

## CHAPTER 271—S. F. No. 722

*An act relating to detaching territory from certain villages.*

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

**Section 1. Detaching territory from certain villages.**—Whenever in any village in this state, consisting of more than 15 full or fractional sections of land, and having a population of less than 2,000 persons, there is included within the corporate limits of such village, swamp lands, or lands used exclusively for agricultural purposes, or other purposes not peculiarly requiring village government; a majority of the owners of such lands may jointly petition the board of county commissioners of the county in which said lands are situated for an order detaching such lands from said village. Upon the filing of the petition in the office of the county auditor of said county, the board of county commissioners thereof shall proceed to fix a time and place for hearing of such petition and give notice thereof in the same manner as provided by Mason's Supplement 1940, Section 1120½. Upon the hearing of said petition at the time and place so fixed, or at any time to which said hearing may be adjourned, if the board of county commissioners shall find that the petitioners constitute a majority of the owners of such lands, that said lands are principally swamp lands, or lands used exclusively for agricultural purposes or other purposes not peculiarly requiring village government, such board of county commissioners shall make an order detaching said lands from said village; provided, that any of the lands described in said petition may be omitted from such order if the detachment thereof from said village would unreasonably affect the symmetry of the settled portion of said village, or would decrease the area of said village so as to unreasonably impair said village in the exercise of its governmental functions. Upon the making of such order the area so detached shall become a part of the unorganized territory of said county.

Any person or party aggrieved may appeal from such order to the district court of the county in the same manner and upon the same grounds as provided by law for appeals from orders of the board of county commissioners affecting the detachment of territory from villages.

Approved April 16, 1941.