

CHAPTER 103.

[H. F. No. 1064.]

AN ACT ENTITLED AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CONSOLIDATE AND AMEND ALL ACTS RELATING TO PARKS AND PARK-WAYS IN THE CITY OF MINNEAPOLIS AND INCIDENT THERETO; AND DEFINING THE POWERS AND DUTIES OF THE BOARD OF PARK COMMISSIONERS OF SAID CITY," APPROVED MARCH ELEVENTH (11), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (1889).

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

SECTION 1. Section two (2) of an act entitled "an act to consolidate and amend all rights relating to parks and parkways in the city of Minneapolis, and incident thereto," and defining the powers and duties of the board of park commissioners of said city, approved March eleventh (11), eighteen hundred and eighty-nine (1889), is hereby amended so that the same shall read as follows:

The board of park commissioners of the city of Minneapolis and its successors, shall have the power and it shall be its duty, to devise, adopt and maintain parks and park-ways in and adjacent to the city of Minneapolis, and from time to time to add thereto; to designate lands and grounds to be used and appropriated for such purposes; to cause the same to be platted, surveyed, and plats thereof filed in the office of the secretary of said board, and in the office of the city engineer in the city of Minneapolis; and the right to take possession, upon obtaining title to the same or any part thereof, of same or any part thereof: to hold, improve, govern and administer the same for such purposes.

The said board of commissioners, and their successors, shall have power, and it is hereby authorized, to obtain title for and in the name of the city of Minneapolis, to any lands so designated by it for the purpose of this act, by gift, devise, purchase or lease.

And said board may enter into any contract in the name of said city, for the purchase of any lands to be paid for in such time, or times, and in such manner as the board may agree to; and said board may accept title to lands and give back a mortgage or mortgages in the name of said city, with or without bonds to secure the unpaid purchase price, *provided*, that no personal or general liability on the part of said city shall be created by any such contract, or mortgage, or bond beyond the means at the time available therefor, except the liability to pay such amounts as may be realized from benefits assessed on benefited property on account of the lands included in such contract or mortgage.

And it is hereby made the duty of said board to pay on each such contract or mortgage, an amount equal to the sum or sums so realized from such assessments; and said board shall have power to accept and receive donations of money, property or lands, for the use of the said city for the purposes contemplated in this act.

SEC. 2. Section fourteen (14) of said act is amended so as to read as follows:

The said board of park commissioners shall have and exercise all such powers and jurisdiction over and in relation to park-ways as now is, or hereafter may be, conferred upon the city council in respect to the laying out, opening, widening and improving, vacating and discontinuance of streets; the grading, paving, and curbing thereof; the construction of sidewalks; and the cost of all lands acquired, and of all improvements made by said board pursuant to this section shall be levied upon and collected from the property specially benefited thereby. And the proceedings for the condemning of land and for assessing benefits for improvements shall be conducted in the manner hereinbefore in this act provided for condemning lands and assessing benefits.

The city council of said city of Minneapolis shall have the same power and jurisdiction in respect to laying water mains and sewers along park-ways in the said city as it now has in respect to laying the same along the public streets; and the same proceedings for levying and collecting special assessments for water mains and sewers along such streets shall apply to levying and collecting the same for water mains laid along the parkways.

All park-ways which have been or which may be acquired in or adjacent to the city of Minneapolis, shall be subject to the control and government of the board of park commissioners of said city, in respect to the construction, maintenance, regulation and government thereof; and to the use, travel and traffic over and upon the same; provided, that no street, alley or public place, or any part thereof, shall be taken for a park-way without the consent of the city council of said city.

The said board of park commissioners may acquire by gift, lands without the corporate limits of said city for the purpose of continuing or completing any system of park-ways within said limits; and shall possess the same powers and jurisdiction over said parkways as if they were wholly within the city limits.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 22, 1889.