

CHAPTER 529—H. F. No. 1440.

An act limiting the time within which action may be brought affecting the possession or title of real estate.

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

Section 1. Limitation of actions affecting title to real estate.—No action affecting the possession or title of any real estate which, for more than 30 years, has been or shall have been platted by plat on record in the office of the Register of Deeds of the county in which such real estate is situate, shall be commenced by any person, corporation, state, or any political division thereof, after January 1, 1944, which is founded upon any unrecorded instrument executed more than 50 years prior to the commencement of such action, or upon any instrument recorded more than 50 years prior to the date of commencement of the action, or upon any transaction more than 50 years old, unless within 50 years after the execution of such unrecorded instrument or within 50 years after the date of recording of such recorded instrument, or within 50 years after the date of such transaction there is filed in the office of the register of deeds of the county in which the real estate is located, a notice setting forth the name of the claimant, a description of the real estate affected and of the instrument or transaction on which such claim is founded, with its date and the volume and page of its recording, if it be recorded, and a statement of the claims made. This notice shall be filed and may be discharged the same as a notice of pendency of action. Such notice filed after the expiration of 50 years shall be likewise effective, except as to the rights of a purchaser for value of the real estate or any interest therein which may have arisen prior to such filing.

Sec. 2. Actions to be commenced within one year.—All actions founded upon the written instrument or transaction referred to in the notice shall be commenced within one year from the filing of said notice, and unless such action is so commenced all rights under said notice shall terminate.

Sec. 3. Application of act.—This act does not extend the right to commence any action beyond the date at which such right would be extinguished by any other statute.

Sec. 4. Construction of act.—This act shall be construed to effect the legislative purpose of allowing bona fide purchasers of real estate, or of any interest therein, dealing with the person, if any, in possession, to rely on the record title covering a period of not more than 50 years prior to the date of purchase and to bar

all claims to an interest in real property, remainders, reversions, mortgage liens, old tax deeds, rights as heirs or under wills, or any claim of any nature whatsoever, however denominated, and whether such claims are asserted by a person sui juris or under disability, whether such person is within or without the state, and whether such person is natural or corporate, or private or governmental, unless within such 50-year period there has been recorded some record evidence of the existence of such claim or unless a notice of renewal pursuant hereto has been filed. This section does not apply to any action commenced by any person who is in possession of the real estate involved as owner of the estate claimed in said action at the time the action is commenced. This section shall not affect any action or proceeding which is now or on January 1, 1944 shall be pending, for the determination of validity of the title to real estate.

Approved April 20, 1943.

CHAPTER 530—H. F. No. 1447.

(AMENDING SECTION 163.10 MINNESOTA STATUTES 1941.)

An act relating to roads, ferries, and bridges; amending Mason's Minnesota Statutes of 1927, Section 2578.

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

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 2578, is amended to read as follows:

“2578. **Roads, Ferries, Bridges—Improvement by certain municipalities—within or without boundaries—Manufacture of crushed rock.**—The council of any village, borough or of any city of the fourth class or the town board of any town, or the county board of any county, may appropriate and expend such reasonable sums as it may deem proper to assist in the improvement and maintenance of roads lying beyond its boundaries and leading into it, and of ferries and bridges thereon whether they are within or without the county in which it is situated. Such municipalities may also engage in the manufacture of crushed rock for use on public highways and said crushed rock may be conveyed, by gift or sale, to other municipalities for such use.”

Approved April 20, 1943.