

## CHAPTER 52—H. F. No. 24

*An act providing for the vacating of certain town roads in every county in the state having a population according to the Federal census in 1930 of not more than 26,000 nor less than 21,000, having an assessed valuation for 1935, exclusive of moneys and credits, of not more than \$15,000,000 nor less than \$12,000,000, and having not more than 32 nor less than 30 full and fractional congressional townships.*

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

Section 1. **Town roads to be vacated in certain cases.**—Whenever any road established by any town in any county having a population according to the Federal census in 1930 of not more than 26,000 nor less than 21,000, having an assessed valuation for 1935, exclusive of moneys and credits, of not more than \$15,000,000 nor less than \$12,000,000, and having not more than 32 nor less than 30 full and fractional congressional townships, has not been used for travel purposes for a period of at least 20 years, such road may be vacated by the filing for record with the register of deeds in said county, by any person or persons owning property abutting on said road, a verified statement setting forth the location of the road, the legal description of all real estate abutting on said road, that the road has not been used for travel purposes for a period of at least 20 years, and that said statement is being filed for record for the purpose of vacating the road. Upon the filing for record of such statement the road shall be deemed vacated.

Section 2. This act shall be in full force and effect from and after its passage.

Approved July 15, 1937.

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CHAPTER 53—H. F. No. 35

*An act providing for the reduction, settlement and payment of special assessments for local improvements in cities of the first class when such special assessments are delinquent for the year 1934 and prior years, and aggregate a total sum of not more than \$1,500,000.*

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

Section 1. **Settlement of delinquent special assessments in certain cities.**—That the governing body of any city of the first class that has special assessments for local improvements which are delinquent for the year 1934 and prior years and aggregate a total

sum of not more than \$1,500,000, is hereby authorized and empowered to direct the city treasurer of such city to accept a reduction, settlement and payment of such delinquent special assessments upon the terms provided for in this act.

**Section 2. Discount on assessments.**—That immediately after this act takes effect, said governing body may adopt a resolution authorizing and directing the city treasurer of such city to accept payment in full of such delinquent assessments upon the following basis:

- (a) 60% of the amount of each of such assessments for the year 1930, and prior years.
- (b) 80% of the amount of each of such assessments for the years 1931 to 1934, inclusive.

**Section 3. Date of payment.**—That payment of any delinquent special assessment as provided for in this act shall be made on or before December 31, 1937, without penalty or interest, but that thereafter and beginning with December 31, 1937, there shall be added to any such payment, interest at the rate of 20% per annum from December 31, 1937, to the date of payment; provided that no payment of any delinquent special assessment shall be accepted by such city treasurer on and after December 31, 1938, and provided further that payment of any delinquent special assessment shall be accompanied with payment of all current special assessments due and payable to such city.

**Section 4. Computation of assessments.**—That in computing the amount of an assessment reduced, settled and paid under the terms of this act, such amount shall be determined as of the date when the assessment was certified to and received by the county auditor of the county wherein such city of the first class is located; and there shall be excluded from the computation of any such assessment all penalties and interest that may accrue against any such assessment after the date of its certification to and reception by said county auditor, except as provided in Section 3 of this act.

**Section 5. Treasurer to make receipt.**—That whenever any person shall make payment to said city treasurer of any delinquent special assessment, in accordance with the terms of this act, such treasurer shall accept such payment and issue his receipt or certificate to the person making such payment, and shall certify that such assessment has been reduced, settled and paid of record in the office of said treasurer; and in addition thereto, such treasurer shall forthwith certify to the county auditor of the county wherein such city is located the fact of such payment, together with a description of the real estate against which such assessment was levied. Immediately upon receipt of such certification, the county auditor shall make all

necessary and proper entries upon his official records, evidencing the payment of such assessment, in accordance with the certification made by said city treasurer, and under the terms of this act.

**Section 6. Provisions severable.**—That the terms and provisions of this act are hereby declared to be separable, and that if any part or provision of this act shall be declared unconstitutional by any court of competent jurisdiction, such judicial declaration shall not affect or invalidate any other part or provision of this act.

**Section 7. Additional powers granted.**—That the powers granted in and by this act are in addition to all existing powers of any such city, and may be exercised by such city, anything in any charter thereof to the contrary notwithstanding.

**Section 8. Apportionment of payments.**—That payments of delinquent special assessments when and as made under this act, shall be for the benefit of the several funds of any such city in the following proportion:

(a) Payments on assessments covering water mains, gas mains or similar improvements made in connection with any utility operated or owned by any such city shall be immediately credited and paid over to the public utility fund in the whole amount received in settlement and payment of assessments described in subdivision (a) of this section.

(b) Except as provided in sub-division (a) of this section, all other payments of delinquent special assessments, as provided in this act, shall be immediately credited and paid over to the sinking fund, or other fund of any such city heretofore or hereafter established by such city for the purchase, or payment when due, of any bonds or any other funded debt of such city.

Approved July 15, 1937.

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#### CHAPTER 54—H. F. No. 63

*An act to amend Laws 1925, Chapter 91, as amended by Laws 1929, Chapter 20, and Laws 1929, Chapter 161, as amended by Laws 1933, Chapter 432, as amended by Laws 1937, Chapter 230, relating to salaries and expenses of certain county officials in certain counties.*

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