

manner as a summons is served in a civil action, at least 10 days before the date of hearing, and all persons interested shall be heard. If the county board decides it is for the best interest for the county to either purchase or exchange land then it shall authorize the county auditor, and the other necessary county officials, to draw warrants and execute the other necessary papers to carry out the purpose of the act, by resolution, pursuant to Section 1 hereof. The owner may appeal to the District Court from the decision of the action of the county board in the same manner as appeals from the disallowance of claims by the county board are taken.

Sec. 3. Annual appropriation. County boards, coming within this act, may levy, appropriate, and expend an amount not to exceed the sum of \$25,000 annually to carry out the provisions of this act.

Sec. 4. Board may accept gifts. County Boards coming within the provisions of this act may accept gifts of money, lands, or other things from the State, its agencies, municipalities, and persons, for the purposes herein, and any moneys received shall be credited to the fund set up in Section 5, hereof.

Sec. 5. Exchange land fund. County auditors coming within the provisions of this law, shall place in a special fund to be known as the "Exchange Land Fund", all moneys levied, and all other moneys and credits received pursuant to this law. Any moneys remaining in said fund, at the end of the county's fiscal year, may be carried over to the next year and used for said purpose, in addition to any amount not exceeding \$25,000 levied by the county board for the ensuing fiscal year. All warrants issued pursuant to a resolution of the county board to carry out the provisions of this act, shall be drawn by the county auditor on this fund.

Approved April 5, 1945.

CHAPTER 224—H. F. No. 426

An act relating to the vacating of all or portions of streets by cities of the third class.

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

Section 1. Applies to cities of the third class. This act shall apply to every city of the third class however organized

and whether or not operating under a home rule charter adopted pursuant to the Constitution of Minnesota, Article IV, Section 36.

Sec. 2. City council may vacate; conditions. In addition to any other method provided by law, the city council of such city, upon the presentation and filing of a verified petition signed by or on behalf of any owner, natural or corporate, of any real estate abutting thereon, may vacate any street or segment of street or any portion of the width thereof within its geographical limits, provided only that the street, segment or portion thereof so vacated pursuant to such petition shall not be longer than the distance intervening between any two adjacent intersecting streets.

Sec. 3. Certified copy of resolution to be filed. Such action of such city council may be taken at any regular or special meeting duly called for such purpose and shall be by resolution, and a copy of the resolution duly certified by the city clerk shall be recorded in the office of the register of deeds in the county where such city is located before the action shall be effective.

Sec. 4. Not to interfere with special improvements. The vacation of any street or segment thereof under this act shall not destroy or interfere with the right of any person, corporation or municipality owning or having control of any electric light or telephone pole or lines existing upon such street at the time of the vacation thereof or with any sewer or water pipes, mains or hydrants thereon or thereunder to enter upon such street or portion thereof vacated for the purpose of repairing the same or otherwise attending thereto.

Approved April 5, 1945.

CHAPTER 225—H. F. No. 620

An act relating to disbursements by municipalities of the proceeds of the 2 per cent tax paid by insurance companies upon premiums from certain classes of insurance; amending Minnesota Statutes 1941, Section 69.04, as amended by Laws 1943, Chapter 323, Section 2.

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

Section 1. Minnesota Statutes 1941, Section 69.04, as amended by Laws 1943, Chapter 323, Section 2, is amended to read as follows: