

CHAPTER 33.

[S. F. No. 568.]

AN ACT TO AUTHORIZE THE CITY OF ST. PAUL TO PAY FOR LANDS CONDEMNED FOR A LEVEE IN THE SIXTH (6th) WARD OF SAID CITY, UNDER PROCEEDINGS HAD BY SAID CITY FOR THE CONDEMNATION AND TAKING OF LAND FOR A STREET OR LEVEE IN THE SIXTH (6th) WARD OF SAID CITY FROM STATE STREET TO THE CENTRE LINE OF MISSOURI STREET, AS CONFIRMED BY THE BOARD OF PUBLIC WORKS JULY EIGHTEENTH (18th), ONE THOUSAND EIGHT HUNDRED AND NINETY (1890), AND ALSO UNDER OTHER CONDEMNATION PROCEEDINGS HAD BY SAID CITY FOR THE CONDEMNATION AND TAKING OF LAND FOR A STREET OR LEVEE IN THE SIXTH (6th) WARD OF SAID CITY, FROM MISSOURI STREET TO DELOS STREET, AS CONFIRMED BY THE BOARD OF PUBLIC WORKS JULY EIGHTEENTH (18th), ONE THOUSAND EIGHT HUNDRED AND NINETY (1890), OUT OF THE UNEXPENDED BALANCE REMAINING IN THE CITY TREASURY AS BELONGING TO THE FUND COLLECTED UPON THE ASSESSMENT AS CONFIRMED BY THE BOARD OF PUBLIC WORKS JULY TWENTY-EIGHTH (28th), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-TWO (1882), FOR THE OPENING, EXTENDING AND WIDENING A STREET OR LEVEE ALONG THE MISSISSIPPI RIVER FROM THE SOUTH LINE OF THE CITY IN SECTION NINE (9), TOWN TWENTY-EIGHT (28), RANGE TWENTY-TWO (22), TO THE SOUTH LINE OF THE CITY IN SECTION TWELVE (12), TOWN TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), IN THE SIXTH (6th) WARD OF SAID CITY, TAKING A STRIP OF LAND TWO HUNDRED (200) FEET WIDE ALONG THE WEST SIDE OF THE MISSISSIPPI RIVER.

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

SECTION 1. That the city of St. Paul is hereby authorized and directed to pay to the owner of the real estate, or to the parties entitled thereto, the balance of damages awarded them for each piece and parcel of land taken and condemned by said city under proceedings had by said city for the condemnation and taking of land for a street or levee in the Sixth (6th) ward of said city, from State street to the centre line of Missouri street, as confirmed by the board of public works of said city July eighteenth (18th), one thousand eight hundred and ninety (1890), and also for land taken and condemned by said city under proceedings had by said city for the condemnation and taking of land for street or levee in the Sixth (6th) ward of said city, from Missouri street to Delos street, as confirmed by the board of public works of said city July eighteenth (18th), one thousand eight hundred and ninety (1890).

SEC. 2. Said city of St. Paul is hereby directed and authorized to pay the damages mentioned in section one (1) of this act, out of the unexpended balance remaining in the city treasury, as belonging to the fund collected upon the assessment as confirmed by the board of public works July twenty-eighth (28th), one thousand eight hundred

and eighty-two (1882), for the opening, extending and widening a street or levee along the Mississippi river from the south line of the city in section nine (9), town twenty-eight (28), range twenty-two (22), to the south line of the city in section twelve (12), town twenty-eight (28), range twenty-three (23), in the Sixth (6th) ward of said city, taking a strip of land two hundred (200) feet wide along the west side of the Mississippi river.

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

Approved April 1, 1891.

CHAPTER 34.

[S. F. No. 639.]

AN ACT TO AUTHORIZE THE COMMON COUNCIL OF THE CITY OF ST. PAUL TO LEASE THE LEVEE, OR ANY PART OF THE LEVEE, KNOWN AS THE WEST ST. PAUL LEVEE, IN THE SIXTH (6th) WARD OF THE CITY OF ST. PAUL, AND TO VALIDATE AND CONFIRM ANY ORDINANCE HERETOFORE PASSED FOR SUCH PURPOSE.

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

SECTION 1. The common council of the city of St. Paul are hereby authorized, by ordinance, to lease to any person, persons, company or corporation any part or portions of the levee known as the West St. Paul levee, in the sixth (6th) ward of the city of St. Paul, Minnesota, as the same is designated and shown by the maps on file in the office of the city engineer of the city of St. Paul, the said leases to be for such purposes and upon such terms and for such a length of time as the common council of said city shall prescribe.

SEC. 2. Any ordinance or ordinances heretofore passed, for the purpose of leasing any part of the said levee to any person, company or corporation, are hereby confirmed and made valid as fully as though said ordinance or ordinances had been passed subsequent to the passage of this act; *Provided*, the common council shall have no authority to bind, expressly or impliedly, said city to protect any occupant or lessee of said levee in the use and engagement thereof, and this act, in its confirmatory clauses, shall not bind said city to furnish said protection, and this act shall not affect any vested rights. And amended further, by adding, at the end of section two (2), the following words: "*And provided*, that this act shall not apply to that portion of the said levee between the west line of State street and the east line of Missouri street in said city of St. Paul."

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

Approved April 21, 1891.