

## CHAPTER CLXXXIII.

*An Act to Amend an Act Entitled "An Act to Establish Summit Avenue in Ramsey County," approved March 6, 1871.*

February 26,  
1872.

- SECTION 1. Amendments to special laws of 1871.  
 2. Relating to laying out an avenue.  
 3. Commissioners named and duties defined.  
 4. When act to take effect.

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

SECTION 1. That section two (2) and three (3) of "An act to establish Summit Avenue in Ramsey county," approved March 6, 1871, be and the same are hereby amended so as to read as follows:

Amendment to  
special law of  
1871.

SEC. 2. Whenever the owners of more than one-half of the real estate fronting upon and adjacent to the line of said highway as located and established in section one, shall have signed an application in writing to the board of county commissioners for the county of Ramsey, for the opening of said highway, in which application they shall relinquish all claims for damages for the land to be taken and condemned belonging to them, for the opening of said Summit avenue, it shall be the duty of said county board to require and order a competent surveyor to survey and stake out the said avenue, and the said surveyor shall thereupon make an accurate plat thereof, with the courses and distances certified thereon, and file the said plat and survey in the office of the register of deeds for said county of Ramsey for record.

Relating to lay-  
ing out an ave-  
nue.

SEC. 3. Girart Hewitt, Wm. Dawson and D. A. Robertson, of said county of Ramsey, are hereby appointed commissioners to assess and determine all damages and benefits that may be sustained and received to and by the owners of property upon and adjacent to the line of said highway as so located, established, laid out and platted, by reason of such location and the opening thereof, and as soon as practicable after the filing of said plat, the said commissioners or a majority of them, shall give notice of such filing, and

Commissioners  
and duties.

Commissioners  
—their duties.

of the time and place when and where they will meet to assess and determine such damages and benefits, which notice shall be published at least six days successively, in a public daily newspaper printed and published in said county of Ramsey. At the time and place named in said notice and at such other times as they may adjourn to, the said commissioners shall proceed and examine the said lands on the line of and adjacent thereto, and shall assess and determine all damages and benefits sustained and received to and by the owners of such property by reason of the location, survey and opening of said highway, in the manner provided for in the assessment of damages for opening a town road, and they shall immediately thereafter file their said assessment of damages and benefits in the office of the county auditor of said county of Ramsey. Any person being the owner or agent for any tract or parcel of land upon or adjacent to said highway, feeling aggrieved by reason of the said assessment and determination of the said commissioners, may appeal therefrom at any time within thirty (30) days from the date of filing the said assessment, and in the manner provided by law for appeals in the case of opening town roads by the laws of this state.

When act to  
take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 26, 1872.