

9, shall pay into the state treasury, on or before March first, of each year, beginning with March 1, 1946, six per cent of its gross earnings derived from business within the state during the preceding calendar year, which shall be in lieu of all ad valorem taxes upon the property of such company within the state for the year during which such gross earnings accrued.

Approved April 5, 1945.

CHAPTER 223—H. F. No. 384

An act relating to the purchase or exchange of lands in any county having a population in excess of 150,000 and an area of more than 5000 square miles, by the board of county commissioners, and authorizing any such board of county commissioners to levy, appropriate and expend moneys for such purpose.

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

Section 1. Board may purchase or exchange land. The Board of County Commissioners in counties in the State of Minnesota now or hereafter having a population in excess of 150,000, and an area of more than 5000 square miles, may, by a 5/7 vote of said Board, purchase, exchange lands, or exchange lands and pay in addition thereto a reasonable amount of money, to compensate the owner of land exchanged, whenever in its opinion, it would be to the best interest of the county to do so, because of the unreasonable cost of maintaining or constructing roads, or the furnishing of other governmental services to its citizens.

Sec. 2. Committee to investigate; owner may appeal. Whenever the County Board deems it advisable to purchase or exchange lands under this law, the board shall refer the matter to a committee composed of the county highway engineer, the land commissioner, the county auditor, and the county attorney, to investigate and report its findings to the county board, as to the value of the land to be purchased or of the lands to be exchanged, as well as, whether an additional amount of money should be paid to compensate the owner of said land, if then the county board determines that the purchase or exchange shall be made, it shall set a time and place for a public hearing by resolution and a copy of said resolution shall be served upon said owner or owners in the same

manner as a summons is served in a civil action, at least 10 days before the date of hearing, and all persons interested shall be heard. If the county board decides it is for the best interest for the county to either purchase or exchange land then it shall authorize the county auditor, and the other necessary county officials, to draw warrants and execute the other necessary papers to carry out the purpose of the act, by resolution, pursuant to Section 1 hereof. The owner may appeal to the District Court from the decision of the action of the county board in the same manner as appeals from the disallowance of claims by the county board are taken.

Sec. 3. Annual appropriation. County boards, coming within this act, may levy, appropriate, and expend an amount not to exceed the sum of \$25,000 annually to carry out the provisions of this act.

Sec. 4. Board may accept gifts. County Boards coming within the provisions of this act may accept gifts of money, lands, or other things from the State, its agencies, municipalities, and persons, for the purposes herein, and any moneys received shall be credited to the fund set up in Section 5, hereof.

Sec. 5. Exchange land fund. County auditors coming within the provisions of this law, shall place in a special fund to be known as the "Exchange Land Fund", all moneys levied, and all other moneys and credits received pursuant to this law. Any moneys remaining in said fund, at the end of the county's fiscal year, may be carried over to the next year and used for said purpose, in addition to any amount not exceeding \$25,000 levied by the county board for the ensuing fiscal year. All warrants issued pursuant to a resolution of the county board to carry out the provisions of this act, shall be drawn by the county auditor on this fund.

Approved April 5, 1945.

CHAPTER 224—H. F. No. 426

An act relating to the vacating of all or portions of streets by cities of the third class.

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

Section 1. Applies to cities of the third class. This act shall apply to every city of the third class however organized