

of Minnesota, and now or hereafter having outstanding warrants issued against its road and bridge fund aggregating in principal and accrued interest not more than \$85,000, is hereby authorized and empowered, upon the adoption of a resolution therefor by its county board and without submitting the question of such issue to the electors of such county, to issue its road and bridge funding bonds in an amount not exceeding the aggregate of said outstanding warrants, including the accrued interest thereon, for the purpose of taking up, funding and retiring such outstanding warrants; said bonds to bear interest at a rate not exceeding 5 per cent per annum. Except as otherwise provided herein, such bonds and the procedure for their issuance shall conform with the requirements of Chapter 131, General Laws for 1927, and such bonds shall be sold in the manner prescribed by Section 1943, General Statutes 1923, as amended. No bonds shall be issued pursuant to the provisions of this act unless the county board of such county shall within ninety days after the passage and approval hereof adopt a resolution determining to issue such bonds and determining the validity of the warrants to be funded thereby, which determination shall be conclusive on such county as to such validity.

Approved April 24, 1929.

CHAPTER 343—S. F. No. 1233

An act providing for the annexation of the territory comprising any city of the fourth class or a part thereof which adjoins any city of the first class where the territory in such city of the fourth class is in a county different from that in which said city of the first class is located and making such territory a part of the county in which said city of the first class is located, when such city of the fourth class, or a part thereof, by proceedings duly had, has voted to become annexed to such city of the first class, and to provide that such annexation shall not be made until concurrent annexation shall be made between such city of the first class and of the fourth class, and for the apportionment of taxes pursuant to such annexation.

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

Section 1. Annexation of villages in certain cases.—The governing body of any city of the fourth class now or hereafter organ-

ized, where the territory embraced in said city of the fourth class shall join and be contiguous to a part of the territory of any city of the first class, when such city of the fourth class, or part thereof, by proceedings duly had, has voted to become annexed to said city of the first class, shall, on the petition of one hundred free-holders of said city of the fourth class, or any part thereof, submit the proposition of making all or any such part of the city of the fourth class annexed, or proposed to be annexed, to the city of the first class a part of the county wherein said city of the first class is located, to the voters of such city of the fourth class, or such part thereof, for their approval or rejection at an election to be held for that purpose not more than sixty days after the filing of such petition.

Sec. 2. People to vote on annexation.—Notice of any election to vote on such proposition shall be given by posting three written or printed notices thereof in three public places within said city of the fourth class, or such part thereof, at least ten days prior to such election, which said notice shall state the time and place such election will be held, and shall also state the proposition on which the said electors will vote.

Notice of such election will also be published for at least one week prior to such election in a newspaper published in said city of the fourth class, or, if there be no newspaper published in said city of the fourth class, then in a newspaper published at the county seat of the county in which said city is located.

The ballots shall briefly and concisely state the proposition to be voted upon, together with the words, "For annexation" and "Against annexation" and such election shall be held, conducted and the results thereof counted and canvassed in the same manner as any other special or general election held for other purposes in cities of the fourth class.

Sec. 3. Five-eighths vote required to annex.—If it appears by such canvass that five-eighths of the electors of such city of the fourth class, casting their ballots upon the question at such election, are in favor of the annexation, then and in such case the governing body of such city of the fourth class shall adopt a resolution reciting the result of such election and stating that such city of the fourth class consents to the annexation of the territory embraced in said resolution to the county in which such city of the first class is located, and a certified copy of such resolution shall forthwith be filed with the county auditor of the county, in which said city of the fourth class is located and also with the county auditor of the county in which said city of the first class is located.

The county auditor of the county in which said city of the fourth class is located hereby is required to present the same to the board of county commissioners of the county in which said city of the fourth class is located at its next regular or adjourned regular meeting, and if no such meeting has been set, then at a special meeting to be called by said county auditor at a time not more than 20 days after the filing of such resolution in his office.

Sec. 4. Duties of county board.—If the board of county commissioners of the county in which such city of the fourth class is located finds that the territory described in such resolution is so conditioned as to properly be made a part of the county in which said city of the first class is located; it shall have the power, by resolution duly adopted, to consent to the annexation of such territory and to consent that it be made a part of the county in which said city of the first class is located.

Upon the adoption of such resolution it is hereby made the duty of the county auditor of such county to forthwith file a certified copy thereof with the county auditor of the county in which such city of the first class is located.

Sec. 5. County auditor to file certificates.—Upon the filing of such certified copy of such resolution with such county auditor, such county auditor of the county in which the city of the first class is located is hereby required to present the certified copy of the resolution filed in his office by such city of the fourth class and the certified copy of the resolution so filed in his office from the board of county commissioners of the county in which such city of the fourth class is located at its next regular or adjourned regular meeting.

Sec. 6. Territory to become part of city.—Whenever the certified copy of resolution duly filed by such city of the fourth class with the clerk of such city of the first class, pursuant to Section 1413, General Statutes 1923 and the certified copy of resolution duly filed by the county auditor of the county in which the city of the fourth class is located with the county auditor of the county in which the city of the first class is located would allow the annexation of the same territory to the city of the first class and the county in which such city of the first class is situated and the council of such city of the first class shall have determined by resolution duly adopted and filed with the register of deeds of the county in which such city of the first class is situated to annex such territory, the board of county commissioners of such county in which such city of the first class is located shall have the power, by resolution duly adopted, to annex such territory and make it a part of the county in which said city of

the first class is located; provided that, notwithstanding any existing law to the contrary, such city of the fourth class or any part thereof shall not become a part of such city of the first class until the filing of the certified copy of such resolution by the county auditor of the county from which the territory is to be detached with the county auditor of the county to which such territory is to be attached; and such territory shall not become detached from one county and attached to the other until the due adoption and filing of certified copies of resolutions providing for such city annexation by both the city of the fourth class and the city of the first class, and provided that such annexation shall not release the property annexed from liability on account of any outstanding indebtedness of such city of the fourth class or of the county in which it is situated existing at the time of the annexation and taxes therefor shall be levied on said property annually until paid at the same rate as on other property in the county of which said city of the fourth class was a part, which levy shall be made by the county auditor of the county of said city of the first class on a certificate therefor from the county auditor of the county of which said city of the fourth class was a part and the proceeds of such levy shall be remitted by the county auditor as collected at the times provided by law for tax settlements, and provided further that the property so annexed shall thereafter be additionally subject, in the county to which it is annexed, to the same tax levy as the property in the county to which it is annexed whether for outstanding bonded indebtedness at the time of annexation of the county to which it is annexed or otherwise.

The county auditor of such county in which the city of the first class is located, after the adoption of any such resolution, shall file for record with the register of deeds of such county and in the office of the secretary of the state and in the office of the register of deeds of the county where such city of the fourth class is located, a certified copy of such resolution so adopted.

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Sec. 7. Not to affect collection of taxes.—No transfer of territory under the provisions of this act shall affect the collection of taxes levied at the date of the filing and recording of the resolution provided for in Section 6 of this act, but all such taxes shall be collected by the officers of the original county and all monies then remaining in or afterwards coming into the treasury of such original county, or into the possession of any officer of such county and belonging to such city of the fourth class or any school district or any part thereof in the territory transferred. All special assessments belonging to such city of the fourth class in the territory transferred, shall be apportioned and paid over to the city of which said city of the fourth class has become a part and to such school district in the

same manner as it would have been paid to such city of the fourth class if such city of the fourth class or such school district had remained a part of such original county.

Sec. 8. To become part of school districts.—The territory embraced in the resolutions referred to in Section 6 of this act, shall, after the adoption of the final resolution as provided for in this act and its recording as herein provided, become and be thereafter a part of the school district of said city of the first class.

Approved April 24, 1929.

CHAPTER 344—S. F. No. 1240

An act providing for the creation and establishment of separate election districts within certain townships and the appointment of election officials therein, and repealing Chapter 95 of the Laws of Minnesota for the year 1929.

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

Section 1. Separate election districts established.—In any township within the State of Minnesota in which there is only one election district and one polling place and which township contains not less than 15 full sections nor more than 17 full sections, and not less than five fractional sections nor more than ten (10) fractional sections, according to the Government survey thereof, and in which township there is an unincorporated contiguous platted area in which platted area reside not less than sixty (60) legal voters, the Town Board of such township shall, upon a written petition duly signed by not less than forty legal voters residing in said platted area, set off such platted area into a separate election district and establish a separate polling place therein as hereinafter provided.

Sec. 2. Petition to be filed.—Certificate.—Such petition shall be addressed to said Town Board and filed with the Town Clerk of said Town. It shall designate such platted area proposed to be included in said election district, and shall also designate a suitable location in said area in which a polling place may be established. Within thirty days from the date of the filing of said petition said Town Board shall meet, and by resolution designate such platted