

which is a party to any instrument affecting the title to real estate, duly sworn to before any officer or person authorized to administer an oath under the laws of this state, shall be recordable in the office of the register of deeds where such instrument is recorded.

Any such affidavit so recorded, or a certified copy thereof, is admissible as evidence in any action involving the instrument to which it relates or the title to the real estate affected by such instrument and is prima facie evidence of the facts stated therein.

Approved May 25, 1965.

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CHAPTER 774—H. F. No. 1476

*An act relating to watershed districts; amending Minnesota Statutes 1961, Section 112.501, Subdivision 1, as amended; and Subdivision 2, as amended.*

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

Section 1. Minnesota Statutes 1961, Section 112.501, Subdivision 1, as amended by Laws 1963, Chapter 834, Section 9, is amended to read:

**112.501 Watershed districts; benefited property, determination.** Subdivision 1. ~~The appraisers shall classify the lands found to be benefited.~~ Where the proposed improvement, includes or prays for the construction or improvement of any ditch, stream, river, or watercourse, or any structures for the control or alleviation of damages from flood waters, the appraisers shall be governed by Minnesota Statutes, Section 106.151.

Sec. 2. Minnesota Statutes 1961, Section 112.501, Subdivision 2, as amended by Laws 1963, Chapter 834, Section 10, is amended to read:

Subd. 2. In all proceedings under this act assessments for benefits against lands ~~or corporations~~ shall be made upon benefits to such lands ~~or corporations~~ by reason of the project or improvement affecting the same. Benefited properties shall include:

(1) All lands ~~or corporations~~, including lands owned by the state of Minnesota or any subdivision thereof receiving direct benefits such as drainage, commercial navigation, disposal of sewage or waste material, protection from overflow by flood control improvements,

**Changes or additions indicated by italics, deletions by strikeout.**

prevention of siltation, control of erosion, or maintenance of lake levels;

(2) All lands contributing water that are furnished a drainage outlet by the construction or improvement of any artificial or natural drain or watercourse;

(3) All lands that are not receiving but need drainage and that are furnishing waters that are handled or controlled by the proposed improvement.

(4) Benefits to the state by reason of the improvement of lakes, streams, or other bodies of water as a place for propagation, protection and preservation of fish and other forms of wildlife, which benefits shall be assessable against the state of Minnesota to the extent and in the manner provided for assessments against the state in Minnesota Statutes, Section 84A.55, Subdivision 9, and within the available appropriation.

(5) Benefits to municipal corporations which occur to the lands in the municipality generally and which may be in addition to special benefits to specific lands within the municipality.

(6) *Benefits that will result to all lands used for railway or other utility purposes.*

Approved May 25, 1965.

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#### CHAPTER 775—H. F. No. 1482

*An act relating to watershed districts; amending Minnesota Statutes 1961, Section 112.64.*

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

Section 1. Minnesota Statutes 1961, Section 112.64, is amended to read:

**112.64 Watershed districts; assessments; levy for repair of improvement.** ~~The managers of any district, upon the certification of the engineer that an improvement situate in the district is in a state of disrepair, may levy upon the benefited land and property, as originally assessed for such improvement. The managers may order or direct the repair or provide funds for the maintenance or repair of such improvement upon filing a copy of the order for levy by the managers with the auditor of each county affected by such improve-~~

**Changes or additions indicated by italics, deletions by strikeout.**