

CHAPTER 40—H. F. No. 729.

An act authorizing cities having a population of not less than ten thousand people, nor more than twenty thousand people, according to the last federal census, to apportion and sub-divide unpaid local assessments for local improvements made within such city, and to provide for the release and discharge of such assessment liens on such sub-divided tracts and parcels of land.

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

Section 1. Certain assessments subdivided and apportioned.

—In all cities of this state having a population of not less than ten thousand people, nor more than twenty thousand people, according to the last Federal census, whether operating under a Home Rule Charter, or under any general or special law, or laws of this state, wherein any assessment, or re-assessment of real estate for local improvements has heretofore been made and confirmed, and which real estate, as thus originally assessed, or re-assessed, in one body was, pursuant to law, duly sub-divided and platted into lots and blocks, or tracts or parcels of a lesser area than that originally assessed, the City Council, City Commission or other governing body of such city is hereby specifically authorized and empowered to sub-divide said assessment, or assessments, and apportion the same to each or any of said lots, blocks, or other smaller tracts and parcels of said assessed real estate. Said power hereby delegated shall be in addition to the existing statutory or charter powers, or both, of said city and its governing body. Said assessment as thus sub-divided and apportioned may include the original assessment for said improvement or improvements, together with all subsequent additional or supplemental assessments of such real estate for said local improvement or improvements.

Sec. 2. Procedure.—Upon presentation and filing with the City Clerk or recorder of any such city of a petition, addressed to the City Council, City Commission, or other governing body of such city, signed by the owner, or owners of said lot, or lots, block, or other smaller tracts or parcels of real estate included within the boundaries of any tract or governmental sub-division so originally assessed, or re-assessed, asking for the sub-division and apportionment of said original assessment, or assessments, and the determination of the amount thereof chargeable against said lot, or lots, or other smaller tracts of land, said City Council, City Commission, or other governing body of said city may sub-divide and apportion said assessment, or assessments, to the tract, or tracts so owned by said petitioning owners, and on payment of the proportionate part of said assessment, as thus ascertained and determined, release said lots, or other smaller portions of said real estate from the lien of said original assessment, or assessments, or from any installment of said original assessment, if said property owner or his

predecessor in interest has elected to avail himself of any charter privilege or law permitting the sub-division of said original assessment into annual, or other installments. The apportionment of said smaller tracts of real estate and the payment in settlement, in whole or in part, of the amount of said assessment, as thus sub-divided and apportioned, shall be without prejudice to the lien of said city upon the balance of the tract or parcel of real estate as thus originally assessed. And said city, by and through its said City Council, City Commission, or other governing body, shall have further power, upon like petition signed and presented by property owners owning at least one-half of the lots, blocks or other parcels of land thus originally assessed, or re-assessed, as one tract, to sub-divide and apportion said original assessment, or assessments against said entire tract or governmental sub-division among each and all of the several lots or parcels of land into which said original tract was later sub-divided and platted, and to determine the proportionate part of said original assessment, or assessments applicable to and chargeable against each of said several lots or parcels of land, and upon payment thereof, to release, or cause to be released from the lien of said original assessment, or assessments, the tract, or tracts upon and against which said assessment, as thus sub-divided, is paid.

Sec. 3. County auditor authorized to subdivide assessments. —In the event that any such assessment, or assessments, or any unpaid installment or installments thereof, has heretofore been certified up to the County Auditor of the county, or counties within which said city is situated, and which assessment shall cover and include said original tract or governmental sub-division of lands as originally assessed, and which assessments are in process of collection and settlement, the County Auditor of said county within which said affected tracts are situate, upon the filing in his office of the certificate signed by the City Clerk of said city, setting forth the amount of said assessment or installment apportioned and sub-divided by said City Council, City Commission, or other governing body, to said smaller tract of real estate, is authorized to sub-divide said assessment, or assessments as previously certified up. Thereupon said County Auditor shall file his certificate with the County Treasurer of said county within which said affected lands are situated, showing the amount of said sub-divided assessment or assessments applicable to the lots or parcels of land so held and owned by said individual petitioning property owners to whom said relief has been afforded by the action of said City Council, City Commission, or other governing body of said city. Upon the filing of said County Auditor's certificate with the County Treasurer of said county, the said County Treasurer of said county is hereby specifically authorized and empowered to accept the amount of said sub-divided and apportioned assessment, and issue his receipt covering the full payment and dis-

charge of such assessment or installment thereof against said lot, block, or other smaller tract of real estate, which receipt shall be in the form of the ordinary Treasurer's Tax Receipt for the payment of general taxes and assessments against city real estate. There shall be included in the collection to be made by said County Treasurer such lawful penalties as may have accrued, upon the basis of the assessment as thus sub-divided and apportioned to such smaller tract or area of said real estate. The County Auditor of said county, in the event that judgment for delinquent real estate taxes, which include said assessments for local improvements, has been entered, may permit redemption of said smaller tracts or parcels of real estate from said tax judgment at any time prior to the sale of said premises at tax sale, upon payment of the amount as thus determined and certified up to him by said City Council, City Commission, or other governing body of the city, together with penalties, interest, and other lawful costs and charges there-against, required for the redemption thereof, and issue his redemption receipt therefor.

Sec: 4. This Act shall take effect and be in force from and after its passage.

Approved February 27, 1923.

CHAPTER 41—S. F. No. 580.

An act to amend Section 11 of Chapter 166, Laws of Minnesota for the year 1905, being; "An act to provide for the appointment of inspectors of mines in counties of the state, to prescribe their powers and duties, and to provide for their compensation and expenses."

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

Section 1. **Reports of mine inspector to be filed.**—That Section 11 of Chapter 166 of the Laws of Minnesota for 1905 be amended so as to read as follows: It shall be the duty of the inspector of mines appointed under this act to make and file no later than *March 1st* of each year with the auditor of the county for which he is appointed and with the state commissioner of labor a full and complete report of all his acts, proceedings and doing hereunder for each year ending *December 31st*, stating therein, among other things, the number of visits and inspections made, the number of mines in operation, the number not in operation, the names of the mines, where located, the owners, lessees or managers, the names of the officers, the quantity of ore shipped, the number of men employed, the average wages for different kinds of work, the number of accidents, fatal or otherwise, the cause of such accidents, and such other information in relation to the subject of mines and mining inspection as he may deem of proper interest and beneficial