

“Section 10½. If in any year it shall become actually necessary to incur indebtedness or expend funds for the purpose of meeting court expenses, mothers’ pension allowances, poor relief and other items, the amounts of which are beyond the control of the governing body of such municipality and could not be reasonably and definitely anticipated and fixed at the time of making the budget contemplated by Section 10, the governing body of such municipality may apply to the proper district court for an order permitting the incurring and payment of such additional expenditures. Such application shall be publicly heard by said court at the county seat of the county, after two weeks published notice thereof; and, if the court shall find such additional indebtedness or expenditures to be actually necessary and within the terms of this section, and that the amount thereof could not have been reasonably and definitely anticipated at the time of making the budget, and could not be reasonably met by or out of allotments in the budget to such purposes, or by or out of the emergency fund, said court may make an order permitting and authorizing such additional indebtedness or expenditures, or so much thereof as it shall find to be proper.”

Approved April 13, 1931.

CHAPTER 156—S. F. No. 786

An act relating to the redemption of lands from taxes and assessments in certain cases; the assignment of the taxes against the same; the transfer of certain lands forfeited to the state for non-payment of taxes in certain cities; the sale of such lands by such cities; and the application of the proceeds therefrom.

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

Section 1. **Redemptions from tax sales.**—Under the circumstances hereinafter set forth the county auditor of any county is hereby authorized and directed to accept in full payment of the amount necessary to redeem any parcel of real property from delinquent and current taxes and assessments against the same the amount of the special assessments for local improvements against such property, with interest as hereinafter set forth, and is further authorized and directed to accept in full payment for any assignment of such delinquent and current taxes and assessments the amount of such special assessments with interest as hereinafter provided. No redemptions or assignments shall be made hereunder unless all the conditions hereinafter set forth exist, to-wit:

(a) The real property so redeemed or assigned is located within the limits of a city of the second class;

(b) The taxes against such real property for the year 1926 and all subsequent years are delinquent and held by the state;

(c) There shall be special assessments against such property levied by such city for benefits arising by reason of public improvements.

(d) Such city, either before or after entering such class, shall have issued and sold bonds or warrants against its permanent improvement revolving fund or similar fund to raise moneys for such improvement and there are now outstanding and past due bonds or warrants, which, with interest accrued thereon, amount to at least \$350,000 in excess of any moneys in such fund available for the payment thereof;

(e) The nonpayment of such bonds or warrants by the city shall have arisen by reason of the failure of the owners of the property benefited by such improvements to pay the assessments against the same when due;

(f) The city shall, by resolution of its governing body, file with the county auditor a consent to the reduction of the interest and penalties on such special assessments as to any tract to be redeemed or assigned hereunder, and such resolution shall declare the existence of the facts required to be shown by clauses (d) and (e) aforesaid.

Sec. 2. Rate of interest.—In the event such redemption or assignment is made the county auditor shall calculate interest upon such special assessments at the rate of six per cent per annum from the time the same became delinquent, without any further penalties or interest thereon.

Sec. 3. Taxes abated.—Upon such redemption or assignment being made, the general taxes, penalties and interest against such property shall thereupon be abated and the auditor shall thereupon be authorized to cancel the same upon his books.

Sec. 4. Disposition of proceeds of sale.—The moneys paid for the redemption or assignments hereunder shall be paid over to such city and shall, by the said city be placed in its Permanent Improvement Revolving Fund, or a similiar fund, and used solely to reimburse the city for any overdraft against that fund caused by the payment of interest on said warrants out of any other funds of such city, and to pay such outstanding and unpaid bonds or warrants and accrued interest thereon, and any bonds issued to fund or refund any such outstanding bonds or warrants; such payments

to be made biennially, and to prorate among such city and holders of such warrants or bonds in proportion to the amounts respectively due to them.

Sec. 5. Bonds to be retired.—If at the time of the passage of this act there shall be outstanding bonds or warrants as hereinbefore set forth in excess of the sum herein stated, redemptions and assignments may be made hereunder, notwithstanding the fact that by prior redemptions or assignments made hereunder, the amount of such outstanding bonds or warrants may be reduced below such sum, or such outstanding bonds or warrants have been funded or refunded.

Sec. 6. County Auditor to prepare list.—The county auditor shall prepare a list of all lands which are subject to redemption under this act. As any parcels of said lands so subject to redemption become forfeited to the state for nonpayment of taxes pursuant to the provisions of Laws 1927, Chapter 119, and acts amendatory thereof, the county auditor shall transmit to the state auditor, and the Minnesota Tax Commission a list thereof with the taxes and assessments against the same. The tax commission shall thereupon abate the general taxes against such parcels, leaving only the assessments for local improvements and interest thereon in favor of such city a charge upon the same. The tax commission shall thereupon issue a deed to such lands from the state to such city which deed shall operate to transfer all the interest of the state therein to such city free from any trust in favor of any other taxing district. Such lands shall be sold by the city and the proceeds used for the purposes set forth in section 4 hereof until all such bonds or warrants shall have been retired and the city reimbursed for any payments made thereon by it. Thereafter such lands may be held or sold by the city and the proceeds thereof applied to any municipal purpose determined by the governing body.

Sec. 7. Rules of sale.—Before selling any of such lands the governing body of such city shall provide rules governing the sale thereof.

Sec. 8. Inconsistent acts repealed.—provisions separable.—This act shall be deemed remedial in nature and intent, and all acts, or parts of acts or charter provisions of any city to which it is applicable which are inconsistent herewith are hereby repealed to the extent necessary to give full force and effect to this act. If any provision or part of this act be held unconstitutional or invalid it shall not invalidate or in any way affect any other provision or part thereof.

Approved April 13, 1931.