

CHAPTER 25—H.F.No. 654

An act relating to towns; clarifying authority of town board to alter or vacate town roads dedicated by plat; clarifying procedures; amending Minnesota Statutes 1994, sections 164.06, subdivision 1; and 164.07, subdivision 1.

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

Section 1. Minnesota Statutes 1994, section 164.06, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION; ~~RESOLUTION~~**. A town board, when authorized by a vote of the electors at the annual meeting, or at a special meeting called for that purpose, may establish, alter, or vacate a town road ~~by resolution, including those dedicated to the public by plat, in accordance with section 164.07, subdivisions 2 to 12,~~ and may acquire the right-of-way as may be necessary for the road by gift, purchase or as provided in section 164.07. ~~A town board may alter a town road by resolution.~~

Sec. 2. Minnesota Statutes 1994, section 164.07, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION; PETITION**. Any town board may alter or vacate a town road, including those dedicated to the public by plat, or establish a new road in its town upon a petition of not less than eight voters of the town, who own real estate, or occupy real estate under the homestead or preemption laws or under contract with the state, within three miles of the road proposed to be established, altered, or vacated; provided, that in any town not having eight voters who own real estate or occupy real estate under the homestead or preemption laws or under contract with the state, within three miles of any proposed road, the town board of such town may alter or vacate a town road, or establish a new road in the town upon a petition signed by a less number of voters of such town, who own real estate or occupy real estate under the homestead or preemption laws or under contract with the state, in such town. Such petition shall contain a description of the road, and what part thereof is to be altered or vacated, and, if a new road, the names of the owners of the land, if known, over which such road is to pass, its point of beginning, general course, and termination.

Presented to the governor March 27, 1995

Signed by the governor March 29, 1995, 12:58 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.