

any of its temporary improvement bonds issued during the year 1969 in accordance with Minnesota Statutes, Section 429.091, Subdivision 3, to the extent that such principal amount cannot be paid out of the assessments and taxes, if any, levied for its payment and theretofore collected, or out of other funds determined by the village council to be available. Such refunding temporary improvement bonds may be authorized to be issued by resolution of the council whenever it is deemed necessary and expedient to do so. The terms of their sale and issuance and the rights of the holders thereof shall be the same as is provided by said section 429.091, subdivision 3, with respect to the temporary improvement bonds. No holder of any temporary improvement bond of such village, outstanding the date this act becomes effective, shall be required to accept in payment or in exchange therefore any refunding temporary improvement bond issued hereinunder.

Sec. 2. This act shall be effective only after its approval by a resolution adopted by a favorable vote of a majority of the members of the council of said village, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 26, 1971.

CHAPTER 558—S.F.No.2779

[Not Coded]

An act relating to the city of St. Peter; authorizing it to contract with the United States for the control of floods, to acquire property for such purpose, and to issue bonds to pay the city's share of the cost.

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

Section 1. **ST. PETER, CITY OF; FLOOD CONTROL.** The city of St. Peter in Nicollet county may enter into an agreement with the United States, through its secretary of the army, or other authorized officer, for the improvement of the Minnesota river at and in the vicinity of said city for flood control, by the construction of a diversion channel and appurtenant works, including improvement of the approach channel of said river. Said city is authorized to:

(a) Provide without cost to the United States all land, easements, and rights of way necessary for the construction of the project;

(b) Hold and save the United States free from damages due to the construction works;

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

(c) Maintain and operate all of the works after completion in accordance with regulations prescribed by the secretary of the army;

(d) Make at its own expense all necessary changes to utilities including sewers, and related and special facilities; and

(e) Prevent encroachments which would reduce the flood carrying capacity of either the diversion channel or the existing channel of the Minnesota river within the project limits, by, among other things, enjoining or abating the same by action to be brought in the district court.

Sec. 2. Said city may acquire by purchase, gift, devise or condemnation all lands, easements and rights of way, either within or without its corporate limits, deemed necessary by the common council of said city for such improvement for flood control. In acquiring property for such purpose by exercising the power of eminent domain, the city may proceed under Minnesota Statutes, Chapter 117, as amended, and at any time after the bonds provided for in section 3 have been authorized in accordance with that section shall have all rights of possession and entry conferred in other cases of condemnation by Minnesota Statutes, Section 117.20, Subdivision 7.

Sec. 3. Said city may issue its general obligation bonds, payable from general ad valorem taxes levied on all taxable property in the city, for the purpose of financing its share of the cost of such flood control improvement under such agreement, and may also expend any moneys of the city for such purpose. The issuance of such bonds shall be subject to approval by the voters of the city. Such bonds shall not be included in the "net debt" of the city for the purpose of any limitations thereon set forth in Minnesota Statutes, Chapter 475. Except as herein provided, the issuance of such bonds shall be governed by said chapter 475.

Sec. 4. This act takes effect when approved by the governing body of the city of St. Peter and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 26, 1971.

CHAPTER 559—H.F.No.1274

An act relating to retirement allowances for employees of cities of the first class; appropriating money from municipal employees

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