and establishment of said road.

SEC. 4. Said commissioners shall on or before the first (1st) day of July, one thousand eight hundred and seventy-eight (1878), cause an accurate plat of the survey and location of said road to be made and filed in the office of the county auditor of Ramsey county, which plat shall be *prima facie* evidence in all courts of this State, of the location, survey, and establishment of said road.

SEC. 5. It shall be the duty of said commissioners to appraise the damages that may accrue to the owners of any lands through which said road may be established; and on or before the first (1st) day of July next, to file such appraisal in the office of the county auditor of Ramsey county.

SEC. 6. Any owners of lands through which said road passes may appeal from the appraisal of damages made by said commissioners, to the district court of Ramsey county, at any time within twenty (20) days after the first (1st) day of July aforesaid.

SEC. 7. Such appeal shall be taken by the services of a notice in writing, one upon the county auditor and one upon the county attorney of Ramsey county, and on the filing in the office of the

clerk of the district court, a copy of such notice, with proof of service, with a description of the property taken and the amount of the commissioners award, together with appellants grounds of appeals; the appeal will be deemed to be complete, and thereafter proceedings shall be had as in actions originally commenced in the district court.

SEC. 8. All damages appraised by said commissioners, or determined and awarded by the court, together with the expenses and per diem of the commissioners, surveyor and employees, shall be paid by the county of Ramsey.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 6, 1878.

CHAPTER 151

AN ACT TO AUTHORIZE THE COUNTY OF RICE, IN THIS STATE, TO CONVEY CERTAIN REAL ESTATE BELONGING TO SAID COUNTY.

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

SECTION 1. That the county of Rice is hereby authorized and empowered by a deed of the form in common use in this State, to be signed by the chairman of its board of county commissioners, and its Auditor, to grant, alien and convey all its right, title and interest in and to the following described lands and real estate situated in said county, or in and to any portion or parcel of the same, to-wit: The southeast quarter of section two (2), in township one hundred and nine (109) north, of range twenty-one (21) west. The northwest quarter of northeast quarter of section one (1), in township one hundred and nine (109) north, of range twenty-two (22) west. Also the southeast quarter of the northeast quarter of section twenty-six (26), in township one hundred and ten (110) north, of range twenty-one (21) west; together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining; *Provided*, such grant and conveyance shall be directed by a vote of the county commissioners of said county, or a majority thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 23, 1878.