

of the mortgagee elects to proceed, if at all, to foreclose such mortgage by a cross-complaint in such action, and in which the mortgagee or the assignee of the mortgagee has elected to proceed and has proceeded by serving and filing upon the representative in such estate, a cross-complaint in such action, is hereby legalized and made valid and effective to all intents and purposes as against any claim or objection that the mortgagee or the assignee of the mortgagee has not served said cross-complaint upon any minor, or the representative or guardian, or guardian ad litem of any minor interested in such estate as heir, devisee, or otherwise, on behalf of which the representative of the estate has so appeared and petitioned.

Sec. 8. Limitation. The provisions of this act shall not affect any action or proceeding now pending or which shall be commenced within six months after the passage thereof, in any of the courts of the state involving the validity of such foreclosure.

Approved April 15, 1947.

CHAPTER 346—S. F. No. 594

An act relating to forfeited tax sale fund, and amending Minnesota Statutes 1945, Section 282.09.

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

Section 1. Minnesota Statutes 1945, Section 282.09, is amended to read as follows:

282.09. Forfeited tax sale fund. The county auditor and county treasurer shall place all moneys received through the operation of sections 282.01 to 282.13 in a fund to be known as the forfeited tax sale fund and all disbursements and costs shall be charged against that fund, when allowed by the county board. *Compensation of members of the county board shall be at the rate of \$5.00 per day and mileage as now or hereafter fixed by law with the aggregate compensation of any member of a county board for services rendered hereunder not to exceed the sum of \$300 in any one year. Compensation of a land commissioner and his assistants, if a land commissioner is appointed, shall be in such amount as shall be determined by the county board. The county auditor shall receive fifty cents for each certificate of sale, each contract*

for deed and each lease executed by him, and in counties where no land commissioner is appointed such additional annual compensation, not exceeding \$300, as shall be fixed by the county board. Compensation of any other clerical help that may be needed by the county auditor or land commissioner shall be in such amount as shall be determined by the county board. All compensation provided for herein shall be in addition to other compensation allowed by law. Out of the gross proceeds in this fund there shall be paid to the state, in addition to any distribution of net proceeds therefrom, a fee of \$2.00 for each and every state deed hereafter issued or re-issued by the commissioner of taxation pursuant to the sale of any tax forfeited lands. Fees so charged shall be included in the annual settlement by the county auditor as hereinafter provided. On or before February one in each year, the commissioner of taxation shall certify to the state treasurer, by counties, the total number of state deeds issued and re-issued during the preceding calendar year for which such fees are charged and the total amount thereof. When disbursements are made from the fund for repairs, refundments, expenses of actions to quiet title, or any other purpose which particularly affects specific parcels of forfeited lands, the amount of such disbursements shall be charged to the account of the taxing districts interested in such parcels. The county auditor shall make an annual settlement of the net proceeds received from sales and rentals by the operation of sections 282.01 to 282.13, at the regular March settlement, for the preceding calendar year.

In all counties within whose territorial boundaries there is situated a city of the first class, from said "Forfeited Tax Sale Fund," the authorities duly charged with the execution of the duties imposed by sections 282.01 to 282.13, at their discretion, may expend moneys to reimburse any such city within said county for the expense incurred by said city in repairing any sewer or water main either inside or outside of any curb line situated along any property forfeited to the state for non-payment of taxes, and for the cutting down of weeds on all tax-forefeited lands. In any year, the moneys to be expended for the cutting down of weeds, shall not exceed in amount more than five per cent of the net proceeds of said "Forfeited Tax Sale Fund" during the preceding calendar year, or \$5,000, whichever is the lesser sum.

Approved April 15, 1947.