

right of survivorship in real property, either by one spouse alone or by both spouses, and additions to the value thereof in the form of improvements, reductions in the indebtedness thereon, or otherwise, shall not be deemed transfers of property for purposes of this chapter, regardless of the proportion of the consideration furnished by each spouse, unless the donor elects to have such creation of a joint tenancy treated as a transfer, as provided in paragraph (3).

(2) *In the case of the termination of a Joint Tenancy, other than by reason of the death of a spouse, the creation of which, or additions to which, were not deemed to be transfers by reason of paragraph (1), a spouse shall be deemed to have made a gift to the extent that the proportion of the total consideration furnished by such spouse multiplied by the proceeds of such termination (whether in form of cash, property, or interests in property) exceeds the value of such proceeds of termination received by such spouse.*

(3) *The election provided by paragraph (1) shall be exercised by including such creation of a Joint Tenancy or additions made to the value thereof as a transfer by gift, to the extent such transfer constitutes a gift, determined without regard to this section, in the gift tax return of the donor for the calendar year in which such joint tenancy was created or additions made to the value thereof, filed within the time prescribed by law irrespective of whether or not the gift exceeds the exclusion provided by section 292.04 (6).*

Approved April 3, 1957.

CHAPTER 299—H. F. No. 164

An act relating to the powers of county boards as to county roads; amending Minnesota Statutes 1953, Section 162.01, Subdivisions 1 and 4.

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

Section 1. Minnesota Statutes 1953, Section 162.01, Subdivision 1, is amended to read:

162.01 County board, powers. Subdivision 1. **Supervision.** County boards shall have general supervision of county roads, including those within their respective counties established by judicial authority, with power to appropriate and expend such sums of money from the county road and bridge fund as they may deem advisable for opening, vacating, resurveying, or improving the same in towns and villages of

such county or for the building or repairing of bridges upon any public road in any town, village, borough, or city of the fourth class in the county, or for purchasing necessary road material, machinery, tools, and supplies; provided, that before any such sum shall be appropriated and expended by such county board on any road or bridge within the limits of any village, borough, or city of the fourth class in such county, such expenditures upon such road or bridge shall be first authorized by the council of such village, borough, or city of the fourth class. County boards shall have the power to appropriate and expend such sums of money from the county road and bridge fund as they may deem advisable for improving, constructing and maintaining any *county road or county-state aid highway* within the corporate limits of any city, village or borough in the county.

Sec. 2. Minnesota Statutes 1953, Section 162.01, Subdivision 4, is amended to read:

Subd. 4. **County road and bridge fund.** The county board shall provide and set apart a fund for the construction and maintenance of roads and bridges in such county, to be known as the county road and bridge fund, upon which shall be drawn all warrants for the construction and maintenance of *county-state aid highways* and county roads and bridges in such county, as determined by such board or as required by the provisions of this chapter.

Sec. 3. This act takes effect on July 1, 1957.

Approved April 3, 1957.

CHAPTER 300—H. F. No. 193

An act repealing Minnesota Statutes 1953, Section 164.03, relating to the definition of the term "state aid highway".

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

Section 1. **Repealer.** Minnesota Statutes 1953, Section 164.03, is hereby repealed.

Sec. 2. This act takes effect July 1, 1957.

Approved April 3, 1957.
