

MINNESOTA STATUTES 1953 ANNOTATIONS

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LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS 429.031

CHAPTER 429

LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

429.01 Repealed, 1953 c 398 s 13.

429.011 DEFINITIONS

HISTORY. 1953 c 398 s 1.

Laws 1953, Chapter 398, provides an alternative procedure for making local improvements and levying special assessments supplementary to the procedure provided by the charter. Unless by an amendment of the charter adopted since the enactment of chapter 398 a method is made exclusive. OAG Dec. 10, 1953 (58-C).

Where the village of Minneota, in 1907, purchased a strip of land 33 feet wide and 1500 feet long, running along its border, which was never dedicated for street purposes but which has been called Market Street and used as a roadway without repair, and on which the village now desires to build an open ditch so as to eliminate a natural water-course now doing damage, the so-called Market Street having been dedicated by common law to street purposes, may be vacated only by statutory proceedings for vacancy and the proceedings must be instituted by a majority of owners abutting on the alleged street. The building of a ditch thereon would be regulated by the provisions of section 429.011 et seq. The abutting owners being a farmer who owns the country side of the street and the eight owners of property on the village side of the alleged street must be compensated according to the provisions of section 117.19. OAG Sept. 28, 1953 (396-C-18).

The post office building and property owned by the federal government is not subject to special assessments for street improvement. OAG Sept. 21, 1953 (408-C).

Where a new sidewalk construction is necessary because of a change of grade in the street the village council may order the sidewalk constructed under the local improvement provisions under Laws 1953, Chapter 398. OAG Sept. 15, 1953 (48-A).

Under the charter of the city of Breckenridge the cost of installation of a white way, there being ample funds in the water and light fund, the cost may be paid therefrom. OAG Sept. 29, 1953 (624-C-15).

Under the provisions of Laws 1953, Chapter 398, the village of South International Falls may extend its municipally owned waterworks system and the cost may be financed by improvement warrants that are a secondary lien upon income from the waterworks system in case where income from waterworks system and future extensions thereto are pledged to pay warrants already in existence. Section 412.471 has been superseded by Laws 1953, Chapter 398. OAG Sept. 4, 1953 (624-D-11).

Competitive bidding on unit-price basis is permissible. An error in extension is immaterial on unit-price bidding. The particular council action taken by the council of the city of Virginia constitutes an acceptance of the bid even though it was an unbalanced bid. OAG Sept. 2, 1953 (707-A-4).

429.02 Repealed, 1953 c 398 s 13.

429.021 LOCAL IMPROVEMENTS; COUNCIL POWERS

HISTORY. 1953 c 398 s 2.

429.03 Repealed, 1953 c 398 s 13.

429.031 PRELIMINARY PLANS; ESTIMATED COSTS; HEARINGS ON PROPOSED IMPROVEMENT

HISTORY. 1953 c 398 s 3.

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429.035 LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

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429.035 IMPROVEMENTS, PETITION

HISTORY. 1927 c 311 s 1; 1953 c 398 s 12.

429.036 APPEALS FROM DETERMINATION OF LEGALITY OF PETITION

HISTORY. 1927 c 311 s 2.

429.04 Repealed, 1953 c 398 s 13.

429.041 COUNCIL PROCEDURE

HISTORY. 1953 c 398 s 4.

429.05 Repealed, 1953 c 398 s 13.

429.051 APPORTIONMENT OF COSTS

HISTORY. 1953 c 398 s 5.

429.06 Repealed, 1953 c 398 s 13.

429.061 ASSESSMENT PROCEDURE

HISTORY. 1953 c 398 s 6.

429.07 Repealed, 1953 c 398 s 13.

429.071 SUPPLEMENTAL ASSESSMENTS; RE-ASSESSMENT

HISTORY. 1953 c 398 s 7.

429.08 Repealed, 1953 c 398 s 13.

429.081 APPEAL TO DISTRICT COURT

HISTORY. 1953 c 398 s 8.

429.09 Repealed, 1953 c 398 s 13.

429.091 FINANCING

HISTORY. 1953 c 398 s 9.

429.10 Repealed, 1953 c 398 s 13.

429.101 COLLECTION OF SERVICE CHARGES AS SPECIAL ASSESSMENTS

HISTORY. 1953 c 398 s 10.

429.11 Repealed, 1953 c 398 s 13.

429.111 CHARTER PROVISIONS NOT OUTLAWED

HISTORY. 1953 c 398 s 11.

The provisions of the charter of the city of Northfield requires publication in the official newspaper of the proposed improvements. Because of a failure to give this published notice the council lacked authority to make the improvements and to levy a special assessment therefor. OAG Sept. 15, 1953 (396-C-2).

429.12-429.18 Repealed, 1953 c 398 s 13.

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SEWERS, SEWAGE DISPOSAL 431.01-431.31

- 429.185 Repealed, 1949 c 314 s 3.
- 429.19 Renumbered 429.035.
- 429.20 Renumbered 429.036.
- 429.21-429.29 Repealed, 1953 c 398 s 13.
- 429.30 Renumbered 435.36, subdivision 1.
- 429.31 Renumbered 436.36, subdivision 2.

CHAPTER 430

LAND FOR STREETS AND PARKS

(Elwell Law)

430.01 DESIGNATION OF LAND FOR SYSTEM OF STREETS, PARKS, AND PARKWAYS

Use of a public square by a municipality as a parking lot is unauthorized. OAG Dec. 18, 1951 (59-A-40).

430.02 PROCEEDINGS FOR ACQUISITION OF LANDS

HISTORY. Amended, 1953 c 264 s 1.

430.07 METHOD OF IMPROVEMENT; ASSESSMENTS

HISTORY. Amended, 1953 c 184 s 1.

430.09 TITLE ACQUIRED

Land dedicated to park use may not be conveyed either by the city council or the park commission. The land is dedicated to the enjoyment of the inhabitants. OAG Jan. 13, 1948 (59-A-40).

CHAPTER 431

SEWERS, SEWAGE DISPOSAL

- 431.01-431.31 Repealed, 1953 c 398 s 13.