

CHAPTER 152—H. F. No. 757

An act to provide for rehearings in the matter of setting off certain lands from villages and organizing the same as separate towns and providing for a division of taxes in such cases.

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

Section 1. Rehearing in detachment proceedings.—Whenever, pursuant to proceedings had under Chapter 90 Laws of 1935 and Section 789 Mason's Minnesota Statutes of 1927, the county board of any county shall have undertaken within one year prior to the passage of this Act to detach territory from a village and attach the same to an adjoining town and thereafter to set the same up as a separate town, a majority of the owners of land in such town so attempted to be established may petition the county board to reconsider the entire proceedings leading up to the order establishing the town, and if the establishment of the town be approved as hereinafter provided to determine and fix the boundaries thereof to be as set forth in the petition and to apportion as between the village from which such land was detached and the new town any taxes levied and assessed against such land prior to and collected subsequent to the date of the first order of the board establishing such town. Upon the filing of such petition in the office of the county auditor of said county, the county board thereof at their next meeting thereafter shall fix a time and place for the hearing of such petition, which time shall not be less than 30 days thereafter and shall direct the notice of such hearing to be issued and signed by the county auditor of said county on behalf of such board, which said notice shall state the names of such petitioners, describe the boundaries of the territory to be included in the new town, and state the time and place of such hearing, which notice the county auditor shall cause to be served upon the president of the council of such village or the recorder thereof, and the clerk of such town, at least 20 days before the day of hearing, and by posting three copies of such notice in three of the most public places of said village and town. Upon the hearing of said petition at the time and place so fixed, the county board shall review all prior proceedings theretofore had in the premises, and if it finds that it is for the best interests of the territory affected that the establishment of the new town be confirmed, it shall so order and fix the boundaries thereof, or it may vacate the entire proceedings and order the territory to be reattached to the village.

If the organization of the town be confirmed, the county board shall have power to apportion as between the village and the town all taxes levied and assessed prior to and collected subsequent to the effective date of the original order establishing the town.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 5, 1937.