

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

Approved April 14, 1903.

CHAPTER 193.

H. F. No. 165.

An act regulating the filing and recording of deeds, conveyances, and other instruments relating to real property within newly organized counties, pending proceedings instituted by the state to test the validity of the organization of such counties, and legalizing such records heretofore made.

Filing and record of deeds and other instruments, during pendency of litigation to test organization of new county.

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

SECTION 1. That during the pendency of an action on behalf of the state, to test the validity of the organization of any new county, all deeds, mortgages, powers of attorney and other instruments relating to and affecting real property within the territory of said newly organized county, which by law are required to be filed and recorded in the office of the register of deeds for the county where said real property is situated, may be recorded in the office of the register of deeds for the county in which said real property was situated before the creation of said new county, and such record shall be effectual to all intents and purposes, and of the same force and effect in all respects, for the purpose of notice, evidence, and otherwise, as if said deeds, mortgages, powers of attorney and other instruments were actually recorded in the office of the register of deeds for said newly organized county. And the register of deeds for the county in which real property was situated prior to the creation of said new county is required to admit to record all such conveyances, deeds, mortgages, powers of attorney and instruments when otherwise executed and acknowledged as required by law, *provided* that nothing herein shall be construed to authorize the record of any such deeds, mortgages, powers of attorney or instruments after said proceedings are terminated in any other than the county where the real property affected by said deeds, mortgages, powers of attorney and other instruments is actually situated.

SEC. 2. That in all cases where any deeds, mortgages,

powers of attorney or other instruments conveying or affecting in any manner any interest in or title to real property situated in newly organized counties have been filed and recorded in the office of the register of deeds for the county in which said real property was situated at the time of the creation of said new county, since the creation and organization of said new county, and before the passage of this act, such record is, in all respects, legalized and made valid and effectual, for the purpose of notice, evidence or otherwise, as though the same had been recorded in the office of the register of deeds for the county where said property was actually situated. *Provided*, that nothing herein contained shall in any manner affect the rights or title of any bona fide purchaser without notice for a valuable consideration of any such real estate prior to the passage of this act, and shall not apply to or affect any action or proceedings now pending in any court of this state.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 49.

CHAPTER 194.

Enabling municipalities to establish building line easements.

An act to enable municipalities to establish and acquire building line easements along streets, highways, parks and parkways, and defining the nature of such easements.

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

SECTION 1. The common council of any city may establish along any street or highway within such city a building line upon the land adjoining such street or highway, or any portion thereof, and distant not more than fifty feet from the margin of such street or highway, and may, in behalf of the city, acquire an easement in the land between such line and the exterior street line, such that no buildings or structure shall be erected or maintained upon said land. Such easement shall be known as a building line easement.

By purchase, grant or condemnation.

SEC. 2. Such easement may be acquired by the city council by purchase, or by grant, or by condemnation. It may also be created by dedication by indicating such building line upon any town plat hereafter recorded in the