

## CHAPTER 7—S. F. No. 461

*An act to amend Laws of 1933, Chapter 341, Section 14, as amended by Laws of 1935, Chapter 3, relating to sanitary districts embracing two or more contiguous cities of the first class for the collection, treatment and disposal of sewage.*

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

**Section 1. May acquire lands, etc.**—Laws of 1933, Chapter 341, Section 14, as amended by Laws of 1935, Chapter 3, be and is hereby amended to read as follows:

“14. May acquire lands, etc.—The trustees may from time to time acquire in the name of the district by purchase, deed, grant, lease, devise or condemnation every such right, title and easement in land within and/or without its corporate limits as it may deem expedient, *at a cost per acre not to exceed twice the average yearly true and full value of such land as designated upon the tax rolls for a five year period preceding the year 1935 except by condemnation in a court of competent jurisdiction*, including among others the right and easement to construct and maintain underground conduits with or without disturbance of the surface. It may sell and convey land found unnecessary for its purpose, provided, however, that no sale of land be made by said board of trustees without first obtaining an order from the District Court of the district in which such land is situated authorizing said sale, which order shall be filed with the secretary of said district, and the Clerk of said District Court.

Land, or any right, interest, estate or easement therein, may be acquired by the exercise of the right of eminent domain in the manner prescribed by Mason's Minnesota Statutes of 1927 as amended, Sections 1552 to 1556 inclusive, but without any assessment of benefits. All awards not set aside as therein provided shall be a charge upon the district for which its credit shall be pledged. The duties specified to be performed in said sections by the city council, the city clerk and the city engineer, respectively, shall be performed by the trustees, the secretary and the chief engineer of the district. Appeals to the district court shall be taken to the district court of the county in which the land lies. The notices required to be published shall be published in every case in a newspaper of general circulation published in the county or counties wherein the land lies. All reports and papers required by said sections to be filed with the city clerk shall be filed with the secretary of the district. Unless a lesser estate be designated, an absolute estate in fee simple, unqualified in any way whatsoever, shall vest in the district in every case of taking by

the exercise of the power of eminent domain, and such estate shall not be limited or qualified in any way by construction.

Approved February 8, 1935.

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#### CHAPTER 8—H. F. No. 41

*An act validating, ratifying, approving, confirming and declaring valid proceedings heretofore taken for the authorization and issuance of bonds by any village for the purpose of financing in whole or in part the construction of a waterworks plant or waterworks system, authorizing the completion of such proceedings and the issuance of bonds pursuant to such proceedings and declaring such bonds binding, legal, valid and enforceable obligations of such village.*

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

**Section 1. Proceedings and bonds validated.**—All proceedings heretofore taken for the authorization and issuance of bonds by any village of this State for the purpose of financing in whole or in part the construction of a waterworks plant or waterworks system are hereby validated, ratified, approved and confirmed and declared to be valid and of full force and effect, notwithstanding any defects or irregularities in such proceedings, and notwithstanding the fact that the maturities of the bonds proposed to be issued as stated in any proposition submitted to and approved by the voters of such village for the issuance of such bonds did not comply with the requirements as to maturities in the statutes applicable thereto; and the village council of any such village is hereby authorized to complete such proceedings and to issue bonds of any such village in an amount not exceeding the amount authorized at such election, such bonds to mature in accordance with the statutes applicable thereto, and all such bonds when delivered and paid for shall be binding, legal, valid and enforceable obligations of such village.

**Sec. 2. Not to affect pending legislation.**—This act shall not affect any bonds, the validity of which is questioned in any litigation pending when this act shall take effect.

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

✓ Approved February 8, 1935.