

Subd. 2. Such appeals shall be taken by serving upon the county auditor within 30 days from the date of making of the order a notice of appeal specifying the grounds thereof. Such further proceedings shall be had upon such appeal as upon appeals from the county board.

Sec. 7. **After annexation.** After such annexation, the governing body of the said adjoining school district shall have control of all of the school property within that part of said unorganized school district described in said petition, and the said county board of education for unorganized territory shall by appropriate action transfer and convey to the school board all of the school property used for or in connection with school purposes in the territory in said portion of such unorganized school district so annexed.

Approved April 22, 1949.

CHAPTER 592—S. F. No. 1391
[Not Coded]

An act to authorize certain cities of the fourth class to issue permanent improvement revolving fund bonds notwithstanding any limitation in the home rule charter of such city.

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

Section 1. **Permanent Improvement Revolving Fund bonds authorized; certain cities of the fourth class.** Any city of the fourth class organized under a home rule charter adopted pursuant to Article IV, Section 36, of the Constitution of the State of Minnesota, which charter provides for a permanent improvement revolving fund as one of the funds in the city treasury shall be authorized to issue bonds in the amount of not to exceed \$200,000.00 to create and maintain such fund notwithstanding any charter provision limiting the amount of bonds or certificates of indebtedness which such city may issue to a fraction of the total cost of any improvement. Except as qualified herein, all of the provisions of such charter and of Minnesota Statutes 1945, Chapter 475, and any amendments thereof shall apply to the issuance of such bonds.

Sec. 2. **Remedial.** It is expressly found and determined that this act is remedial in nature, being necessary to protect

the financial credit of such cities and to enable such cities to finance necessary local improvements and this act shall take effect and be in full force from and after its passage and approval.

Approved April 22, 1949.

CHAPTER 593—S. F. No. 1400

An act relating to state mineral permits and leases, authorizing condemnation proceedings, amending Minnesota Statutes 1945, Section 93.05, by adding a new subdivision thereto.

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

Section 1. Minnesota Statutes 1945, Section 93.05, is amended by adding thereto a new subdivision as follows:

93.05. Holder of permit or lease. Subdivision 1. Right of entry. In all cases where state lands have been heretofore or may hereafter be sold pursuant to the provisions of law upon which minerals have been reserved, the holder of any mineral permit or lease subsequently issued thereon may nevertheless enter upon the same and prospect thereon thereunder.

Subd. 2. Security for damages; condemnation. Before entering upon the same he shall pay or secure to the owner of the lands all damages which may arise therefrom and the same may be determined either by mutual agreement or, if the interested parties cannot agree, then the holder of the mineral permit or lease may, in the name of the State of Minnesota, institute proceedings to condemn the same in accordance with the general provisions of Chapter 117; provided, that the state shall bear no part of the cost of these proceedings, nor pay any part of the damages awarded therein.

Subd. 3. Attorney general to institute condemnation proceedings. Upon written request of the holder of any mineral prospecting permit or mineral lease from the state, not in default, with the approval of the commissioner of conservation, the attorney general shall institute, in the name of the state, proceedings to acquire by condemnation any lands, rights-of-