

272.48 **Taxes due United States, liens.** The filing and recording in the office of the register of deeds, *or together with a written statement containing a description of each parcel of land upon which the lien is claimed and a proper reference to the certificate or certificates of title to such land, in the office of the registrar of titles*, of any county in this state of notices of liens for taxes due the United States and discharges and releases of such liens is hereby authorized.

Approved April 21, 1953.

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CHAPTER 489—H. F. No. 568

*An act fixing the number of deputies of the clerk of district court in counties having more than 300,000 and less than 450,000 inhabitants; amending Minnesota Statutes 1949, Section 485.015.*

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

Section 1. Minnesota Statutes 1949, Section 485.015, is amended to read:

485.015 **Ramsey county deputies.** *The clerk of the district court of each county having more than 300,000 and less than 450,000 inhabitants may appoint and employ one chief deputy and eighteen deputies. The appointment and employment of deputies other than the chief deputy shall be pursuant to the laws establishing civil service in such county.*

Approved April 21, 1953.

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CHAPTER 490—H. F. No. 641

[Not Coded]

*An act relating to public waters, to certain dams existing for at least 15 years and the water levels of lakes affected thereby, to the determination and acquisition of flowage easements therefor, to the powers and duties of the commissioner of conservation, counties, and other public agencies concerned therewith, and to legal actions and proceedings pertaining thereto; amending Laws 1951, Chapter 667, Sections 4 and 7, and adding a new section thereto, and appropriating moneys for the purposes thereof.*

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

Section 1. Laws 1951, Chapter 667, Section 4, is amended to read:

Sec. 4. **Determination of easement rights.** Subdivision 1. The extent and effect of any easement obtained by the state as herein provided and the title and rights of the state therein and in the lands affected thereby and all adverse claims thereto and the rights of all parties interested therein, respectively, may be determined by action brought in the name of the state in the district court of the county in which the lands affected are situated. Such action may be brought by the attorney general upon his own initiative or on request of the commissioner of conservation. On request of the attorney general the county attorney of the county in which the lands involved are situated shall assist in carrying on such action.

Subd. 2. Any or all of the lands affected bordering on any one lake and any connecting waters affected and situated in any one county may be included in one action, and any or all parties interested in such lands or any part thereof may be joined as defendants in such action.

Subd. 3. Except as herein otherwise provided, all provisions of law relating to actions for the determination of title to real estate in the district court shall govern actions hereunder, so far as applicable.

Subd. 4. Expenses of such actions may be paid from any state funds appropriated for *the maintenance, operation and control of the dam involved* or may be paid by any county in which the lake involved or any part thereof is situated.

Sec. 2. Laws 1951, Chapter 667, Section 7, is amended to read:

Sec. 7. **Abandonment.** In case any dam affected by the conditions specified in Section 1 and not owned or controlled by the state or any other public agency shall not have been used or maintained by or under the authority of the owner thereof for any lawful purpose for a continuous period of at least 15 years, it shall be presumed that the owner has abandoned the dam and the site thereof, and has dedicated the same, together with any flowage easements appurtenant thereto, to the state for the use and benefit of the public. Thereupon the commissioner of conservation *shall* take possession of such dam and the site thereof and such easements in behalf of the state, and *shall* use, maintain, operate *and* control the same for public purposes, *or may dispose of the same for such purposes*, subject to the provisions hereof or as otherwise authorized by law, *unless the commissioner of conservation, after a hearing held upon 30 days notice published in a legal newspaper in the*

*county in which the dam is situated, shall determine that it is not in the public interest for the state to use, maintain, operate and control the dam. If the commissioner of conservation shall determine under authority of other provisions of law to construct other or additional control works to supplement or supplant such dam, he shall have the authority so to do. The title of the state to any such dam, site, or easements may be established and determined by action in the district court as provided by law for actions for the determination of title to real estate. The taking of possession of any such dam, site, or easements by the commissioner of conservation shall be manifested by written certificate thereof executed by him and recorded in the office of the register of deeds of the county in which the dam is situated. No responsibility for any such dam shall devolve upon the state or the commissioner or any other agency of the state until such certificate shall have been recorded or a judgment entered in an appropriate action establishing the state's title thereto. In case any county or counties or other political subdivision of the state or combination thereof shall undertake to take over such dam and easements and maintain, operate, control, or dispose of the same for public purposes as authorized by law, the commissioner of conservation, in his discretion, may convey the same in the name of the state to such county or counties or other political subdivision or combination thereof for such purposes.*

Sec. 3. Laws 1951, Chapter 667, is amended by adding thereto the following new section:

[Sec. 11.] *No action or proceeding which affects or seeks to affect adversely a perpetual flowage easement dedicated to the state for the use and benefit of the public as provided by Laws 1951, Chapter 667, Section 2 over any land or the maintaining or the right to maintain an ordinary high water level above the natural ordinary high water level of any waters for which the state holds such perpetual flowage easement shall be maintained unless such action or proceeding is commenced within one year from the date of the order of the commissioner of conservation determining ordinary high water level of such waters pursuant to Laws 1951, Chapter 667, Section 6, or the effective date of this act, whichever may be later.*

Sec. 4. There is appropriated to the commissioner of conservation out of the fund in the state treasury known as "Game and Fish" on the books of the state auditor the sum of \$60,000, or so much thereof as may be necessary, for the maintenance, operation and control of any dam which the commissioner has taken or may take possession of under authority of Laws 1951, Chapter 667, Section 7, or the construction of any

new control works under authority of this act or any other provision of law, upon any public waters controlled by such dam.

Approved April 21, 1953.

*Virginia*

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CHAPTER 491—H. F. No. 644

[Not Coded]

*An act authorizing certain cities of the third class to incur indebtedness and to issue bonds for the purpose of enlarging or constructing additions to and equipping community hospitals and the levying of taxes therefor.*

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

**Section 1. Cities third class, 12,000-15,000; community hospital, bonds.** Any city of the third class having a population of not less than 12,000 and not more than 15,000, and an assessed valuation of not less than \$15,000,000 and not more than \$23,000,000, and of which valuation more than 50 percent consists of iron ore, may incur indebtedness and issue and sell the bonds of such city, in an amount not to exceed \$1,500,000, for the purpose of enlarging or constructing additions to, and the equipping of a community hospital.

**Sec. 2. Bonds, manner of sale.** Such bonds shall be issued and sold pursuant to the provisions of Minnesota Statutes, Chapter 475; except that the bonds authorized herein may be issued by resolution of the council without first obtaining the approval or a vote of the electors.

**Sec. 3. Tax levy to pay bonds.** The governing body may levy taxes for the payment of such bonds without limitation as to rate or amount and in excess of existing limitations; and the moneys collected on such tax levies, shall be used only for the payment of the bonds authorized herein.

Approved April 21, 1953.

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CHAPTER 492—H. F. No. 720

[Coded]

*An act relating to the executive council; repealing Minnesota Statutes 1949, Sections 9.01 to 9.15, and Section 9.28, as amended.*