

**160.05** MS 1953 [Repealed, 1957 c 943 s 72]

**160.05 DEDICATION OF ROADS.**

Subdivision 1. **Six years.** (a) When any road or portion of a road has been used and kept in repair and worked for at least six years continuously as a public highway by a road authority, it shall be deemed dedicated to the public to the width of the actual use and be and remain, until lawfully vacated, a public highway whether it has ever been established as a public highway or not. Nothing contained in this subdivision shall impair the right, title, or interest of the water department of any city of the first class secured under Special Laws 1885, chapter 110. This subdivision shall apply to roads and streets except platted streets within cities. If a road authority fails to give the notice required by paragraph (b), this subdivision does not apply.

(b) Before a road authority may make any repairs or conduct any work on a private road as defined by section 169.011, subdivision 57, the road authority must notify the owner of the road of the intent to make repairs or conduct work on the private road. The notice must be sent to the owner by certified mail. The notice must specify the segment of road that is the subject of the notice and state the duration of the repairs or work. The notice must include the following: "Pursuant to Minnesota Statutes, section 160.05, your private road may be deemed to be dedicated to the public if the following conditions are met for six continuous years: (1) the road is used by the public; and (2) the road is repaired or worked on by a road authority. This means that the road will no longer be a private road but will be a public road. You will not receive compensation from the road authority when the road is dedicated to the public."

*[See Note.]*

Subd. 2. **Roads on and parallel to railroad right-of-way.** The continued use of any road by the public upon and parallel to the right-of-way of any railway company shall not constitute such a road a legal highway or a charge upon the town in which the same is situated, and no right shall accrue to the public or any individual by such use.

**History:** 1959 c 500 art 1 s 5; 1973 c 123 art 5 s 7; 1982 c 424 s 40; 1984 c 562 s 5; 2020 c 100 s 1  
**NOTE:** The amendment to subdivision 1 by Laws 2020, chapter 100, section 1, is effective August 1, 2020, and applies to any repairs, maintenance, or work newly started on a private road on or after that date. This section does not apply to a road segment for which: (1) repair or work started before August 1, 2020; or (2) a road authority has continuously maintained since before August 1, 2020. Laws 2020, chapter 100, section 1, the effective date.