

CHAPTER 337—H.F.No.2431

[Not Coded]

An act authorizing the reinstatement of certain certificates of sale of certain lands in Marshall county by the commissioner of natural resources.

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

Section 1. **STATE LAND CERTIFICATES; RE-INSTATEMENT OF CERTAIN CERTIFICATES; FINDING AND PURPOSE.** Subdivision 1. The state of Minnesota asserts its ownership of the following described trust fund lands in Marshall county, Minnesota, to-wit:

The northeast quarter and the north half of the southeast quarter of section 20, township 156 north, range 42 west.

Subd. 2. Franklin J. Kladzek, claimant to the lands, is the holder of state land certificates numbered 16763 and 16765, covering the above land. That on May 21, 1970, the Strout Realty of Thief River Falls, Minnesota, forwarded its check for \$1,300.37 through its attorney to the county treasurer of Marshall county. The intent was to pay the delinquent taxes, current taxes and land payment of \$72.08. There was a difference of \$70.13 between the check and the total amount of the taxes. The interest due after May 15th had raised the taxes due by \$1.95, leaving the payment short by that amount. The county treasurer issued a refund check to Strout Realty for the \$70.13 since it did not cover the total payment and forwarded it to their attorney with the tax receipts. The attorney filed them away without noticing the refund check and no payment of \$72.08 was made on the land as required. When this oversight was discovered, the said land certificates had cancelled by act of law and could not be legally reinstated. It is clear that the delinquent and current taxes would not have been paid if Strout Realty had not intended to make the land payment.

Subd. 3. Under the circumstances it is just the state afford the said Franklin J. Kladzek the right to realize on his investment in said land, and that said state land certificates be reinstated.

Sec. 2. **REINSTATEMENT OF STATE LAND CERTIFICATES.** Upon application filed within 30 days from the date of the passage of this act, the state land certificates numbered 16763 and 16765 shall be deemed reinstated, provided there accompanies the application the full amount of the installment and interest in default, and provided all taxes be paid with penalty, interest and cost.

Approved May 17, 1971.

Changes or additions indicated by underline, deletions by ~~strikeout~~.