

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 8075, be amended to read as follows:

"8075. **Nominal conditions disregarded.**—(a) *Whenever any conditions annexed to a grant, devise or conveyance of land are, or shall become, merely nominal, and of no actual and substantial benefit to the party or parties to whom or in whose favor they are to be performed, they may be wholly disregarded; and a failure to perform the same shall in no case operate as a basis of forfeiture of the lands subject thereto.*

"(b) *All covenants, conditions, or restrictions hereafter created by any other means, by which the title or use of real property is affected, shall cease to be valid and operative thirty years after the date of the deed, or other instrument, or the date of the probate of the will, creating them; and after such period of time they may be wholly disregarded.*

"(c) *Hereafter any right to re-enter or to repossess land on account of breach made in a condition subsequent shall be barred unless such right is asserted by entry or action within six years after the happening of the breach upon which such right is predicated.*"

Section 2. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 8065, be amended to read as follows:

"8065. **Qualities of expectant estates.**—Expectant estates are descendible, devisable and alienable in the same manner as estates in possession; and hereafter contingent rights of re-entry for breach of conditions subsequent, and rights to possession for breach of conditions subsequent after breach but before entry made, and possibilities of reverter, shall be descendible, devisable and alienable in the same manner as estates in possession."

Section 3. **Application of act.**—The provisions of this act shall not apply to so called ground leases providing for the construction by the lessee of buildings or other structures upon the lands of the lessor.

Approved April 26, 1937.

CHAPTER 488—S. F. No. 644

An act to authorize the extension of the terms of certain state mining contracts and leases for the removal of iron ore from state trust fund lands, heretofore entered into under authority of Laws 1889, Chapter 22, and amendments thereof.

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

Section 1. State mining leases extended.—The Commissioner of Conservation, by and with the approval of the Conservation Commission and the Executive Council, may grant extensions of the terms of state mining contracts and leases in force on the date of the passage and approval of this act for the removal of iron ore from state-owned trust fund lands, heretofore entered into under the authority of Laws 1889, Chapter 22, and acts amendatory thereof, which extensions shall include, among other covenants, the following conditions and provisions, and may include such additional terms and conditions as shall be agreed upon:

- (a) Any such extension shall be for a term not to exceed 25 years beyond the 1st day of January, 1940.
- (b) The royalty to be paid the state on iron ore mined and removed from the property during the term of such extension shall be not less than 50 cents per gross ton.
- (c) Ores not merchantable when mined may under suitable regulations be treated or beneficiated and the royalty be computed on the weight of the concentrates.
- (d) Stockpiles of non-merchantable ore heretofore removed from the demised premises, whether stocked thereon or upon other lands leased for that purpose, may be included in such lease extension and subject to the terms and conditions of such extended lease.
- (e) The annual minimum payments to be made when no ore is mined or shipped from the property shall be not less than \$3,000.00, payable quarterly; such minimum payments shall be construed as ground rental and not advance royalty.

Section 2. Applications.—All applications for the extension of the terms of such state mining contracts or leases must be made to the Commissioner of Conservation within eighteen months after the date of the passage and approval of this act. Such applications shall be in the form and contain such information as the Commissioner of Conservation may prescribe and require.

Approved April 26, 1937.

CHAPTER 489—H. F. No. 1383

An act appropriating money for the purpose of enabling the state agency to carry out certain provisions of Extra Session Laws 1935, Chapter 95, relating to a state wide system of old age assistance;