

which has granted such franchise. This act shall apply and be effective, any provision, of the charter or ordinance of said city notwithstanding.

Provided, however, that the provisions as to exemption from gross earnings tax shall not apply to gas supplied to any such adjoining city, where such gas has heretofore been supplied to such city and been subject to gross earnings tax by virtue of contract between the grantee and the city granting such franchise.

Provided further, that the exercise of the privileges provided for in this act by any grantee shall be subject to reasonable regulation by the city granting such franchise.

Provided further, that nothing herein contained shall be construed as granting to the grantee of such franchise any right or privilege within such adjoining city until and unless such grantee has first complied with all provisions of the charter and ordinances of such adjoining city in respect to obtaining a franchise therein.

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

Approved March 16, 1921.

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#### CHAPTER 94—S. F. No. 787.

*An act providing for the vacating of public grounds, streets, alleys, highways, or any part thereof, in cities of the fourth class, organized under Chapter 8, Laws 1895, whenever such public ground, street, alley, highway, or any part thereof, has not been used by the public for a period of twenty-five years or more.*

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

Section 1. **Streets, etc., vacated.**—Whenever any public ground, street, alley, highway, or any part thereof, in any city of the fourth class, organized under chapter 8, Laws 1895, has not been used by the public for such public ground, street, alley or highway for a period of twenty-five years or more, the city council may, by a resolution passed by a three-fourths vote of the members elect, declare such public ground, street, alley, highway, or any part thereof, vacated, which resolution shall be published as in the case of ordinances.

Sec. 2. **Transcript filed.**—A transcript of said resolution, duly certified by the city clerk, shall, before the same shall take effect, be filed for record and duly recorded in the office of the register of deeds of the county wherein the property is situated.

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

Approved March 16, 1921.