

Section 1. Minnesota Statutes 1978, Section 164.08, Subdivision 2, is amended to read:

Subd. 2. **SHALL BE ESTABLISHED IN CERTAIN INSTANCES.** Upon petition presented to the town board by the owner of a tract of land containing at least five acres, who has no access thereto except over the lands of others, the town board by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road. In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07. The amount of damages, if any, shall be paid by the petitioner to the town before such cartway is opened. Town road and bridge funds shall not be expended on the cartway unless the town board, or the county board acting as the town board in the case of a cartway established in an unorganized territory, by resolution determines that an expenditure is in the public interest. If no resolution is adopted to that effect, the grading or other construction work and the maintenance of the cartway is the responsibility of the petitioner, subject to the provisions of section 164.10. After the cartway has been constructed the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway with the written consent of the affected landowner in which case from the effective date of the resolution no town road and bridge funds shall be expended for maintenance of the driveway; provided that the cartway shall not be vacated without following the vacation proceedings established under Minnesota Statutes, Section 164.07.

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved May 14, 1979.

CHAPTER 84—S.F.No.807

An act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Notwithstanding any law to the contrary, the county board of Washington County may issue an off-sale license to an establishment located within Denmark township, with the approval of the commissioner of public safety. The license fee for such a license shall be fixed by the county board in an amount not to exceed \$500. A license issued pursuant to this act shall be governed by the appropriate provisions of Minnesota Statutes, Chapter 340 except as otherwise provided herein.

Sec. 2. This act is effective upon approval of the Washington County board and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 14, 1979.

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