

CHAPTER 167

REIMBURSEMENT OF MUNICIPALITIES FOR MONEYS EXPENDED ON TRUNK HIGHWAYS

167.01 STATE TO REIMBURSE COUNTIES FOR MONEY EXPENDED ON TRUNK HIGHWAYS.

HISTORY. 1921 c. 522 s. 1; G.S. 1923 s. 2640; M.S. 1927 s. 2640.

The commissioners appointed to fix damages and special benefits should determine the same separately. *Rock Island Ry. v City of Minneapolis*, 164 M 226, 205 NW 640.

A resolution of the village council appropriated from the village funds in amount sufficient to pay one-fourth of the expense of permanently improving the public highway to be designated as a state road. The United States and the state of Minnesota refunded a portion of the expense incurred by the county. The village claimed a share of the refund. It was held that the resolution obligated the village to contribute one-fourth of the gross, as distinguished from the net, expense of the improvement, and its claim for a refund was properly denied. *Village of Sanborn v County of Redwood*, 166 M 354, 208 NW 9.

167.02 MANNER AND TIME OF REIMBURSEMENT.

HISTORY. 1921 c. 522 s. 2; G.S. 1923 s. 2641; M.S. 1927 s. 2641.

167.03 COUNTIES REIMBURSED FOR ROAD BONDS.

HISTORY. 1923 c. 184 s. 1; G.S. 1923 s. 2642; M.S. 1927 s. 2642.

167.04 AMOUNT OF REIMBURSEMENT.

HISTORY. 1923 c. 184 s. 2; G.S. 1923 s. 2643; M.S. 1927 s. 2643.

167.05 BONDS TO BE ISSUED.

HISTORY. 1923 c. 184 s. 3; G.S. 1923 s. 2644; M.S. 1927 s. 2644.

167.06 VILLAGES MAY USE REIMBURSEMENTS TO PURCHASE AND REDEEM HIGHWAY BONDS.

HISTORY. 1923 c. 135 s. 1; G.S. 1923 s. 2641-1; M.S. 1927 s. 2641-1.

167.07 STATE TO REIMBURSE MUNICIPALITIES FOR MONEYS EXPENDED ON TRUNK HIGHWAYS.

HISTORY. 1923 c. 346 s. 1; G.S. 1923 s. 2653; M.S. 1927 s. 2653.

Minnesota Constitution, Article 16, Sections 1, 2, permits the state to reimburse counties out of the state highway fund only for "permanent improvement" of roads, and the purchasing of a right of way for a new road is not "improving." *State ex rel v Babcock*, 186 M 132, 242 NW 474.

167.08 LIMITATION TO REIMBURSEMENT.

HISTORY. 1923 c. 346 s. 2; G.S. 1923 s. 2654; M.S. 1927 s. 2654.

MINNESOTA STATUTES 1945 ANNOTATIONS

167.09 REIMBURSEMENT OF MUNICIPALITIES

946

167.09 COMMISSIONER OF HIGHWAYS TO DETERMINE WHO IS ENTITLED TO REIMBURSEMENT IN CERTAIN CASES.

HISTORY. 1923 c. 346 s. 3; G.S. 1923 s. 2655; M.S. 1927 s. 2655.

167.10 COMMISSIONER OF HIGHWAYS TO DETERMINE WHO SHOULD RECEIVE DISBURSEMENTS IN CERTAIN CASES.

HISTORY. 1923 c. 346 s. 4; G.S. 1923 s. 2656; M.S. 1927 s. 2656.

167.11 MUNICIPALITIES TO FILE STATEMENT WITH COUNTY AUDITOR.

HISTORY. 1923 c. 346 s. 5; G.S. 1923 s. 2657; M.S. 1927 s. 2657.

167.12 PROPERTY OWNERS TO BE REIMBURSED IN CERTAIN CASES.

HISTORY. 1923 c. 346 s. 6; G.S. 1923 s. 2658; M.S. 1927 s. 2658.

167.13 APPLICATION.

HISTORY. 1923 c. 346 s. 7; G.S. 1923 s. 2659; M.S. 1927 s. 2659.

167.14 REIMBURSEMENT OF COUNTIES BY STATE FOR EXPENDITURES IN PERMANENTLY IMPROVING TRUNK HIGHWAYS.

HISTORY. 1925 c. 410 s. 1; M.S. 1927 s. 2660-1.

The state is not required or permitted to reimburse a county out of the trunk highway fund for the amount expended for the right of way for a new road built by the county and later designated and taken over by the state as a trunk highway. State ex rel v Babcock, 186 M 132; 242 NW 471.

The county has authority to proceed by eminent domain to acquire the right of way necessary for altering an existing road, the road in this instance being a state aid road. 1934 OAG 481; Aug. 8, 1933 (17n).

167.15 PURPOSE OF AND RESTRICTIONS ON REIMBURSEMENT.

HISTORY. 1925 c. 410 s. 2; M.S. 1927 s. 2660-2.

167.16 COMMISSIONER OF HIGHWAYS TO DETERMINE AMOUNT; COUNTY WARRANTS ON ROAD AND BRIDGE FUNDS; BOND ISSUES.

HISTORY. 1925 c. 410 s. 3; M.S. 1927 s. 2660-3.

167.17 MONEY TO BE RETURNED TO FUND FROM WHICH PAID.

HISTORY. 1925 c. 410 s. 4; M.S. 1927 s. 2660-4.

167.18 REIMBURSEMENT OF COUNTIES BY STATE FOR EXPENDITURES IN PERMANENTLY IMPROVING TRUNK HIGHWAYS SUBSEQUENT TO APRIL 10, 1921.

HISTORY. 1925 c. 411 s. 1; M.S. 1927 s. 2660-5.

167.19 AMOUNT OF REIMBURSEMENT.

HISTORY. 1925 c. 411 s. 2; M.S. 1927 s. 2660-6.

167.20 BOND ISSUES.

HISTORY. 1925 c. 411 s. 3; M.S. 1927 s. 2660-7.

MINNESOTA STATUTES 1945 ANNOTATIONS

947

REIMBURSEMENT OF MUNICIPALITIES 167.26

167.21 REIMBURSEMENT OF COUNTIES BY STATE FOR EXPENDITURES IN PERMANENTLY IMPROVING TRUNK HIGHWAYS.

HISTORY. 1927 c. 56 s. 1; M.S. 1927 s. 2660-8.

167.22 PURPOSE OF AND RESTRICTIONS ON REIMBURSEMENT.

HISTORY. 1927 c. 56 s. 2; 1927 c. 380; M.S. 1927 s. 2660-9.

167.23 COMMISSIONER OF HIGHWAYS TO DETERMINE AMOUNT; COUNTY WARRANTS ON ROAD AND BRIDGE FUND; BOND ISSUES.

HISTORY. 1927 c. 56 s. 3; M.S. 1927 s. 2660-10.

167.24 MONEY TO BE RETURNED TO FUND FROM WHICH PAID.

HISTORY. 1927 c. 56 s. 4; M.S. 1927 s. 2660-11.

167.25 REIMBURSEMENT OF COUNTIES BY STATE FOR EXPENDITURES IN PERMANENTLY IMPROVING TRUNK HIGHWAYS; CASH REIMBURSEMENT WITHOUT ISSUE OF BONDS.

HISTORY. 1927 c. 369; M.S. 1927 s. 2660-12.

167.26 CERTAIN COUNTY BOND ISSUES LEGALIZED; TO BE PAID OUT OF TRUNK HIGHWAY FUND.

HISTORY. 1925 c. 123 s. 1; M.S. 1927 s. 2652-1.