

## CHAPTER 27—H. F. No. 84

*An act relating to forestry; amending laws concerned with the removal of cut timber from state land and the penalties for failure to do so; amending Minnesota Statutes 1965, Sections 90.151, Subdivision 1; 90.191, Subdivision 2; and 90.211.*

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

Section 1. Minnesota Statutes 1965, Section 90.151, Subdivision 1, is amended to read:

**90.151 Timber lands; permits to cut and remove timber sold at public auction.** Subdivision 1. Following receipt of the down payment for state timber sold at public auction, the commissioner shall issue a numbered permit to the purchaser, in a form approved by the attorney general, by the terms of which he shall be authorized to enter upon the land, and to cut and remove the timber therein described, according to the provisions of this chapter. The permit shall be correctly dated and executed by the commissioner and signed by the purchaser. The permit shall cover one or more logging seasons as the executive council shall specify, and the timber shall be cut ~~and removed~~ within the time specified therein. *All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state. The commissioner may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of such request by the permit holder for good and sufficient reasons.* No permit shall be issued to any person other than the purchaser in whose name the bid was made.

Sec. 2. Minnesota Statutes 1965, Section 90.191, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of payment for the full appraised value, the commissioner may issue a permit to cut ~~and remove~~ such timber within one year from the date of sale under such supervision and provisions as the commissioner shall deem advisable. If the purchaser for good and sufficient reason is unable to cut ~~and remove~~ the timber within the one-year period, an extension of time may be granted by the commissioner. Only one extension shall be granted and the extension shall not exceed one year. *All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state. The commissioner of conservation may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment,*

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

*and buildings upon receipt of such request by the permit holder for good and sufficient reasons.*

Sec. 3. Minnesota Statutes 1965, Section 90.211, is amended to read:

**90.211 Purchase money, when forfeited.** If the purchaser of any timber or his assignee fails to cut ~~and remove~~ any part thereof before the expiration of the permit, he shall nevertheless pay the price therefor; but under no circumstances shall he cut ~~or remove~~ any such timber after the expiration of the permit or extension thereof.

Sec. 4. **Effective date.** *This act is effective July 1, 1967.*

Approved March 1, 1967.

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#### CHAPTER 28—H. F. No. 197

*An act relating to publication of notice of lis pendens in actions to determine adverse claims to real estate; amending Minnesota Statutes 1965, Section 559.02.*

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

Section 1. Minnesota Statutes 1965, Section 559.02, is amended to read:

**559.02 Adverse claims to real estate; notice of lis pendens; unknown defendants.** In any action brought under section 559.01, the plaintiff may insert in the title thereof, in addition to the names of such persons as are known or appear of record to have some right, title, estate, interest, or lien in or on the real property in controversy, the following: "Also all other persons unknown claiming any right, title, estate, interest, or lien in the real estate described in the complaint herein." *Service of the summons may be had upon all such unknown persons defendant by publication in the same manner as against non-resident defendants, upon the filing of an affidavit of the plaintiff, his agent or attorney, stating the existence of a cause of action under section 559.01, and if in addition to the above known or unknown defendants, the heirs of a deceased person are proper parties defendant, and their names are unknown, and such affidavit shall further state that the heirs of such deceased person are proper parties to such action, and that their names and residences cannot with reasonable diligence be ascertained, then service of summons*

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