

CHAPTER 943 ~~Y~~ H. F. No. 1510

[Coded]

An act relating to public highways and appropriating money therefor; repealing Minnesota Statutes 1953, Sections 160.01 to 160.60, Sections 160.62 to 160.81 and Sections 296.32 to 296.42.

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

Section 1. [160.012] **Scope of act.** Subdivision 1. For the purposes of this act and Minnesota Statutes, Chapters 161, 162, 163 and 164, the roads of this state shall be designated and referred to as trunk highways, county-state aid streets, county roads and town roads. They shall be established, located, constructed, reconstructed, improved and maintained as provided in this act and in Minnesota Statutes, Chapters 161, 162, 163 and 164.

Subd. 2. The provisions of this act and Minnesota Statutes, Chapters 161, 162, 163 and 164, relate solely to roads not included within the limits of any city, village or borough, except when highways within cities, villages or boroughs are specifically mentioned and except municipal-state aid streets, and county-state aid highways provided by law to be located within the limits of any city, village or borough.

Sec. 2. [160.013] **Definitions.** Subdivision 1. For the purposes of this act and Minnesota Statutes, Chapters 161, 162, 163 and 164, the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Trunk highways" include all roads established, or to be established under the provisions of the Constitution of the State of Minnesota, Article XVI.

Subd. 3. "County-state aid highways" include all roads, other than trunk highways, established in accordance with law as county-state aid highways.

Subd. 4. "County roads" include those roads which have heretofore been or which hereafter, as provided in this act and in Minnesota Statutes, Chapters 161, 162, 163 and 164, may be established, constructed or improved under authority of the several county boards, including all roads lying within the county, or on the line between counties established by judicial proceedings, except those roads established, constructed or improved by the counties that have been maintained by the towns for a period of at least one year prior to the effective date of this act. All roads heretofore designated

prior to the effective date of this act as county-aid highways shall be county roads.

Subd. 5. "Municipal-state aid streets" shall include all streets within the cities, villages or boroughs having a population of 5,000, or more, established in accordance with law as municipal-state aid streets.

Subd. 6. "Town roads" shall include those roads and cartways which have heretofore been or which as provided in this act and Minnesota Statutes, Chapters 161, 162, 163 and 164 hereafter may be established, constructed or improved under the authority of the several town boards, roads established, constructed or improved by counties that have been maintained by the towns for a period of at least one year prior to the effective date of this act, and also all roads lying within the town established by user.

Subd. 7. "Road or highway" whenever used in this act and Minnesota Statutes, Chapters 161, 162, 163 and 164, shall mean, unless otherwise specified, the several kinds of highways as defined in this section, and also cartways, street, alley, avenue, boulevard, together with all bridges or other structures thereon which form a part of the same.

Subd. 8. "Commissioner" shall mean the commissioner of highways.

Subd. 9. "Portage" means a passageway two rods in width extending from one public or navigable water to another public or navigable water or from a public or navigable water to a public highway.

Sec. 3. [160.021] **Width of roads.** All roads, except cartways, established by town and county boards, shall be at least four rods wide and when necessary for the construction and maintenance or the safety of public travel additional right of way and easements for the erection of snow fences may be procured by purchase or condemnation, and the necessity for the taking of such additional right of way and such easements shall be determined by the town board, in the case of town roads, and by the county board, in the case of county roads.

Sec. 4. [160.031] **Width of bridges, culverts and approaches thereto.** All bridges, culverts and approaches thereto on any trunk highway, county-state aid highway or municipal-state aid street hereafter established, constructed or improved shall be at least 24 feet wide, and all bridges, culverts and approaches thereto on any road, other than a trunk highway, a county-state aid highway, or a municipal-state aid

street hereafter established, constructed or improved, except cartways, shall be at least 20 feet wide.

Sec. 5. [160.041] Railroad bridge over highway. When any railroad company shall hereafter construct or substantially reconstruct a bridge over a public highway the same shall be constructed so as to leave a clear opening for the highway at least four feet wider than the surfaced portion of the highway but in no event less than 28 feet wide and at least 14 feet clear space from the surface of the highway to the bottom of the bridge; provided, that the requirement for the clear opening for the highway may be modified by the commissioner upon plans approved by him.

Sec. 6. [160.051] Width of railroad bridge over highway. Any bridge hereafter constructed on any public highway over the tracks of any railroad shall be at least four feet wider than the surfaced portion of the highway but in no event less than 28 feet wide; the approaches thereto shall be at least 28 feet wide and the grade of such approach shall not exceed five feet rise in 100 feet. Such bridge shall leave a clear space from the railroad rails of at least 22 feet measured vertically; provided, that the requirements for the width of the bridge and for the width of the approach may be modified by the commissioner upon plans approved by him.

Sec. 7. [160.061] County roads. County roads shall be established, constructed and improved by the several counties.

Sec. 8. [160.071] Town roads. All town roads shall be located, constructed, repaired and maintained by town boards. County boards may aid in the construction, repair and maintenance of such roads.

Sec. 9. [160.081] Section lines may be deemed public roads. In towns which have not been organized or in which no public roads have been established, the section lines shall be considered public roads, to be opened to the width of two rods on each side of such lines upon the order of the county or town board, as the case may be, without any survey being had unless it be necessary on account of variations caused by natural obstacles, subject to the provisions of Minnesota Statutes, Chapters 161 to 164 in relation to the assessment of damages and the right to appeal.

Sec. 10. [160.091] Appeals. Subdivision 1. Any person aggrieved by any determination of a county or town board and city or village council either establishing, altering, or discontinuing, or refusing to establish, alter, or discontinue,

any public road, or, by any award of damages made by such town or county board, may appeal therefrom within 30 days after the filing of such determination or award to the district court of the county by filing with the clerk of such court a bond in the sum of not less than \$250, approved by the judge or by the court commissioner or auditor of such county, conditioned to pay all costs arising from such appeal in case the determination or award is sustained and by service of a notice of appeal as provided herein. The requirement of this subdivision with respect to an appeal bond shall not apply in cases where the appeal is limited to award of damages.

Subd. 2. In case the town or county board determines to establish, alter or discontinue a road, or refuses so to do, any taxpayer of the county, as to a county road, and any taxpayer of the town, as to a town road, through which such road or any part thereof passes shall have the same right of appeal.

Subd. 3. The notice of appeal shall state briefly the grounds of appeal, whether it related to the damages assessed, or to the establishing, altering, or discontinuing of a road, or to the refusal so to do, and whether it is taken to reverse entirely the decision of the board, or some portion thereof; and, if the latter, what portion. It shall be signed by the party appealing or his attorney and be served upon the chairman of the town or county board, as the case may be. A copy thereof when the appeal is from the action of a county board shall be filed with the auditor of the county, and when from the action of a town board with the clerk of each town in which such road may be located.

Subd. 4. Such appeal shall be entered upon the calendar for trial at the next general term of the court occurring more than 20 days after the appeal is perfected. Except where the parties otherwise agree the court or jury shall reassess the damages unless such reassessment is rendered unnecessary by the determination of other matters involved; but the proceedings of the court or jury shall be based upon the same principles which the board was required to follow in its determination. Upon final judgment being rendered, the clerk of the district court shall file a certified transcript thereof with the county auditor, if the appeal was taken from the action of the county board, or with the clerk of each town affected by such determination, if the appeal was taken from the action of a town board. If the determination appealed from be affirmed or if the damages be reduced, the appellant shall pay the costs and disbursements; but, if such damages be increased or such determination be altered, modified, or

reversed otherwise than as to amount of damages, such costs and disbursements shall be paid by the town or county, as the case may be; the same to be fixed and allowed as in other cases and judgment entered therefor in like manner.

Subd. 5. When on appeal the determination of any town or county board is reversed or altered the board from whose determination such appeal was taken shall proceed to establish, alter, or vacate such road in conformity with the decision of such appeal; and the proceedings thereon shall be the same as if such board had originally so determined to establish, alter, or vacate such road; provided, that where an appeal is or has been taken involving only the amount of damages awarded by a county board, the county board may in its discretion notwithstanding such appeal proceed forthwith to establish, alter, or vacate such road and open, construct, alter, or change the same as though no such appeal had been taken, but in such case the county shall forthwith, upon the final determination of such appeal, pay to the person entitled thereto such damages and costs as shall be awarded on such appeal. The amount of damages finally determined and awarded, whether by the town or county board, or by the court or jury, together with the charges of officers and other persons necessarily employed in establishing, altering, or vacating any road, shall be audited by the board making the original assessment. Such boards shall in its report of such audit specify the amount of damages and charges due each individual and such amounts shall be certified to by the board so auditing the same and, in the case of town roads, deposit with the town clerk and paid by the town and in the case of county roads, with the county auditor and paid by the county. Before any town road is opened or used, an amount of town orders equal to the damages assessed for each individual shall be duly issued and deposited with the town clerk for the use and benefit of such individual and delivered to him on demand. The issuing and depositing of such orders shall be deemed to be sufficient security for the payment of the damages assessed.

Sec. 11. [160.101] **Road established, when a public road.** Every road established by the public authorities, where no appeal has been taken within the time limited therefor, is hereby declared to be a public road to all intents and purposes and all persons who have neglected to appeal within the time prescribed by law shall be forever debarred from any further redress.

Sec. 12. [160.011] **Trail or portage, dedication.** Any trail or portage between public or navigable bodies of water or from the public or navigable water to a public highway in this state which has been in continued and uninterrupted use

by the general public for 15 years, or more, as a trail or portage for the purposes of travel shall be deemed to have been dedicated by the user to the public as a trail or portage. This section shall apply only to forest trails on established canoe routes and the public shall have the right to use the same for the purposes of travel to the same extent as public highways. The width of all trails and portages dedicated by user shall be eight feet on each side of the center line of such trail or portage.

Sec. 13. [160.121] Dedication of road. When any road or portion thereof shall have been used and kept in repair and worked for at least six years continuously as a public highway the same shall be deemed dedicated to the public to the width of two rods on each side of the center line thereof and be and remain, until lawfully vacated, a public road whether the same has ever been established as a public highway or not; provided, however, that nothing herein contained 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 section shall apply to roads and streets except platted streets within cities, villages and boroughs.

Sec. 14. [160.131] Road 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 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.

Sec. 15. [160.041] Change of road by order of town or county board. When a road shall be changed by order of a county or town board the road as it existed before the change shall remain open to public travel for two years from the date of the order; but the board may vacate such road within such two years when it deems the new road to be fit for public travel at all times of the year.

Sec. 16. [160.151] Fences to be removed. When a town or county board has established a road through enclosed, cultivated or improved lands under any of the provisions of Minnesota Statutes, chapters 160 to 164, and its decision has not been appealed from or, if appealed from, its order has been sustained, it shall give each owner or occupant of land through which such road is established 20 days' notice in writing to remove his fences and, if he does not remove them within such time, it shall cause them to be removed and the road to be opened and worked.

Sec. 17. [160.161] Contractors; warning signs, de-

tour signs. Subdivision 1. When a town board, county board, or the commissioner shall enter into a contract for the construction and improvement of any road or any culvert or bridge thereon they shall, as a condition of such contract, provide therein that the contractor shall place suitable warning signs at the highways intersecting such road so to be constructed or improved warning the public, if such is the case, that such road so under construction or improvement is impassable at a designated place or distance from such warning sign. Such signs shall be placed at such places as will obviate the necessity of unnecessary travel by persons not otherwise aware of the impassable condition of such roads. Nothing in the provisions of Minnesota Statutes, chapters 160 to 164 shall make any town, county, or the state liable in damages for the failure of a town or county board or the commissioner of highways to provide in any contract for the erection of a warning sign, such as is herein provided for; or the failure of any contractor to erect same in accordance with the provisions of Minnesota Statutes, chapters 160 to 164.

Subd. 2. The contractor, foreman, or person in charge of work or repairs on any public road shall, when the doing of such work or repairs necessitates the closing of a part of such road to traffic, post signs stating that such road is under repair and describing the direction and distance of the detour necessary to avoid the part of the road being repaired. Such sign shall be posted at the intersection of the road under repair with the road to be traveled while detouring, and at appropriate intervals along such road. Violations hereof shall be a misdemeanor and punished accordingly.

Sec. 18. [160.171] **Temporary roads.** Subdivision 1. The commissioner, in the case of construction work on trunk highways, the county board, in the case of construction work on county-state aid and county roads, and the town board, in the case of construction work on town roads, may by suitable order or resolution establish a temporary road around such construction work and procure the necessary right of way by lease, easement or condemnation in the manner provided by statute.

Subd. 2. When the commissioner determines, for the purpose of constructing or maintaining any trunk highway, that any public street or highway is necessary for a detour or haul road, the commissioner may designate any such street or highway as a temporary trunk highway detour, or as a temporary trunk highway haul road, and he shall thereafter maintain the same as temporary trunk highway until he revokes the designation. Prior to revoking said designation the com-

missioner shall restore such streets or highways to as good condition as they were prior to the designation of same as temporary trunk highways. Upon revoking such designations such streets or highways shall revert back to the subdivision charged with the care thereof at the time it was taken over as a temporary trunk highway.

Sec. 19. [160.181] Drainage of roads. Subdivision 1.

(1) When a road which has been or is to be constructed or improved into, through, or over a swamp, bog, or other low land and it is necessary or expedient that a ditch or ditches should be constructed or opened across private lands, a petition for such ditch or ditches may be made as hereinafter provided; which shall contain an affidavit setting forth the facts and the probable length, width, and depth of such ditch or ditches, the termini and general course of the same, a description of the land or lands over which such ditch or ditches will pass, the names of the owners thereof, if known, and that such road cannot, without extraordinary expense, be constructed or opened.

(2) In the case of a town, such petition may be made by the town road overseer of the town in which such road is located or by two resident freeholders of such town and filed with the town clerk of such town, who shall notify the town board accordingly.

(3) In the case of a county or county-state aid highway, such petition shall be made by the county highway engineer of the county in which such road is located and shall be filed with the auditor of such county, who shall present the same to the county board at the next regular or special meeting.

(4) In the case of a trunk highway, such petition may be made by the commissioner and filed with the clerk of the district court in the county where such ditch or the greater portion thereof is proposed to be located.

Subd. 2. Upon the filing of the petition as herein provided the town board, the county board, or the judge of the district court, as the case may be, shall appoint and order a competent civil engineer to make a survey of the proposed ditch or ditches and make a report thereupon to such board or court, as the case may be, which report shall include a map of the territory affected, showing the land and public roads or highways likely to be affected by the ditch or ditches proposed to be constructed to furnish drainage to such highways

and include a profile showing the depth and size of such ditch or ditches, and, if a tile drain, the size and depth of the tile. Such report shall also contain an estimate of the damages and benefits which will accrue to each tract of land or public road affected by reason of the construction of such ditch or ditches. The county board may appoint the county highway engineer, or the judge of the district court may appoint an employee of the highway department, to make such survey and report.

Subd. 3. Upon the filing of such report with the town clerk, the county auditor, or clerk of the district court, as the case may be, the auditor or clerk shall immediately notify the board or judge as the case may be, of the filing of the report and the auditor or clerk, with the approval of the board or judge, shall fix a time and place for a hearing thereon not less than six, nor more than 60 days from the date of filing such report.

Subd. 4. The auditor or clerk, as the case may be, shall personally or by any person whom he shall authorize for that purpose serve upon each owner of land which may be affected, if a resident of the county, upon the occupants of such lands where the owners are not residents of the county, a notice of such hearing, together with a statement of the estimated damages or benefits against the land of such owner. The auditor or clerk shall also send a copy of such notice, together with a statement of estimated damages or benefits, to the chairman of any county or town board, or the commissioner, charged with the supervision of any road or highway affected.

The person serving such notice shall make and file a report thereof, stating the facts; and, if it appears from such returns that the owners of such lands, or any of them, are not residents of the county, or no occupant resides on the lands, then the auditor or clerk shall cause three weeks' published notice to be given, which shall be deemed sufficient notice.

Subd. 5. At the time and place specified in the notice, the board or court, as the case may be, shall hear any reasons for or against the laying out, location, or construction of the ditch or ditches and all evidence offered by any interested person, relative to the pecuniary advantage or disadvantage which will accrue to any tract of land or public road by reason of the establishment and construction of such ditch or ditches and determine upon the advisability of opening or constructing such ditch or ditches. If the board or court determines that it is expedient and advisable to open and construct such ditch, it shall make an order establishing and opening the same and assess the money value of the damages in excess of the benefits, if such damages exceed the benefits, which dam-

ages in its judgment will be just and equitable compensation to the owner of any tract of land for the right to open or construct the ditch or ditches onto, through, or over his land, including the right to enter upon such land when necessary for the purpose of cleaning out or repairing it. If the money value of the benefits which will accrue to any tract of land or public road by reason of the construction and maintenance of such ditch or ditches shall exceed the damages, the board or court shall assess the difference as benefits to the lands and the state, town, county, city, or village liable for the maintenance of any road, as the case may be, benefited by the construction of such ditch or ditches. Such determination of benefits and damages shall be made in tabular form setting forth the description of the lands and of the roads benefited and the names of the owners thereof, if known, and the benefits and damages which will accrue to each. The damages or benefits in any case may be determined by stipulation between the parties interested, made public at the hearing, which stipulation shall be subject to approval by the board or court conducting the hearing.

Subd. 6. In the case of such stipulation or determination of the amounts by such board or court, it shall extend the benefits or damages, as the case may be, in such tabular statement. If such proceeding is before the town board or the county board, any land owner may appeal from the amount awarded as damages or benefits in like manner as in the case of appeals from orders establishing or refusing to establish town or county roads. If such proceeding is in the district court, any land owner deeming himself aggrieved by an order of the court determining the amount of his benefits or damages may demand a jury trial to determine the amount of such benefits or damages in the same manner as is provided by law in judicial ditch proceedings. Such tabular statement shall be attached to the order establishing the ditch, if such order be made, and filed with the auditor or clerk, and any person whose lands, or any town, county, city, or village or the state whose public roads, are assessed for benefits may within 20 days thereafter pay the amount thereof to the town or county treasurer, who shall issue a receipt therefor. On presentation of such receipt to the auditor or clerk, he shall mark the amount of the assessment so paid with the words "Paid and satisfied." After the expiration of 20 days, if no appeal shall have been taken, the town clerk or the clerk of the district court, in the case of such orders filed with them, shall certify such tabular statement of assessment to the county auditor.

Subd. 7. The county auditor shall, after the expiration

of the time for appeals, certify such statement to the register of deeds of such county, who shall record the same. All of the provisions of section 106.341 shall apply to such assessments. Such assessments shall bear interest at the rate of six percent per annum from the date of filing and collected in the manner provided by section 106.371 and 106.381, and when paid or collected shall be paid into the town treasury, in case such ditch is ordered by the town board, or into the county road and bridge fund, if such ditch is ordered by the county board, or into the state treasury for credit to the trunk highway fund, if such ditch is ordered by the district court, and expended in paying the cost of constructing and maintaining such ditch.

Subd. 8. All assessments against any public road as shown in tabular statement shall constitute a valid claim against the road and bridge fund of any town, county, village or city, or trunk highway fund of the state, responsible for the maintenance of any public highway improved by such ditch or drain and may be enforced as other valid claims against such municipal corporation.

Subd. 9. When the amount of damages to be paid to the owners of land taken for such ditch shall have been finally determined in accordance with the provisions therefor contained in chapters 160 to 164 the town board or the county board, as the case may be, in the case of such ditch or ditches being ordered by such town or county board, and the commissioner, in the case of such ditch or ditches being ordered by the court, shall provide for and make payment in such manner as may be provided by law for the payment of damages taken for a public road.

Subd. 10. The word "ditch," as used in chapters 160 to 164, shall be held to include any open, covered, or tile drain.

Subd. 11. If an order establishing such ditch or ditches is not appealed from within 20 days after the filing of such order, the town board, the county board, or the commissioner, who may have charge of the road affected, as the case may be, shall proceed to construct such ditch or ditches. After such ditch has been opened and constructed, the authorities shall keep the same in good condition and free from obstructions and for that purpose may enter upon the lands through which it passes when it becomes necessary.

Subd. 12. Any person who shall dam up, obstruct, or in any way injure, any such ditch shall be liable in a civil action for double the damages assessed for such injury by

the court or jury trying the case and shall also be guilty of a misdemeanor.

Subd. 13. When any such drainage ditch shall cross the right of way of any railroad the owner of such railroad shall forthwith, upon demand of the town board, in the case of a ditch ordered by the town board, or of the county board, in the case of a ditch ordered by the county board, or of the commissioner, in the case of a ditch ordered by the district court, at its own expense and without compensation carry such ditch under and across its right of way and construct necessary culverts therefor.

Sec. 20. [160.191] **Natural drainage of lands, connection with road drainage ditches.** Subdivision 1. When the course of natural drainage of any land runs to a public highway, the owner of such land shall have the right to enter upon the highway for the purpose of connecting his drain or ditch with any drain or ditch constructed along or across the highway, but before making such connections he shall first obtain a written permit for such connections from the highway authority having jurisdiction. Such connections shall be made in accordance with specifications set forth in such permits. The road authority shall have power to prescribe and enforce reasonable rules and regulations with reference to such connections. The highway shall be left in as good condition in every way as it was before the connection was made.

Subd. 2. If any person desires during construction or reconstruction of a highway to install a tile drain for agricultural benefits in a natural drainage line in lands adjacent to any public highway, and if a satisfactory outlet cannot be secured on the upper side of the right of way, and the tile line must be projected across the right of way to a suitable outlet, the expense of both material and labor used in installing the tile drain across the roadbed shall be paid from funds available for the roads affected. The highway department, or other governing body having jurisdiction over such roads shall install, during construction through the roadbed, a conduit of proper size and depth to satisfactorily provide for present and proposed future sub-surface agricultural drainage. This subdivision shall only apply to highways constructed or reconstructed after July 1, 1957.

Sec. 21. [160.201] **Tree planting.** Any county or town may at its own expense, but with the consent of the owner of the land on which the same is located, plant, and thereafter care for, trees or shrubs along and adjacent to country or town roads, in such a manner that they will act

as living snow fences for the purposes of keeping drifting snow off of such roads.

Sec. 22. [160.211] **Removal of hedge and trees.**
Subdivision 1. The town board of supervisors as to town roads, the county boards as to county-state aid highways and county roads, and the commissioner as to trunk highways, are hereby given the right and power to determine upon the necessity and to order the cutting down of hedges and trees within the road limits after having given ten days written notice to the owners of the abutting land and an opportunity to be heard; provided the trees, other than willow trees, shall not be so cut down unless such trees or hedges, or either of them, interfere with keeping the surface of the road in good order or cause the snow to drift on to or accumulate upon such road in quantities that materially obstruct traffic. Such boards and the commissioner, respectively, shall have power to properly mark or light dangerous places on the public highways and to take such other measures as may be necessary to protect travel thereon.

Subd. 2. When the respective boards, or the commissioner, shall determine that such cutting down of hedges or trees within the limits of such roads is necessary or that same would aid materially in keeping such roads in repair or free from snow, the board or the commissioner shall notify the owners of the abutting lands by written notice of such decision, and order the trees or hedges cut down within 30 days after such notice. If the owners fail or refuse to comply with such notice and order within the time specified, the board or commissioner shall have the power to cause such trees or hedges to be cut down. The timber and wood of such trees shall belong to the owners of the abutting land; provided, they pay the expense of cutting down such trees or hedges and remove the same from the roadside within the 30 days. If such timber or wood is not removed within such time, the board or commissioner, as the case may be, shall have the power to sell or dispose of the same or destroy it, if it cannot be sold; and, if sold, shall pay the proceeds thereof to the owners of the abutting lands after deducting the costs of such cutting and sale.

Subd. 3. The town boards of supervisors and the county boards are hereby granted the further right and power to appropriate and pay out of their respective road and bridge fund, or from any other fund available, the cost of cutting down such trees and hedges and the removal or destruction of the same, if done at public expense, and the cost of marking or lighting dangerous places on such highways.

Subd. 4. Any person aggrieved by any determination or order of a town board of supervisors or board of county commissioners, ordering or refusing to order the cutting down or removal of such hedges or trees may appeal therefrom within 30 days after the filing of such order or determination to the district court of the county by filing with the clerk of such court a bond in the sum of not less than \$250, approved by the judge or by the court commissioner or auditor of such county, conditioned to pay all costs arising from such appeal in case the determination or order is sustained, and by service upon the chairman of the town board, or upon the chairman of the county board, in case of such order made by a county board, of a notice of appeal stating briefly the grounds of appeal, signed by the party appealing or his attorney and filing same with proof of service with the clerk of court of the county. Such appeal shall be entered upon the calendar for trial at the next general term of the court occurring more than 20 days after the appeal is perfected. Such appeal and matter shall be tried de novo in such court and either party shall be entitled to a jury trial upon demand.

Sec. 23. [160.221] **Tunnels under roads.** Every owner of land on both sides of a public road may tunnel under such road to permit stock to pass from one side to the other, but he shall at his own expense construct such tunnel so as not to endanger the public in the use of such road. Before constructing such tunnel, the land owner shall obtain from the town board of the town in which it is located, if the road is a town road, or from the county board of the county in which it is located, if the road is county-state aid highway or county road, or from the commissioner, if the road is a trunk highway, an approval of the place, the kind of tunnel, and the manner of its construction. Bridges over tunnels shall be the full width of the roadway and of a design approved by the road authority having jurisdiction over such road, properly protected with railings, and constructed of such materials as shall be agreed upon by the respective board or the commissioner, as the case may be, and, if within one year after the construction of such bridge, the board or commissioner, as the case may be, shall deem it or its appurtenances insecure, it or he may cause the same to be put in the proper condition at the expense of its owner, and when such board or commissioner shall deem the tunnel out of repair, it or he may cause the necessary repairs to be made at the expense of the owner. In either case, the reasonable cost of such repairs shall be certified to the county auditor and by him assessed upon the land in the same manner as the road taxes. When any such public road is not on a section or sectional subdivision line, the owner of the lands on

both sides of such road shall be permitted to construct an appropriate tunnel, to be approved as aforesaid, which tunnel the owner shall maintain at his own expense for the first year and which shall be thereafter maintained by the town, county, or state, as the case may be. When the board of county commissioners of any county, as to any county-state aid highway or county road therein, or the town board of any town, as to any town road therein, shall determine that the construction of such a tunnel is necessary for the safety and welfare of the public, such board may cause such tunnel to be constructed and maintained at the expense of the county or town, as the case may be, or may contract with the abutting land owners for the equitable division of the cost of construction and maintenance thereof between such land owners and the county or town.

Sec. 24. [160.231] **Roads on mining lands, change of location.** When a public road crosses mineral land or other lands outside the limits of any city, village, or borough, which the owner or lessee desires to mine in such way as to remove the supports of the road or to improve such land by building any structure or building thereon, he may at his own expense change such road to other land and make a new road thereon suitable for public travel; provided, that no change of road on lands other than mineral lands shall be made unless the same be first approved by the town board and the commissioner and the new road be first constructed and approved by the town board and the commissioner; and, if he cannot obtain such land upon reasonable terms, the county or town board, or the city or village council, as the case may be, upon requisite petition, shall make such change under the provisions of law for establishing roads. Before any such road is changed, a 60 day notice of the intention of the owner or lessee thereof to change the same shall be served upon the board of the municipality in which the road is situated by filing with the clerk thereof a declaration of such intention in the form of such notice. The owner or lessee shall be liable to the owner or occupant of any land abutting upon such road or any affected by such change to the extent of the damage sustained by reason of such change and for the recovery of which an action may be brought after such change is made. In case such board or council or the commissioner desires to establish a road over mineral lands, it or he may agree with the owner or lessee of the land that, in case he shall consent to its establishment, its location shall be changed upon his request. Before such road will be changed by any such board, council or commissioner, 90 days notice thereof shall be posted in three conspicuous places along the road, which notice shall state the time when the road shall be changed.

Sec. 25. [160.241] **Culverts.** The Town boards, as to town roads, and the county boards as to county roads and county-state highways, except when the easement of access has been acquired, shall furnish suitable access to the road and install a substantial culvert on request of an abutting owner in cases where the same is reasonably necessary for approach upon such highway from abutting lands.

Sec. 26. [160.251] **Road building material, acquisition of land containing.** When the commissioner, or any county board, town board, or council of any village or city shall deem it necessary for the purpose of building or repairing public roads or streets within his or its jurisdiction, he or it may procure by purchase or condemnation in the manner provided by law any plot of ground not exceeding 40 acres containing any material suitable for road purposes, together with the right of way to the same of sufficient width to allow teams, trucks, or other vehicles to pass, and on the most practicable route to the nearest public road.

When any county board or town board shall deem it necessary for the purpose of building or repairing public roads or streets within its jurisdiction, it may purchase any plot of ground located in an adjoining town or county not exceeding 40 acres containing any materials suitable for road purposes, together with the right of way to the same of sufficient width to allow teams, trucks, or other vehicles to pass, and on the most practicable route to the nearest public road.

Sec. 27. [160.261] **Transportation rates for shipping road building materials.** The railroad and warehouse commission is hereby authorized to make schedules of intrastate rates for railroads for the transportation of sand, gravel, crushed rock, and other materials to be used in the construction or maintenance of public roads and streets by or under the direction of public authorities, which rates may be lower than those charged for transporting the same kind of freight for all other purposes.

Sec. 28. [160.271] **Misdemeanors.** Subdivision 1. Any person who shall obstruct any of the public highways of this state in any manner or who shall dig any holes therein or remove any earth, gravel, or rock therefrom, or any part thereof, or who shall in any manner obstruct any ditch on the side of any such highways and thereby damage the same shall be guilty of a misdemeanor. Provided, however, for the comfort and convenience of persons waiting for streetcars and buses, that nothing herein shall be deemed to apply to the placing and maintenance of any bench upon any portion of the highway not prepared and maintained for vehicular traffic at

any streetcar or bus stop within the corporate limits of any city or village, the installation and maintenance of which is duly licensed or expressly permitted by such city or village. It is hereby made the duty of the county attorney to prosecute all violations of the provisions of this section occurring in the county.

Subd. 2. Any person who wilfully, maliciously, or with intent to annoy shall in any manner deface, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guard-rails, drains, or any other highway appurtenances on or along any public highway or road or the right of way thereof shall be guilty of a misdemeanor; provided, that nothing herein shall restrict the actions of persons who shall or may have proper authority therefor.

Subd. 3. Any person who places or maintains any buildings or structures within the limits of any public highways or who in any manner places, puts, or maintains any advertisement within the limits of a public highway or who in any manner paints, prints, places, puts, or affixes or causes to be painted, printed, placed, or affixed any advertisement on or to any stone, tree, fence, stump, pole, mile-board, mile-stone, danger-sign, danger-signal, guide-sign, guide-post, billboard, building, or other object within the limits of a public highway shall be guilty of a misdemeanor. Provided, however, for the comfort and convenience of persons waiting for streetcars and buses, that nothing shall be deemed to apply to any advertisements placed upon any benches upon any portion of the highway not prepared and maintained for vehicular traffic at any streetcar or bus stop within the corporate limits of any city or village, the installation and maintenance of which is duly licensed or expressly permitted by such city or village. None of the provisions of chapters 160 to 164 shall prohibit the placing of public notices on billboards erected for that purpose by authority of the governing body of a municipality, or the placing and maintaining of outdoor telephone booths for the safety and convenience of the public on the right of way of any trunk highway when authorized by written permit issued by the commissioner and the commissioner is hereby authorized to prescribe the conditions under which said permit shall be granted. Any advertisement, building, or structure, in or upon a public highway in violation of the provisions of this subdivision may be taken down, removed, or destroyed by direction or authority of the commissioner, in the case of state trunk highways, by the county board in the case of county-state aid highways and county roads, or by the town board, in the case of town roads.

Sec. 29. [160.281] Moving structures over roads. Any person, firm, or corporation moving or causing to be moved any building or structure upon, across, or along any public road, street, alley, or highway, whether within or without any city, village, or borough of the state, shall so move such building, or structure as not to unnecessarily interfere with, damage, or destroy any bridges, trees, hedges, fences, telephone or electric power poles, wires, or cables upon such road, street, alley, or highway.

No person, firm or corporation shall move or cause to be moved any building or structure upon, across, or along any such public road, street, alley or highway in such manner so as to obstruct traffic thereon without first obtaining a permit in writing from the road authority having jurisdiction over such road, street, alley or highway.

When it shall be necessary to displace or temporarily remove any guard-rails or any bridge or any fence, telephone or electric power poles, wires, or cables to permit the moving of any building or structure upon, along, or across any such public road, street, alley, or highway, the person, firm, or corporation owning or maintaining such fence, poles, wires, or cables shall not be required to displace or temporarily remove the same, nor shall any guard-rails on any bridge be displaced or removed until the reasonable costs of such displacement or temporary removal have been paid or tendered by the person, firm, or corporation requiring such displacement or temporary removal. Nothing in this section shall apply to any work being done upon any such public road, street, alley, or highway by or for any municipality, nor to the moving of any building or structure 18 feet in height or less within the limits of any incorporated city.

Sec. 30. [160.291] Snow removal. Subdivision 1. It shall be the duty of the town board of each town, so far as funds are available for the expense thereof, to keep all town roads therein in a passable condition by the removal of snow therefrom and for that purpose the road overseer is authorized to employ, by and with the consent of the town board, such men and teams and other equipment as may be necessary for that purpose. The town board may provide for the erection of snow fences when deemed advisable.

Subd. 2. It shall be the duty of the county board, so far as funds are available for the expense thereof to keep all county-state aid highways and county highways therein in a passable condition by the removal of snow therefrom. The county board may provide for the erection of snow fences when deemed advisable.

Subd. 3. The county board may by resolution adopted at a regular meeting thereof authorize the use of county snow removal equipment and operators thereof for the removal of snow upon either public or private property within the county upon such terms and conditions as the county board shall determine, not less than the actual cost of the use of such equipment and operators to the county. The town board of any town may by resolution adopted at a regular meeting thereof authorize the use of town snow removal equipment and operators thereof for the removal of snow upon either public or private property within the town upon such terms and conditions as the town board shall determine, not less than the actual cost of the use of such equipment and operators to the town.

Sec. 31. [160.301] **Road construction contracts; counties, towns.** No county or town shall contract for the construction or improvement of any road where the contract price exceeds \$2,500, unless plans and specifications shall have been made and prepared and filed as provided in section 164.22, nor until advertisements for bids have been published as therein provided for.

Sec. 32. [160.311] **Road construction contracts, final payments.** Final payment shall not be made on any contract for road work by any county or town board until the engineer or person in charge of such work has certified to the county board or the town board, as the case may be, that such work has been done and performed according to contract and such certificate shall have been filed in the office of the county auditor or town clerk, as the case may be. Any county auditor or any town clerk who issues a warrant or an order in final payment upon a road contract where the amount involved in such contract exceeds the sum of \$200, until such certificate shall have been filed, shall be guilty of a misdemeanor.

Sec. 33. [160.321] **Petition to establish portage.** Ten or more freeholders of any county may petition the county board to establish a portage in such county. Such petition shall set forth with reasonable definiteness the point of beginning and the point of termination of such portage. Thereupon at its next meeting if the county board shall decide that such petition is reasonable, it shall order a public hearing thereon and designate in such order the time and place for such hearing. At least 30 days before the time set for such hearing, it shall cause posted notice of the time and place thereof to be given in a public place in the court house and in two public places in each town through which such proposed portage shall pass.

Sec. 34. [160.331] **Hearing.** At such hearing the

county board shall hear all parties interested as to the necessity for such portage and as to the cost of acquiring the land necessary for such portage.

Sec. 35. [160.341] Survey for portage. In case the county board after such hearing shall conclude that such a portage would be of sufficient public advantage, it shall order the county surveyor or the county highway engineer to determine the most practicable course for such a portage, to survey such course, and to submit an estimate as to the cost of constructing such portage. In case the cost of construction shall appear to the board to be commensurate with the public advantages to be derived from such portage, it shall declare the portage established, setting forth definitely in such order the point of beginning, the course, and the point of termination of such portage.

Sec. 36. [160.351] Damages awarded because of portage. The damages sustained by reason of establishing, altering or vacating any portage may be ascertained by the agreement of the owners and the county board; and, unless such agreement is made, or the owners release in writing all claims to damages, the same shall be assessed and awarded before such portage is opened, worked, used, altered, or vacated. Every such agreement and release shall be filed with the county auditor and shall be final as to the matters therein contained. In ascertaining the damages which will be sustained by any owner, the board shall determine the money value of the benefits which the establishment, alteration, or vacation, as the case may be, will confer and deduct such value, if any, from the damages, if any, and award the difference, if any, as damages.

Sec. 37. [160.361] Establishment of portage. If the petition be granted, the board shall provide for the laying out and construction of such portage, in the case of the establishment of a new portage or the alteration of an existing portage or portages, and carrying into effect the vacation of an existing portage or portages, when such action is petitioned for.

Sec. 38. [160.371] Payment of award of damages. All damages resulting from the establishment, alteration, or vacation of any portage shall be paid by the county.

Sec. 39. [160.381] Appeal to district court. Any person aggrieved by the decision of a county board establishing, altering, or vacating, or refusing to establish, alter or vacate any portage or by any award of damages made by such county board may appeal therefrom to the district court of such county within 30 days after such award is made.

Sec. 40. [160.391] **Alteration or vacation of portage.** A public portage may be altered or vacated in the same manner as it may be established.

Sec. 41. [160.401] **Highway user tax distribution fund.** Subdivision 1. The proceeds of the tax imposed and collected on motor vehicles as provided in Article XVI, Section 9 of the Constitution of the State of Minnesota, and the proceeds of the excise tax as provided for in Article XVI, Section 10 of the Constitution of the State of Minnesota shall constitute the highway user tax distribution fund.

Subd. 2. For the purpose of supplying the deficiencies, if any, in the Highway User Tax Distribution Fund the state treasurer may temporarily borrow from other public funds a sum not exceeding \$1,000,000, in any year; provided that no fund shall be so impaired thereby that all proper demands thereon can not be met.

Subd. 3. The state auditor is directed to deduct or reserve from the highway user tax distribution fund a sufficient sum of money which shall constitute a special fund for the payment of costs of collecting the taxes referred to in subdivision 1 and for payment of refunds of such taxes as is authorized by law, and a sum of money sufficient for such purposes is hereby appropriated from the highway user tax distribution fund. Thereafter, all moneys in the highway user tax distribution fund not needed to reimburse such special fund for money paid out of such special fund for refunds and collection costs shall be transferred to the following funds in the following proportions:

1. 62 percent to the trunk highway fund.
2. 29 percent to the county-state aid highway fund.
3. 9 percent to the municipal-state aid street fund.

Subd. 4. Upon the request of the commissioner money in the county-state aid highway fund and money in the municipal-state aid street fund shall be invested by the State Board of investments in the class of securities specified in section 11.01 of the 1953 Minnesota Statutes and acts amendatory thereto. All interest and profits from such investments shall be credited to the fund on which such interest or profits are earned. The state treasurer shall be the custodian of all securities purchased under the provisions of this section.

Sec. 42. [160.411] **Trunk highway fund, trunk highway sinking fund.** Subdivision 1. In addition to the 62 percent of the net higher user tax distribution fund the trunk highway fund shall consist of the proceeds of the sale of any bonds as authorized by Article XVI of the Constitution of the

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 State of Minnesota; money received from the federal government as aid in the construction and maintenance of trunk highways; and any other moneys otherwise allotted, appropriated or legislated therefor.

above
 Subd. 2. On or before the second Tuesday of July of 1957, the commissioner, the state auditor and the state treasurer shall by order determine for the period up to the thirtieth day of June, 1958, the sum of money required for the payment of principal and interest on any bonds which may have been issued and sold under the provisions of Article XVI of the present Constitution of the State of Minnesota, or under Article XVI of said Constitution prior to July 1, 1957. Said sum of money so determined shall be deducted from the moneys in the trunk highway fund and shall be transferred to a sinking fund hereby created. Said sinking fund shall be known as the Trunk Highway Sinking Fund.

Bd. of Investments
 Subd. 3. On or before the first Tuesday of June of every year commencing in the year 1958, the commissioner, the state auditor and the state treasurer shall by order determine the sum of money required during the coming fiscal year beginning on the first day of July, for the payment of principal and interest on any bonds which may have been issued or sold under provisions of Article XVI of the present Constitution of the State of Minnesota, or Article XVI of the said Constitution prior to July 1, 1957, said sum of money so determined shall be deducted from the moneys in the trunk highway fund and shall be transferred to the trunk highway sinking fund.

Auditor
 Subd. 4. Moneys in the trunk highway sinking fund shall be used for the payment of principal and interest on said bonds. Any moneys remaining in the fund after all principal and interest has been paid shall be transferred to the trunk highway fund.

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 Subd. 5. Upon the request of the commissioner, the state auditor, and the state treasurer, moneys in the trunk highway sinking fund and the trunk highway fund shall be invested by the State Board of Investments in the class of securities specified in Section 11.01 of the 1953 Minnesota Statutes and Acts amendatory thereto. All interest and profits from such investments and all interest and profits earned on moneys in the trunk highway fund in the state treasury shall be credited to the fund on which such interest or profit is earned. The state treasurer shall be the custodian of all securities purchased under the provisions of this section.

Sec. 43. [160.421] Temporary loans to trunk high-

way fund. For the purpose of supplying deficiencies in the trunk highway fund, the state treasurer may temporarily loan from other public funds a sum not exceeding in the aggregate the amount of federal aid allotted to the construction of roads under project appropriation by the federal government; provided, that no fund shall be so impaired thereby that all proper demands thereon cannot be met; provided that all funds received from federal aid allotted to the construction of trunk highways shall be paid to the state treasurer and credited to the trunk highway fund; and further, provided, that if the federal aid is not paid, the state treasurer shall transfer to such other public funds from the trunk highway fund such amount as may be necessary to pay any loan or loans made hereunder, and provided further that the fund obtaining a temporary loan hereunder shall pay into the lending fund interest at the average rate that the treasurer has realized from the investment of surplus cash.

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Sec. 44. [160.435] **Commissioner of highways, certificate of disbursements furnished state treasurer.** Before the state treasurer shall be authorized to grant a loan, as provided in section 43, the commissioner shall file with the state auditor and the state treasurer a certificate showing the amount of disbursements from the trunk highway fund which are to be repaid to the state by the federal government.

auditor

Sec. 45. [160.441] **Trunk highways.** All trunk highways shall be located, constructed, improved and maintained by the state. The state is hereby vested with all rights, title, easements, and appurtenances thereto appertaining, held by, or vested in any of the counties or any legal subdivision thereof, or dedicated to the public use prior to the time any such road is taken over by the state as a trunk highway.

Sec. 46. [160.451] **Routes added to trunk highway system.** The following routes hereby and heretofore added to the trunk highway system by the legislature under the provisions of Article XVI, of the Constitution adopted November 2, 1920, and as the same are herein amended, are hereby confirmed:

Route No. 71. Beginning at a point on Route No. 27 in Little Falls, thence extending in a northeasterly direction to a point on Route No. 1, at or near Moose Lake; affording Little Falls, Onamia, Isle, McGrath, and Moose Lake a reasonable means of communication each with the other and other places within the state.

Route No. 72. Beginning at a point on Route No. 4, northeasterly of Bemidji and thence extending in a northerly

direction to a point on Route No. 11, easterly of Beaudette; affording Bemidji, Waskish, Beaudette, and intervening and adjacent communities, a reasonable means of communication each with the other and other places within the state.

Route No. 73. Beginning at a point on Route No. 20, at or near Zumbrota, thence extending in an easterly direction to a point on Route No. 3; affording Zumbrota, Mazeppa, Zumbro Falls, and Wabasha a reasonable means of communication each with the other and other places within the state.

Route No. 74. Beginning at a point on Route No. 3, at or near Weaver, thence extending in a southwesterly direction to a point on Route No. 9, at or near Spring Valley; affording Weaver, St. Charles, Chatfield, and Spring Valley a reasonable means of communication each with the other and other places within the state.

Route No. 75. Beginning at a point on Route No. 3 in Winona, thence extending in a northeasterly direction to a point on the line between the states of Minnesota and Wisconsin.

Route No. 76. Beginning at a point on Route No. 43, at or near Wilson, thence extending in a southeasterly direction to a point on the line between the states of Minnesota and Iowa; affording Wilson, Houston, and Caledonia a reasonable means of communication each with the other and other places within the state.

Route No. 77. Beginning at a point on Route No. 43 at or near Rushford, thence extending in a westerly direction to a point on Route No. 56 at or near Hayfield; affording Rushford, Chatfield, Stewartville, and Hayfield a reasonable means of communication each with the other and other places within the state.

Route No. 78. Beginning at a point on Route No. 9 at or near Rushford, thence extending in a southerly direction to a point on Route No. 44 at or near Mabel.

Route No. 79. Beginning at a point on Route No. 20 at or near Harmony, thence extending in a southerly direction to the line between the states of Minnesota and Iowa.

Route No. 80. Beginning at a point on Route No. 9 southerly of Wykoff, thence extending in an easterly direction to a point on Route No. 20 at or near Preston.

Route No. 81. Beginning at a point on Route No. 9 easterly of Austin, thence extending in a southeasterly direction to a point on Route No. 59 easterly of LeRoy.

Route No. 82. Beginning at a point on Route No. 40 at or near Blooming Prairie, thence extending in a westerly direction to a point on Route No. 15; affording Blooming Prairie, Ellendale, Mapleton, and St. James a reasonable means of communication each with the other and other places within the state.

Route No. 83. Beginning at a point on Route No. 5 westerly of Mankato, thence extending in a northwesterly direction to a point on Route No. 15 southerly of New Ulm.

Route No. 84. Beginning at a point on Route No. 7 at or near Sleepy Eye, thence extending in a southerly direction to the line between the states of Minnesota and Iowa; affording Sleepy Eye, St. James, and Sherburne a reasonable means of communication each with the other and other places within the state.

Route No. 85. Beginning at a point on Route No. 16 at or near Windom, thence extending in a southwesterly direction to a point on the line between the states of Minnesota and Iowa at or near Bigelow; affording Windom, Worthington, and Bigelow a reasonable means of communication each with the other and other places within the state.

Route No. 86. Beginning at a point on the line between the states of Minnesota and Iowa southerly of Lakefield, thence extending northerly through Lakefield to a point on Route No. 85 as herein established westerly of Windom.

Route No. 87. Beginning at a point on Route No. 9 southerly of Wells, thence extending in a southerly direction through Kiester to a point on the line between the states of Minnesota and Iowa.

Route No. 88. Beginning at a point on the line between the states of Minnesota and South Dakota, and on Route No. 9, thence extending in a northeasterly direction to a point on Route No. 12 at or near Montevideo; affording Jasper, Pipestone, Marshall, and Montevideo a reasonable means of communication each with the other and other places within the state.

Route No. 89. Beginning at a point on Route No. 6 at or near Pipestone, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Route No. 90. Beginning at a point on Route No. 6 at or near Ivanhoe, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Route No. 91. Beginning at a point on the line between the states of Minnesota and Iowa southerly of Adrian, thence extending in a northerly direction to a point on Route No. 88 as herein established at or near Russell; affording Adrian, Lake Wilson, and Russell a reasonable means of communication each with the other and other places within the state.

Route No. 92. Beginning at a point on Route No. 17 westerly of Currie, thence extending in an easterly direction to a point on Route No. 84; affording Currie and Jeffers a reasonable means of communication each with the other and other places within the state.

Route No. 93. Beginning at a point on Route No. 4 at or near Redwood Falls, thence extending in a southeasterly direction to a point on Route No. 70 at or near Sleepy Eye.

Route No. 94. Beginning at a point on Route No. 3, northerly of Hastings, thence extending in a southeasterly direction to a point on the line between the states of Minnesota and Wisconsin.

Route No. 95. Beginning at a point on Route No. 94 as herein established at Point Douglas, thence extending in a northerly direction through Bayport and Stillwater to a point on Route No. 46, at or near Taylors Falls.

Route No. 96. Beginning at a point on Route No. 95 as herein established at or near Stillwater, thence extending in a westerly direction to a point on Route No. 63 at or near New Brighton.

Route No. 97. Beginning at a point on Route No. 1 at or near Forest Lake, thence extending in an easterly direction to a point on Route No. 95 as herein established.

Route No. 98. Beginning at a point on Route No. 1 at or near Forest Lake, thence extending in a northeasterly direction to a point on Route No. 46.

Route No. 99. Beginning at a point on Route No. 21 east of Le Center, thence extending in an easterly direction to a point on Route No. 21 near General Shields Lake.

Route No. 100. Beginning at a point on Route No. 22 at or near Gaylord, thence extending in an easterly direction to a point on Route No. 3 westerly of Red Wing; affording Gaylord, Henderson, New Prague, Northfield, Cannon Falls, and Red Wing a reasonable means of communication each with the other and other places in the state.

Route No. 101. Beginning at a point on Route No. 1 at

or near Faribault, thence extending in a northerly direction to a point on Route No. 50.

Route No. 102. Beginning at the present terminus of Route No. 1 on the southerly limits of the city of St. Paul, thence extending in a northerly direction through the city of St. Paul to the point of beginning of Route No. 1 on the northerly limits of the city of St. Paul.

Route No. 103. Beginning at the present terminus of Route No. 1 on the westerly limits of the city of Duluth, thence extending in a northeasterly direction to the present point of beginning of Route No. 1 on the northerly limits of the city of Duluth.

Route No. 104. Beginning at the present terminus of Route No. 3 on the easterly limits of the city of St. Paul, thence extending in a northwesterly direction through the cities of St. Paul and Minneapolis to the present point of beginning of Route No. 3 on the westerly limits of the city of Minneapolis.

Route No. 105. Beginning at a point on the southerly limits of the city of Minneapolis, thence extending in a northeasterly direction through Minneapolis to a point at the beginning of Route No. 5 on the northerly limits of the city of Minneapolis.

Route No. 106. Beginning at a point on Route No. 8 in the westerly limits of the city of Duluth, thence extending in a southeasterly direction through Duluth to a point at the water's edge of St. Louis Bay and there terminating.

Route No. 107. Beginning at the present terminus of Route No. 10 on the westerly limits of the city of Minneapolis, thence extending in an easterly direction to a point on Route No. 104 as herein established.

Route No. 108. Beginning at the present terminus of Route No. 12 on the easterly limits of the city of St. Paul, thence extending in a westerly direction through the cities of St. Paul and Minneapolis to a point on the westerly limits of the city of Minneapolis, connecting with Route No. 12.

Route No. 109. Beginning at the terminus of Route No. 45 on the easterly limits of the city of St. Paul, thence extending into St. Paul in a southwestly direction to connect with Route No. 102 as herein established.

Route No. 110. Beginning at the present terminus of Route No. 50 on the southerly limits of the city of Minneapolis, thence extending through Minneapolis and northerly to a

point on Route 2 at or near Aitkin, affording Minneapolis, Anoka, Ogilvie, Isle, and Aitkin a reasonable means of communication each with the other and other places within the state.

Route No. 111. Beginning at the present terminus of Route No. 52 on the westerly limits of the United States Military Reservation at Fort Snelling, thence extending in a northeasterly direction through the Military Reservation into the city of St. Paul to connect with Route No. 102 as herein established.

Route No. 112. Beginning at the present terminus of Route No. 53 on the southerly limits of the city of South St. Paul, thence extending through South St. Paul into the city of St. Paul to connect with Route No. 102 as herein established.

Route No. 113. Beginning at a point on the northerly limits of the city of St. Paul, thence extending in a southeasterly direction into St. Paul to connect with Route No. 104 as herein established.

Route No. 114. Beginning at the present terminus of Route No. 63 on the northerly and easterly limits of the city of Minneapolis, thence extending into Minneapolis in a southwesterly direction to connect with Route No. 105 as herein established.

Route No. 115. Beginning at a point on Route No. 112 as herein established in St. Paul thence extending in a southerly direction to a point on Route No. 1 southerly of Wescott.

Route No. 116. Beginning at a point on Route No. 104 as herein established in the city of Minneapolis, thence extending in a southeasterly direction to a point on Route No. 53, thence extending in a southerly direction to a point on Route No. 21 at or near Kenyon; affording Minneapolis, Mendota, Hampton, and Kenyon a reasonable means of communication each with the other and other places within the state.

Route No. 117. Beginning at a point on Route No. 100 as herein established easterly of New Prague, thence extending in a northeasterly direction and crossing the Mississippi River easterly of the city of South St. Paul, thence extending in a northerly direction to a point on Route No. 1 at or near White Bear.

Route No. 118. Beginning at a point on Route No. 45 southwesterly of Stillwater, thence extending in a westerly direction to a point on Route No. 105 as herein established in Minneapolis.

Route No. 119. Beginning at a point on Route No. 49 at or near Clara City, thence extending in an easterly direction to a point on Route No. 12 at or near Excelsior; affording Clara City, Hutchinson, and Excelsior a reasonable means of communication each with the other and other places within the state.

Route No. 120. Route No. 120 is hereby discontinued and abolished.

Route No. 121. Beginning at a point on Route No. 22 at or near Gaylord, thence extending in a northeasterly direction to a point on Route No. 5; affording Gaylord, Norwood, and Victoria a reasonable means of communication each with the other and other places within the state.

Route No. 122. Beginning at a point on Route No. 5 in Mankato, thence extending in a northwesterly direction through Nicollet to a point on Route No. 22, southerly of Gaylord.

Route No. 123. Beginning at a point on Route No. 5 at or near Le Sueur, thence extending in a southeasterly direction to a point on Route No. 21.

Route No. 124. Beginning at a point on Route No. 39 at or near Wells, thence extending in a southeasterly direction to a point on Route No. 9 at or near Alden.

Route No. 125. Beginning at a point on Route No. 111 as herein established north of the Mississippi River, thence extending in a northerly direction to a point on Route No. 63.

Route No. 126. Beginning at a point on Route No. 104 as herein established in St. Paul at or near Rice Street, thence extending in a northerly direction to a point on Route No. 63.

Route No. 127. Beginning at a point on Route No. 1 in the southwesterly portion of White Bear, thence extending in a northeasterly direction to a point on Route No. 1 near Bald Eagle Junction, this route to be a substitute for the present location of Route No. 1 between these points.

Route No. 128. Beginning at the present terminus of Route No. 57 in Mantorville, thence extending in a northerly direction through Wanamingo to a point on Route No. 20.

Route No. 129. Beginning at a point on Route No. 3 at or near St. Cloud, thence extending in a southeasterly direction to a point on Route No. 110 as herein established northerly of Minneapolis; affording St. Cloud, Clearwater, and Monticello a reasonable means of communication each with the other and other places within the state.

Route No. 130. Beginning at a point on Route No. 3 northwesterly of Minneapolis, thence extending in a southerly direction to a point on Route No. 52.

Route No. 131. Beginning at a point on Route No. 37 at or near Randall, thence in an easterly direction to a point on Route No. 27.

Route No. 132. Beginning at a point on Route No. 27 at or near St. Cloud, thence extending in an easterly direction to a point on Route No. 46 at Taylors Falls; affording St. Cloud, Princeton, Cambridge, and Taylors Falls a reasonable means of communication each with the other and other places within the state.

Route No. 133. Beginning at a point on Route No. 5 northerly of Braham, thence extending in an easterly direction to a point on the line between the states of Minnesota and Wisconsin.

Route No. 134. Beginning at a point on Route No. 5 southerly of Grasston, thence extending in a northerly direction to a point on Route No. 23.

Route No. 135. Beginning at a point on Route No. 28 westerly of Little Falls, thence extending in a westerly and southwesterly direction to a point on Route No. 3 at Osakis; affording Little Falls, Long Prairie, and Osakis a reasonable means of communication each with the other and other places within the state.

Route No. 136. Beginning at a point on Route No. 8 northwesterly of Bemidji, thence extending in a northwesterly direction to a point on Route No. 11 at or near Roseau.

Route No. 137. Beginning at a point on Route No. 18 northwesterly of Garrison, thence extending in a northerly direction to a point on Route No. 34 at or near Remer; affording Garrison, Deerwood, Crosby, and Remer a reasonable means of communication each with the other and other places within the state.

Route No. 138. Beginning at a point on Route No. 19 northerly of Walker, thence extending in a northwesterly direction to a point on Route No. 4.

Route No. 139. Beginning at a point on Route No. 19 at or near Pine River, thence extending in a northeasterly direction to a point on Route No. 34.

Route No. 140. Beginning at a point on Route No. 11 at or near Baudette, thence extending in a northerly direction to Lake of the Woods.

Route No. 141. Beginning at a point on Route No. 28 at or near Sauk Centre, thence extending in a southerly direction to a point on Route No. 4.

Route No. 142. Beginning at a point on Route No. 4 at or near Paynesville, thence extending in a northwesterly direction to a point on the line between the states of Minnesota and North Dakota; affording Paynesville, Glenwood, and Elbow Lake a reasonable means of communication each with the other and other places within the state.

Route No. 143. Beginning at a point on Route No. 10 westerly of Pennock, thence extending in a northerly direction to a point at or near Terrace; thence continuing in a northerly direction to a point on Route No. 142 as herein established.

Route No. 144. Beginning at a point on Route 6 at or near Madison, thence extending in a northeasterly and northerly direction to a point on Route No. 142 as herein established at or near Barrett; affording Madison, Appleton, Morris, and Barrett a reasonable means of communication each with the other and other places within the state.

Route No. 145. Beginning at a point on Route No. 10 at or near Willmar, thence extending in a westerly direction to a point on Route No. 144 as herein established.

Route No. 146. Beginning at a point on Route No. 49 thence extending in a southerly direction through Maynard to a point on Route No. 12.

Route No. 147. Beginning at a point on Route No. 66 at or near Appleton, thence extending in a northwesterly direction to a point on Route No. 6.

Route No. 148. Beginning at a point on Route No. 6 at or near Ortonville, thence extending in a northwesterly direction to a point on Route No. 28.

Route No. 149. Beginning at a point on Route No. 148 as herein established at Ortonville, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Route No. 150. Beginning at a point on Route No. 12 at or near Hector, thence extending in a northerly direction to a point on Route No. 4 at or near Paynesville; affording Hector, Grove City, and Paynesville a reasonable means of communication each with the other and other places within the state.

Route No. 151. Beginning at a point on Route No. 24 southerly of Kimball, thence extending in a southerly direc-

tion to a point on Route No. 14 at or near Winthrop; affording Kimball, Hutchinson, and Winthrop a reasonable means of communication each with the other and other places within the state.

Route No. 152. Beginning at a point on Route No. 10 at or near Herman, thence extending in a northwesterly direction to a point on Route No. 3 southerly of Breckenridge.

Route No. 153. Beginning at a point on Route No. 3 at or near Evansville, thence extending in a northwesterly direction to a point on Route No. 6 southerly of Fergus Falls.

Route No. 154. Beginning at a point on Route No. 6 at or near Canby, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Route No. 155. Beginning at a point on Route No. 12 southerly of Madison, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Route No. 156. Beginning at a point on Route No. 104 as herein established in the city of Minneapolis at the easterly end of Washington Avenue, thence extending in a northwesterly and northerly direction to a point on Route No. 62 easterly of the Great Northern Railway.

Route No. 157. Beginning at a point on Route No. 35 on the north side of Mille Lacs Lake, thence extending in an easterly direction to a point on Route No. 110 as herein established.

Route No. 158. Beginning at a point on Route No. 11 at International Falls, thence extending in an easterly direction to Black Bay.

Route No. 159. Beginning at a point on Route No. 5 at or near Swan River, thence extending in a northerly direction to a point on Route No. 4 at or near Little Fork; affording Swan River, Nashwauk, and Little Fork a reasonable means of communication each with the other and other places within the state.

Route No. 160. Beginning at a point on Route No. 35 at or near Tower, thence extending in a westerly direction to a point on Route No. 136 as herein established southerly of Red Lake.

Route No. 161. Beginning at a point on Route No. 3 in Red Wing, thence extending in a northerly direction to a

point on the line between the states of Minnesota and Wisconsin.

Route No. 162. Beginning at a point on Route No. 34 at or near Remer, thence extending in an easterly direction to a point on Route No. 8.

Route No. 163. Beginning at a point on Route No. 1 at or near Moose Lake, thence extending in a northerly direction to a point on Route No. 11 southerly of Orr; affording Moose Lake, Cromwell, Floodwood, Hibbing, Chisholm, and Orr a reasonable means of communication each with the other and other places within the state.

Route No. 164. Beginning at a point on Route No. 1, thence extending in a northerly direction through Cloquet to a point on Route 11.

Route No. 165. Beginning at a point on Route No. 8 westerly of Deer River, thence extending in a northwesterly direction to a point on Route No. 4.

Route No. 166. Beginning at a point on Route No. 35 at Ely, thence extending in a southeasterly direction to a point on Route No. 1.

Route No. 167. Beginning at a point on Route No. 11 northerly of Virginia, thence extending in a northeasterly direction to a point on Route No. 160 as herein established westerly of Tower.

Route No. 168. Beginning at a point on Route No. 4 near Itasca State Park, thence in a northwesterly direction to a point on Route No. 31 at Mahnomen.

Route No. 169. Beginning at a point on Route No. 8 at or near Bagley, thence extending in a southerly direction to a point on Route No. 168 as herein established.

Route No. 170. Beginning at a point on Route No. 32 at or near Thief River Falls, thence extending in an easterly direction to a point on Route No. 136 as herein established.

Route No. 171. Beginning at a point on Route No. 6 near St. Vincent, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Route No. 172. Beginning at a point on Route No. 6 at or near Donaldson, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Route No. 173. Beginning at a point on Route No. 6

at or near Warren, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Route No. 174. Beginning at a point on Route No. 8 at or near Erskine, thence extending in a northwesterly direction to a point on the boundary line between United States and Canada northerly of Lancaster.

Any portion of Route No. 174 northerly or westerly of Lancaster heretofore established as a trunk highway shall continue as a trunk highway until the commissioner of highways shall pursuant to the authority in this act contained definitely locate Route No. 174 hereunder northerly of Lancaster. Upon the final and definite location of Route No. 174 hereunder northerly of Lancaster then any portion of Route No. 174 northerly or westerly of Lancaster heretofore established as a part of Route No. 174 and not included in any new designation hereunder shall revert to the county or subdivision thereof originally charged with the care thereof but where such road or any portion thereof so ceasing to be a trunk highway had its origin as a state trunk highway it shall become a county road unless the same lies within the corporate limits of any village, borough, or city in which event it shall become a street of such village, borough or city.

Route No. 175. Beginning at a point on Route No. 8 at or near Crookston, thence extending in a southerly direction to a point on Route No. 6 northerly of Hendrum.

Route No. 176. Beginning at a point on Route No. 175 as herein established at or near Halstad, thence extending in a westerly direction to a point on the line between the states of Minnesota and North Dakota.

Route No. 177. Beginning at a point on Route No. 32 southerly of Red Lake Falls, thence extending in a southerly direction to a point on Route No. 182.

Route No. 178. Beginning at a point on Route No. 6 near Crookston, thence extending in a southeasterly direction to a point on Route No. 177 as herein established at or near Fertile.

Route No. 179. Beginning at a point on Route No. 6 at or near Ada, thence extending in a southerly direction to a point on Route No. 64 at or near Barnesville.

Route No. 180. Beginning at a point on Route No. 153 as herein established at or near Ashby, thence extending in a northeasterly direction to a point on Route No. 181 as herein established at or near Otter Tail.

Route No. 181. Beginning at a point on Route No. 36 at or near Henning, thence extending in a northwesterly direction to a point on Route No. 2 at or near Perham.

Route No. 182. Beginning at a point on Route 30 at or near Lake Lizzie, thence extending in a westerly direction to a point on Route No. 64 at or near Barnesville.

Route No. 183. Beginning at a point on Route No. 36 east of Henning, thence extending in an easterly direction to a point on Route No. 2 at or near Staples.

Route No. 184. Beginning at a point on Route No. 29 at or near Deer Creek, thence extending in a northerly direction to a point on Route No. 2.

Route No. 185. Beginning at a point on Route No. 1 at Sandstone, thence extending in a northeasterly direction to a point on Route No. 103 as herein established in Duluth.

Route No. 186. Beginning at a point on Route No. 110 as herein established, thence extending in an easterly direction to a point on Route No. 185 as herein established at or near Askov; affording Isle, Finlayson, and Askov, a reasonable means of communication each with the other and other places within the state.

Route No. 187. Beginning at a point on Route No. 18 at or near Elk River, thence extending in a southerly direction to a point on Route No. 117 as herein established.

Route No. 188. Beginning at a point on Route No. 69 at Buffalo, thence extending in an easterly direction to a point on Route No. 110 as herein established.

Route No. 189. Beginning at a point on Route No. 5 southerly of Mora, thence extending in a southerly direction to a point on Route No. 132 as herein established.

Route No. 190. Beginning at a point on Route No. 6 at or near Wheaton, thence extending in a southwesterly direction to a point on Route No. 28 at or near Browns Valley.

Route No. 191. Beginning at a point on Route No. 190 as herein established southwesterly of Wheaton, thence extending in a westerly direction to a point on the line between the states of Minnesota and South Dakota.

Route No. 192. Beginning at a point on Route No. 1 at or near Hinckley, thence extending in an easterly direction to the line between the states of Minnesota and Wisconsin.

Route No. 193. Beginning at a point on Route No. 2

at or near Motley, thence extending in a northerly direction to a point on Route No. 34 westerly of Walker.

Route No. 194. Beginning at a point on Route No. 117 as herein established at or near Mendota, thence extending in a northeasterly direction to a point on Route No. 102 as herein established.

Route No. 195. Beginning at a point on Route No. 1 at or near Albert Lea, thence extending in a southwesterly direction to a point on the line between the states of Minnesota and Iowa.

Route No. 196. Beginning at a point on Route No. 8 at or near Grand Rapids, thence extending in a northerly direction to a point on Route No. 160 as herein established; affording Grand Rapids and Big Fork a reasonable means of communication each with the other and other places within the state.

Route No. 197. Beginning at a point on Route No. 4 southerly of Park Rapids, thence extending in an easterly direction to a point on Route No. 139 as herein established easterly of Backus.

Route No. 198. Beginning at a point on Route No. 9 at or near LaCrescent, thence extending in a southerly direction to a point on the line between the states of Minnesota and Iowa.

Route No. 199. Beginning at a point on Route No. 9 at or near Austin, thence extending in a southwesterly direction to a point on the line between the states of Minnesota and Iowa.

Route No. 200. Beginning at a point on Route No. 4 at or near Itasca State Park, thence extending in a westerly direction to a point on Route No. 30 at or near Waubon.

Route No. 201. Beginning at a point on Route No. 82, as herein established, near Waldorf, thence extending in a northwesterly direction to a point on Route No. 39 at or near Mankato.

Route No. 202. Beginning at a point on Route No. 11 at or near Eveleth, thence extending in a northeasterly direction to a point on Route No. 35 at Gilbert.

Route No. 203. Beginning at a point on Route No. 11 westerly of Duluth, thence extending in a southeasterly direction through Proctor and Duluth to the water's edge of St. Louis Bay, and there terminating.

Route No. 204. Beginning at a point on Route No. 11, westerly of Duluth, thence extending in a southeasterly direction to a point on Route No. 103, as herein established in Duluth.

Route No. 205. Beginning at a point on Route No. 54, easterly of Herman, thence extending in an easterly direction to a point on Route No. 29, at or near Alexandria.

Route No. 206. Beginning at a point on Route No. 30, at or near Pelican Rapids, thence extending in an easterly direction to a point on Route No. 181, as herein established, southerly of Perham.

Route No. 207. Beginning at a point on Route No. 2, at or near Frazee, thence extending in an easterly direction to a point on Route No. 4 at or near Menahga.

Route No. 208. Beginning at a point on Route No. 28 at or near Starbuck, thence extending in a northerly direction to a point on Route No. 3 at or near Garfield.

Route No. 209. Beginning at a point on Route No. 3 at or near Becker, thence extending in a northerly direction to a point on Route No. 13, at or near Brainerd; affording Becker, Foley, Gilman, Pierz and Brainerd, a reasonable means of communication each with the other and other places within the state.

Route No. 210. Beginning at a point on Route No. 10 at or near Benson, thence extending in an easterly direction to a point on Route No. 4 at or near New London.

Route No. 211. Beginning at a point on Route No. 64 at or near Barnesville, thence extending in a southwesterly direction to a point on Route No. 3 at or near Breckenridge.

Route No. 212. Beginning at a point on Route No. 3 at or near Robbinsdale, thence extending in a northeasterly and easterly direction to a point on Route No. 62 easterly of New Brighton, affording necessary and reasonable means of communication to industrial areas engaged in the manufacture of essential war materials, and bringing into the Trunk Highway System an important route a portion of which has been heretofore improved with federal aid, and all of which has been approved for surveys and plans with federal funds by the Public Roads Administration.

Route No. 213. Beginning at a point on Route No. 185 in Duluth, thence extending in an easterly direction to a point on the line between the State of Minnesota and Wisconsin.

Route No. 214. Beginning at a point on Constitutional

Route No. 3, now known as Trunk Highway No. 61 in the City of Wabasha, Minnesota; thence northerly to a point on the line between the states of Minnesota and Wisconsin.

Route No. 215. Beginning at a point on Route No. 1, at or near Carlton; thence extending in an easterly direction to a point on Route No. 185.

Route No. 216. Beginning at a point on Route No. 35, at or near Hibbing; thence extending in an easterly direction to a point on Route No. 11 southerly of Eveleth.

Route No. 217. Beginning at a point on Route No. 159, at or near Littlefork; thence extending in an easterly direction to a point on Route No. 11.

Route No. 218. Beginning at a point on Route No. 11, westerly of Roseau; thence extending in a westerly direction thence in a general northerly direction to reach the international boundary near Pinecreek.

Route No. 219. Beginning at a point on Route No. 170 easterly of Thief River Falls; thence extending in a general northerly direction to a point on Route No. 136 westerly of Grygla.

Route No. 220. Beginning at a point on Route No. 175 at or near Climax; thence extending in a general northwesterly direction to a point on Route No. 8 at or near East Grand Forks; thence continuing in a general northerly direction to a point on Route No. 173 westerly of Warren; thence continuing in a general northerly direction to a point on Route No. 172 westerly of Donaldson.

Route No. 221. Beginning at a point on Route No. 166 in Ely; thence extending in a general northeasterly direction to a point north of the center of Section 20, Township 63 North, Range 11 West.

Route No. 222. Beginning at a point in or adjacent to Oklee; thence extending in a general southerly direction to a point on Route No. 65.

Route No. 223. Beginning at a point in or adjacent to Leonard; thence extending in a westerly direction to a point on Route No. 65.

Route No. 224. Beginning at a point in Section 23, Township 142 North, Range 41 West; thence extending in a general westerly direction to a point on Route No. 30.

Route No. 225. Beginning at a point in Section 5,

Township 140 North, Range 37 West; thence extending in a general southerly direction to a point on Route No. 34.

Route No. 226. Beginning at a point in Section 10, Township 140 North, Range 34 West; thence extending in a general southerly direction to a point on Route No. 34.

Route No. 227. Beginning at a point in or adjacent to Nimrod; thence extending in a westerly direction to a point on Route No. 4.

Route No. 228. Beginning at a point in or adjacent to Vergas; thence extending in a general easterly direction to a point on Route No. 2.

Route No. 229. Beginning at a point on Route No. 64 southerly of Barnesville; thence extending in a general easterly direction to a point on Route No. 30, at or near Pelican Rapids.

Route No. 230. Beginning at a point on Route No. 6, at or near Moorhead; thence extending in a general westerly direction to a point on the boundary between the states of Minnesota and North Dakota.

Route No. 231. Beginning at a point at the boundary between the states of Minnesota and North Dakota on First Avenue South in Moorhead; thence extending in a general easterly direction to a point on Route No. 64 south of Route No. 2.

Route No. 232. Beginning at a point in or adjacent to Palisade; thence extending in a general direction to a point on Route No. 5.

Route No. 233. Beginning at a point in Section 35, Township 135 North, Range 26 West; thence extending in a general southerly direction to a point on Route No. 18 at or near Brainerd.

Route No. 234. Beginning at a point on Route No. 138 westerly of Laporte; thence extending in a general southerly direction to a point on Route No. 34, at or near Akeley.

Route No. 235. Beginning at a point in or adjacent to Urbank; thence extending in a general easterly direction to a point on Route No. 29.

Route No. 236. Beginning at a point on the boundary between the states of Minnesota and South Dakota at the White Rock Highway Dam; thence extending in a general easterly direction to a point on Route No. 6.

Route No. 237. Beginning at a point in or adjacent to New Munich; thence extending in a general northerly direction to a point on Route No. 3.

Route No. 238. Beginning at a point on Route No. 3 westerly of Albany; thence extending in a general northerly direction to a point at or near Upsala; thence continuing in a northerly direction to a point on Route No. 28 westerly of Little Falls.

Route No. 239. Beginning at a point on Route No. 27, at or near Sauk Rapids; thence extending in a general south-westerly direction crossing the Mississippi River; thence continuing in a general southerly direction to a point on Route No. 3 in St. Cloud.

Route No. 240. Beginning at a point on Route No. 69, at or near Annandale; thence extending in a general northerly direction to a point on Route No. 129, at or near Clearwater; thence continuing in a general northerly direction to a point on Route No. 3.

Route No. 241. Beginning at a point in or adjacent to St. Michael; thence extending in a general easterly direction to a point on Route No. 129.

Route No. 242. Beginning at a point on Route No. 62, at or near Anoka; thence extending in a general easterly direction to a point on Route No. 5.

Route No. 243. Beginning at a point on Route No. 95 southerly of Route No. 46; thence extending in a general southeasterly direction to a point on the boundary between the states of Minnesota and Wisconsin.

Route No. 244. Beginning at a point on Route No. 1 southerly of White Bear Lake; thence extending in a general easterly and northerly direction to a point at or near Mahtomedi; thence continuing in a general northerly direction to a point on Route No. 96.

Route No. 245. Beginning at a point at or near the junction of Route No. 3 and Route No. 20; thence extending in a general westerly direction to a point on Route No. 50.

Route No. 246. Beginning at a point in or adjacent to Nerstrand; thence extending in a general northerly direction to a point westerly of Dennison; thence continuing in a general northwesterly direction to a point on Route No. 1 at or near Northfield.

Route No. 247. Beginning at a point on Route No. 59

southerly of Zumbro Falls; thence extending in a general easterly direction to a point on Route No. 42 at or near Plainview.

Route No. 248. Beginning at a point in or adjacent to Altura; thence extending in a general easterly direction to a point in or adjacent to Rollingstone; thence continuing in a general easterly direction to a point on Route No. 3.

Route No. 249. Beginning at a point on Route No. 44, at or near Caledonia; thence extending in a general easterly direction to a point on Route No. 198.

Route No. 250. Beginning at a point on Route No. 9, at or near Lanesboro; thence extending in a general northerly direction to a point on Route No. 77.

Route No. 251. Beginning at a point on Route No. 1, at or near Clarks Grove; thence extending in a general easterly direction to a point on Route No. 40.

Route No. 252. Beginning at a point on Route No. 9 westerly of Austin; thence extending northeasterly to a point on Route No. 40 northerly of the south line of section 34, township 103 north, range 18 west, Mower County, Minnesota; thence extending southeasterly to a point on Route No. 9 in or near Austin; thence extending easterly along Route No. 9 to a point in or near Austin and thence southerly and westerly to a point on Route No. 40 in or near Austin.

Route No. 253. Beginning at a point in or adjacent to Bricelyn; thence extending in a general northerly direction to a point on Route No. 9.

Route No. 254. Beginning at a point on Route No. 9 easterly of Blue Earth; thence extending in a general southerly direction to a point in or adjacent to Frost; thence continuing in a general southerly direction to a point on the boundary between the states of Minnesota and Iowa.

Route No. 255. Beginning at a point on Route 5, at or near Winnebago; thence extending in a general easterly direction to a point on Route No. 39, at or near Wells.

Route No. 256. Beginning at a point in or adjacent to Good Thunder; thence extending in a general northerly direction to a point on Route No. 5 in Mankato; thence continuing in a general northerly direction to a point on Route No. 122, in or adjacent to North Mankato; thence continuing in a general northeasterly direction to a point on Route No. 5 in Mankato.

Route No. 257. Beginning at a point in or adjacent to

Hanska; thence extending in an easterly direction to a point on Route No. 15.

Route No. 258. Beginning at a point in or adjacent to Comfrey; thence extending in a general northerly direction to a point on Route No. 7.

Route No. 259. Beginning at a point on Statutory Route No. 100, at or near Henderson; thence extending in a general southeasterly direction to a point on Statutory Route No. 123, at or near LeSueur.

Route No. 260. Beginning at a point on Route No. 5 southwesterly of Shakopee; thence extending in a general northerly direction to a point on Route No. 12, at or near Chaska.

Route No. 261. Beginning at a point in or adjacent to Winsted; thence extending in a southerly direction to a point on Route No. 119 northerly of Lester Prairie; thence continuing in a general southerly direction to a point on Route No. 12.

Route No. 262. Beginning at a point in or adjacent to Granada; thence extending in a southerly direction to a point on Route No. 9 easterly of Fairmont.

Route No. 263. Beginning at a point in or adjacent to Ceylon; thence extending in a general northerly direction to a point on Route No. 9 westerly of Fairmont.

Route No. 264. Beginning at a point in or adjacent to Round Lake; thence extending in a general northerly direction to a point on Route No. 9 easterly of Worthington.

Route No. 265. Beginning at a point on Route No. 85 northeasterly of Bigelow; thence extending in a southerly direction to a point on the boundary between the states of Minnesota and Iowa.

Route No. 266. Beginning at a point in or adjacent to Wilmont; thence extending in a southeasterly direction to a point on Route No. 9, at or near Worthington.

Route No. 267. Beginning at a point in or adjacent to Iona; thence extending in a general northerly direction to a point on Route No. 17, at or near Slayton.

Route No. 268. Beginning at a point at or adjacent to Edgerton; thence extending in a general westerly direction to a point on Route No. 6.

Route No. 269. Beginning at a point on Route No. 88,

at or southerly of Jasper; thence extending in a westerly direction to a point on the boundary between the states of Minnesota and South Dakota.

Route No. 270. Beginning at a point in or adjacent to Hills; thence extending in a general easterly direction to a point on Route No. 6.

Route No. 271. Beginning at a point on the boundary between the states of Minnesota and South Dakota near the northwest corner of section 30, Township 113 North, Range 46 west; thence extending in an easterly and southerly direction to a point in or adjacent to Hendricks; thence continuing in a southerly direction to a point on Route No. 90.

Route No. 272. Beginning at a point on Route No. 14 northerly of Milroy; thence extending in a southerly and easterly direction to a point on Route No. 4 south of Redwood Falls; thence continuing in an easterly direction to a point on Route No. 93, in or adjacent to Morgan.

Route No. 273. Beginning at a point in or adjacent to Belview; thence extending in a southerly direction to a point on Route No. 14.

Route No. 274. Beginning at a point in or adjacent to Wood Lake; thence extending in a general northerly direction to a point on Route No. 67.

Route No. 275. Beginning at a point in or adjacent to Boyd; thence extending in a general northerly direction to a point on Route No. 12.

Route No. 276. Beginning at a point in or adjacent to Marietta; thence extending in a general easterly direction to a point on Route No. 6.

Route No. 277. Beginning at a point on Route No. 49 northerly of Maynard; thence extending in a northerly direction to a point on Route No. 145.

Route No. 278. Beginning at a point on Route No. 130 southerly of Robbinsdale; thence extending in a general easterly direction on or near Lowry Avenue in Minneapolis to a point on Route No. 110.

Route No. 279. Beginning at a point on Route No. 117 in Dakota County and southwesterly of Fort Snelling; thence extending in a general northerly direction across the Minnesota River; thence extending in a general northerly direction on or near Cedar Avenue in Hennepin County to a point on Route No. 114. Provided that the portion of Route No. 279

between Route No. 52 and Route No. 117 shall not be constructed until after May 1, 1959, but the commissioner of highways may prior to May 1, 1959, make surveys and prepare plans, as he deems necessary, in connection with said portion of Route No. 279.

Route No. 280. Beginning at a point on St. Anthony Avenue in St. Paul; thence extending in a general northerly direction to a point on Route No. 63, at or near New Brighton.

Route No. 281. Beginning at a point on Route No. 203 in Duluth, at or near its westerly junction with Route No. 103; thence extending in a northeasterly direction through Duluth to a point on Route No. 103 in the northeasterly portion of Duluth.

Route No. 282. Beginning at a point on Route No. 5, at or near Jordan; thence extending in a general northeasterly direction to a point on Route No. 117 westerly of Spring Lake.

Route No. 283. Beginning at a point on Route No. 30, at or near Waubun; thence extending in a general westerly direction to a point on Route No. 177.

Route No. 284. Beginning at a point on Route No. 121, at or near Waconia; thence extending in a southerly direction to a point on Route No. 12.

Route No. 285. Beginning at a point on Route No. 1, at or near Scanlon; thence extending in a general southwesterly direction to a point on Route No. 2.

Route No. 286. Beginning at a point on Route No. 196, at or near Marcell; thence extending in a westerly direction to a point on Route No. 61.

Route No. 287. Beginning at a point on Route No. 28, at or near Grey Eagle; thence extending in a general northwesterly direction to a point on Route No. 4.

Route No. 288. Beginning at a point on Route 62 in the city of Anoka; thence extending in a general northerly direction to a point at or in the grounds of the Anoka State Hospital.

Route No. 289. Beginning at a point on Route No. 1 at or near Moose Lake; thence extending in a general southeasterly direction to a point at or in the grounds of the Moose Lake State Hospital.

Route No. 290. Beginning at a point on Route No. 19 south of Walker; thence extending in a general southwestly

direction to a point at or in the grounds of the State Sanatorium for Consumptives.

Route No. 291. Beginning at a point on Route No. 3 in the City of Hastings; thence extending in a general easterly and southeasterly direction to a point at or in the grounds of the Hastings State Hospital; thence extending in a general southwesterly direction to a point on Route No. 3.

Route No. 292. Beginning at a point on Route No. 3 in Red Wing; thence extending in a general southerly and easterly direction through the grounds of the Minnesota State Training School for Boys to a point on Route No. 3 in Red Wing.

Route No. 293. Beginning at a point on Route No. 132 in Cambridge; thence extending in a general southerly direction through the grounds of the Cambridge State School and Hospital to a point on Route No. 5.

Route No. 294. Beginning at a point on Route No. 4, northeasterly of Willmar; thence extending in a general easterly direction to a point at or in the grounds of the Willmar State Hospital.

Route No. 295. Beginning at a point on Route No. 7 in the City of St. Peter; thence extending in a general southwesterly direction to a point at or in the grounds of the St. Peter State Hospital.

Route No. 296. Beginning at a point on Route No. 59 in the City of Rochester; thence extending in a general easterly direction to a point at or in the grounds of the Rochester State Hospital.

Route No. 297. Beginning at a point on Route No. 3 in the City of Fergus Falls; thence extending in a general northwesterly direction into and through the grounds of the Fergus Falls State Hospital; thence in a general southerly or southeasterly direction to a point on Route No. 3 in Fergus Falls.

Route No. 298. Beginning at a point on Route No. 21 in the City of Faribault; thence extending in a general southerly direction through the grounds of the Minnesota State Braille and Sight Saving School; thence in a general southerly direction to a point on the grounds of the Minnesota State School and Colony.

Route No. 299. Beginning at a point on Route No. 21 in the City of Faribault; thence extending in a general northerly direction to a point at or in the grounds of the Minnesota State School for the Deaf.

Route No. 300. Beginning at a point on Route No. 5 in or near the City of Shakopee; thence extending in a general northeasterly direction to a point at or in the grounds of the Minnesota State Reformatory for Women.

Route No. 301. Beginning at a point on Route No. 3; thence extending in a general westerly direction to the main entrance of the Minnesota State Reformatory for Men.

Route No. 302. Beginning at a point on Route No. 4 in the City of Sauk Centre; thence extending in a general northerly direction to a point at or in the grounds of the Minnesota State Home School for Girls.

Route No. 303. Beginning at a point on Route No. 7 in the City of Owatonna; thence extending in a general southerly direction through the grounds of the Owatonna State School; thence in a general easterly direction to a point on Route No. 7.

Route No. 304. Beginning at a point on Route No. 38 at or near Montevideo; thence extending in an easterly direction to connect with Route No. 49 easterly of Montevideo.

Route No. 305. Beginning at a point on Route No. 2 in Brainerd; thence extending in a southerly and easterly direction to a point on Route No. 18 easterly of Brainerd.

Route No. 306. Beginning at a point on Route No. 35 at or near Gilbert; thence extending in a general northeasterly direction to a point on Route No. 35 at or near Biwabik.

Route No. 307. Beginning at a point on Constitutional Route No. 8 at or near East Grand Forks; thence extending in a general westerly direction to a point on the boundary between the states of North Dakota and Minnesota.

Route No. 308. Beginning at a point on Constitutional Route No. 11 westerly of Fox; thence running in a general northerly direction to a point on Statutory Route No. 218 at or near Ross.

Route No. 309. Beginning at a point on Route No. 18 at or near Brainerd; thence extending in a general northwesterly direction to a point at or in the grounds of the Brainerd State School and Hospital.

Sec. 47. [160.461] **Additional routes; location, deviations.** The commissioner is hereby authorized and empowered to specifically and definitely locate each of the foregoing described routes; but, in so locating the same, he shall not deviate from the starting points or terminals as set forth in

section 46; nor shall there be any deviation from the various villages and cities named therein through which such routes shall pass. All of the provisions of existing law defining the powers and duties of the commissioner with reference to the temporary and permanent location of trunk highways and other highway matters are hereby conferred upon him with respect to the routes set forth in section 46.

Sec. 48. [160.471] **Laws applicable.** All of the provisions of law relating to the trunk highway system shall apply to the trunk highway routes created and established by section 46.

Sec. 49. [160.481] **Capitol highway.** The following route between the city of St. Paul and the south boundary of the State of Minnesota is hereby named and designated "The Capitol Highway":

Beginning at the intersection of University avenue and highway No. 62 in Anoka county, thence southerly along University avenue through Minneapolis, and thence southerly along University avenue and Robert street through St. Paul, thence southerly along South Robert street through West St. Paul, to a point at or near the northeast quarter-corner of section 19, township 27, range 22, thence southeasterly and southerly to a point at or near the southeast corner of section 35, township 113, range 19, thence southerly, traversing in part the line between Rice and Goodhue counties, to trunk highway No. 21, thence southeasterly on such highway to trunk highway No. 56, thence southerly on trunk highway No. 56 through Dodge Center to trunk highway No. 9, thence east on trunk highway No. 9 to the northeast corner of section 2, township 102, range 17; thence in a southeasterly direction along Mower county state aid road "A" to a point on the Iowa state line at or near the center of section 34, township 101, range 14.

Sec. 50. [160.491] **Colvill Memorial highway.** The following described highway shall be known as "The Colvill Memorial Highway":

Beginning at Gaylord and running thence in an easterly direction through Lonsdale, Northfield, and Cannon Falls, terminating at the city of Red Wing.

Sec. 51. [160.501] **Floyd B. Olson Memorial highway.** The following described highway shall be known as the "Floyd B. Olson Memorial Highway". Route No. 55, when permanently established, shall thereafter be known as the "Floyd B. Olson Memorial Highway" in addition to its statutory number.

Sec. 52. [160.511] **Evergreen Memorial drive.** Subdivision 1. That portion of Road No. 185, known as trunk highway 23 in St. Louis, Pine and Carlton counties, is hereby named and designated as "Evergreen Memorial Drive" in memory of the World War veterans of St. Louis, Pine and Carlton counties.

Subd. 2. No advertisement or sign shall be displayed within a distance of 300 feet from the center of the traveled part of the Evergreen Memorial Drive but this provision shall not apply within a municipality nor to any sign erected by public authority for the regulation of traffic nor to any advertisement or sign upon the wall of a building in which the goods advertised are offered for sale or the business advertised is conducted.

Subd. 3. The commissioner shall remove or cause to be removed any advertisement or sign prohibited under this section.

Sec. 53. [160.521] **Registered professional engineers as consultants.** Upon the request of the county highway engineer the county board of any county is authorized to employ and engage the services of registered professional engineers to act as consultants in connection with, and to prepare plans and specifications themselves or by their organization and employees for the construction of roads and bridges on county and county-state aid highways and the county board is authorized to negotiate for and agree upon the terms and compensation for such employment and services.

Sec. 54. [160.531] **Trunk highways in municipalities.** Subdivision 1. The county board of any county, the council or other governing body of any city, village or borough, or the town board of any town, as the case may be, may enter into an agreement with the commissioner for the construction of a roadway or structure of greater width or capacity than would be necessary to accommodate the normal trunk highway traffic upon any trunk highway within its boundaries, and may appropriate from any funds available and pay into the trunk highway fund such sums of money as may be agreed upon. Nothing herein contained shall prevent any such city or village from constructing the portions of the street not included in the trunk highway system independent of any contract with the commissioner; provided, such construction conforms to such reasonable regulations as the commissioner may prescribe as to grade and drainage.

Subd. 2. Where a trunk highway is located over or along a street in any city, village, or borough, which street is or may be improved to a width greater than the normal width

of such trunk highway, the council or other governing body of such city, village, or borough, as the case may be, may enter into an agreement with the commissioner for the maintenance of such additional width by the commissioner and shall from time to time in accordance with such agreement appropriate and pay into the trunk highway fund such sums of money as may be agreed upon. Nothing herein contained shall be construed to prevent any such city or village maintaining such additional width at its own expense independent of any contract with the commissioner.

Subd. 3. The commissioner for and on behalf of the State is hereby authorized to enter into agreements with municipalities for the construction, improvement and maintenance of trunk highways within the limits of said municipalities, including, but not limited to, agreements for the construction and maintenance of frontage roads upon and along trunk highways within the limits of said municipalities, and the municipalities are hereby authorized to enter into such agreement with the commissioner for the performance and responsibility of such work upon such terms as may be agreed upon.

Subd. 4. Whenever the governing body of any city, village, or borough enters into an agreement with the commissioner pursuant to subdivisions 1 or 2 for the construction or maintenance of a roadway or structure of greater width or capacity than would be necessary to accommodate the normal trunk highway traffic and a portion of the cost is to be assessed against benefited property, the letting of a public contract by the commissioner for the work shall be deemed to comply with statutory or charter provisions requiring the city, village, or borough (1) to advertise for bids before awarding a contract for a public improvement, (2) to let the contract to the lowest responsible bidder, and (3) to require a performance bond to be filed by the contractor before undertaking the work. The contract so let by the commissioner and the performance bond required of the contractor by the commissioner shall be considered to be the contract and bond of the city, village, or borough for the purposes of complying with the requirements of any applicable law or charter provision, and the bond shall inure to the benefit of the city, village, or borough and operate for their protection to the same extent as though they were parties thereto.

Subd. 5. For the purpose of this section the term "municipalities" shall be construed to include counties, cities, villages, boroughs and towns.

Sec. 55. [160.541] County-state aid highway system.

Subdivision 1. There is hereby created a county-state aid highway system which shall be established, located, constructed, reconstructed, improved and maintained as public highways by the several counties under the rules and regulations not inconsistent with this section, made and promulgated by the commissioner as hereinafter provided. The several counties are vested with all rights, title, easements and appurtenances thereto appertaining, held by, or vested in any of the towns or municipal subdivisions thereof or dedicated to the public use prior to the time any such road or any portion thereof is taken over by the county as a county-state aid highway. If a county-state aid highway is designated over a center portion of any street in a city, village or borough having a population of over 5,000 then the remaining portion of such street may be designated as a municipal-state aid street.

Subd. 2. Said rules and regulations shall be made and promulgated by the commissioner acting with the advice of a committee which shall be selected by the several county boards acting through the officers of the state-wide association of county commissioners. Said committee shall be composed of nine members so selected that each member shall be from a different state highway construction district. Not more than five of the nine members of said committee shall be county commissioners. The remaining members shall be county highway engineers. In the event that agreement cannot be reached on any rule or regulation the commissioners' determination shall be final. Such rules and regulations shall be printed and copies thereof shall be forwarded to the county auditors and the county engineers of the several counties.

Subd. 3. Said rules and regulations shall have the force and effect of law.

Subd. 4. The county boards of the several counties shall by resolution and subject to the concurrence of the commissioner locate and establish a system of county-state aid highways in accordance with the rules and regulations made and promulgated by the commissioner. A certified copy of such resolution shall be transmitted to the commissioner. It shall be the duty of the commissioner to review each such system considering the availability of funds and the desirability of such system in relation to an integrated and coordinated system of highways. After such review the commissioner shall by written order approve such system or any such part thereof which in his judgment is feasible and desirable. A certified copy of such order shall be filed with the county auditor and the county engineer.

Subd. 5. The several county boards shall have power

to acquire by purchase, gift or by condemnation in accordance with the provisions of Chapter 117, and acts supplemental thereto, the necessary easements for the establishment, location, relocation, construction, reconstruction, improvement and maintenance of the county-state aid highway system.

Subd. 6. Said system shall include all roads and extensions thereof which were designated on June 30, 1957, as state-aid roads, and which were on June 30, 1957, under the jurisdiction of the counties, and shall include all roads which were designated on June 30, 1957, as state-aid parkways; provided, however, that with the consent and approval of the commissioner, any such roads made a part of the county-state aid highway system by the provision of this subdivision may be abandoned or changed as such by the county board having jurisdiction over such road. Any such road so removed from the county-state aid highway system shall be a county road.

Subd. 7. The county board of any county may establish and locate any county-state aid highway upon or over any established road or street or a specified portion thereof within its limits; provided, however, that no county-state aid highway shall be established or located upon and over any street or road within the corporate limits of any city, village or borough without the approval of the governing body of such city, village or borough. Such approval shall be in the manner and form required by the commissioner.

Subd. 8. No portion of the county-state aid highway system lying within the corporate limits of any city, village or borough shall be established, located, constructed, reconstructed or improved nor the grade thereof changed without the prior approval of the plans therefor by the governing body of such city, village or borough and such approval shall be in the manner and form required by the commissioner.

Subd. 9. When it shall be made to appear to the commissioner that the county board of any county has refused to locate and establish a county-state aid highway which in the opinion of the commissioner is necessary to provide an integrated and coordinated highway system then, in that event the commissioner may until such county-state aid highway is located and established withhold from such county so much of such county's share of the county-state aid highway fund as he deems advisable.

Subd. 10. Any roads which may have been at any time located and established as county-state aid highways may by joint action of the county board and the commissioner be

abandoned or changed as such, provided that no county-state aid highway located or established within the corporate limits of any city, village or borough shall be abandoned or changed without the concurrence of the governing body of such city, village or borough.

Sec. 56. [160.551] Location of county-state aid highway. The county boards of two or more counties may with the consent of the commissioner establish and locate a county-state aid highway along or near the common boundary line of said counties. The county boards of said counties may enter into agreements providing for the division of costs and responsibility to be borne by each for right of way, construction, improvement and maintenance of such county-state aid highway.

Sec. 57. [160.561] County-state aid highway, limitation on payment of contract price. Whenever the construction or improvement of any county-state aid highway is to be done by contract, the county board may agree in such contract to pay the contractor on account of the contract price an amount not exceeding 90 percent of the value of the work from time to time actually completed as shown by monthly estimates thereof, made by the county engineer on the basis of the contract prices. In such case it shall be lawful for the county auditor to issue a warrant on the county treasurer to the contractor for an amount equal to the specified percentage of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the county board.

Sec. 58. [160.571] Payments into county-state aid highway fund. In addition to the 29 percent of the net highway user tax distribution fund there shall be paid into the county-state aid highway fund all moneys accruing from the income derived from the investments in the internal improvement land fund.

Sec. 59. [160.581] Expenditure of moneys transferred from state road and bridge fund to county-state aid highway fund. Subdivision 1. All moneys transferred to the county-state aid highway fund on July 1, 1957, from the State Road and Bridge Fund shall be forthwith set aside and said money shall be expended as hereinafter in this section provided.

Subd. 2. The portions of said money specially allotted to any county prior to July 1, 1957, and any money apportioned to any county prior to July 1, 1957, and not heretofore paid are hereby ratified and confirmed. Such money shall be re-

tained in a separate account to the credit of such county to be used for the purposes for which it was allotted and apportioned regardless of any change in the status or designation of the roads upon which such money was to be expended and shall be paid to such county in accordance with rules and regulations of the commissioner; provided, however, that any such money not so used by December 31, 1958, shall be transferred to the county-state aid highway fund for apportionment among the several counties as hereinafter in this chapter provided.

Subd. 3. On July 1, 1957, or as soon thereafter as practicable, the commissioner shall prepare a statement setting forth the amount of money retained in said separate account to the credit of each county. Said statement shall be forwarded to the State Auditor and certified copies thereof shall be mailed to the county auditor and county engineer of each county.

Sec. 60. [160.591] Estimate of accruals to county-state aid highway fund. Subdivision 1. On or before the second Tuesday of January of each year the commissioner shall estimate the probable sum of money that will accrue to the county-state aid highway fund during the first six months of each year ending June 30. To such estimated amount he shall add the sum of money already accrued in the county-state aid highway fund for the last preceding six month period ending December 31 of each year. The total of such sums except for deductions to be first made as provided herein shall be apportioned to the several counties as hereinafter provided.

Subd. 2. From the total of such sums the commissioner shall deduct a sum equal to $1\frac{1}{2}$ percent of such total sum. The sum so deducted shall be set aside in a separate account and shall be used to reimburse the trunk highway fund for administrative costs incurred by the State Highway Department in carrying out the provisions of this act relating to the county-state aid highway system. On the 31st day of December of each year any money remaining in said account not needed to reimburse the trunk highway fund as heretofore provided shall be transferred to the county-state aid highway fund.

Subd. 3. After deducting administrative costs as provided in subdivision 2 of this section, the commissioner shall set aside such sum of money as is necessary to provide, for the calendar year, a disaster fund of \$300,000. Said sum shall be used to provide aid to any county encountering floods or other disasters affecting its county-state aid highway system. Any county desiring aid by reason of disaster shall request such aid in the form required by the commissioner. Upon re-

ceipt of such request the commissioner shall appoint a board consisting of three county engineers and three county commissioners from counties other than the requesting county. Said board shall investigate the matter and report its findings and recommendations in writing to the commissioner. Final determination of the amount of aid, if any, to be paid to such county from the disaster fund shall be made by the commissioner. If the commissioner determines to aid any such county he shall certify to the state auditor the amount of such aid and the state auditor shall thereupon issue a warrant in that amount payable to the county treasurer of such county. Money so paid shall be expended on the county-state aid highway system in accordance with the rules and regulations of the commissioner.

Sec. 61. [160.601] Apportionment of moneys to counties. Subdivision 1. After deducting for administrative costs and for the disaster fund as heretofore provided, the remainder of the total sum provided for in Section 60, Subdivision 1, shall be identified as the apportionment sum and shall be apportioned by the commissioner to the several counties on the basis of the needs of the counties as determined in accordance with the following formula:

(1) An amount equal to ten percent of such apportionment sum shall be apportioned equally among the 87 counties.

(2) An amount equal to ten percent of such apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its motor vehicle registration for the calendar year preceding the one last past, determined by residence of registrants, bears to the total state-wide motor vehicle registration.

(3) An amount equal to 30 percent of such apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its total miles of approved county-state aid highways bears to the total miles of approved state-wide county aid highways.

(4) An amount equal to 50 percent of such apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its money needs bears to the total state-wide money needs; provided, however, that the percentage of such amount that each county is to receive shall be adjusted so that each county shall receive in 1958 a total apportionment at least ten percent greater than its total 1956 apportionments from the State Road and Bridge Fund; and provided further that those coun-

10% flat

10% registration

30% mileage

50% needs

ties whose money needs are thus adjusted shall never receive a percentage of the apportionment sum less than the percentage that such county received in 1958.

Subd. 2. For the purpose of this section, money needs of each county are defined as the estimated total annual costs of constructing, over a period of 25 years, the county-state aid highway system in that county. Costs incidental to construction, or a specified portion thereof, as set forth in the commissioner's rules and regulations may be included in determining money needs. When a county-state aid highway is located over a street in a city, village or borough of over 5,000 population, only the construction costs of the center 24 feet of such street shall be included in the money needs of that county; provided, however, when traffic volumes warrant multiple or divided lane highways the construction costs of the necessary number of 12 foot lanes required for through traffic may be included in said money needs. When a county-state aid highway is located over a street in any city, village or borough of less than 5,000, the construction costs of the entire width of the roadway or street surface may be included in the money needs of that county. To avoid variances in cost due to differences in construction policy, construction costs shall be estimated on the basis of the engineering standards developed cooperatively by the commissioner and the county engineers of the several counties.

A two mill levy on each rural county's total taxable valuation for the last preceding calendar year shall be computed and shall be subtracted from such county's total estimated construction costs.

The result thereof shall be the money needs of such county. For the purpose of this section, rural counties shall be construed to mean all counties having a population of less than 200,000.

A one and two-tenths mill levy on each urban county's total taxable valuation for the last preceding calendar year shall be computed and shall be subtracted from such county's total estimated construction costs. The result thereof shall be the money needs of such county. For the purpose of this section urban counties shall be construed to mean all counties having a population of 200,000 or more.

Subd. 3. For the purposes of this act state-wide money needs shall be the sum of the money needs of all of the individual counties.

Subd. 4. On or before September 1 of each year the county engineer of each county shall forward to the commis-

sioner, on forms prepared by the commissioner, all information relating to the mileage of the county-state aid highway system in such county and the money needs of such county that the commissioner deems necessary in order to apportion the county-state aid highway fund in accordance with the formula heretofore set forth in this chapter. Upon receipt of such information the commissioner shall appoint a board consisting of nine county engineers. Such board shall be so selected that each county engineer appointed shall be from a different state highway construction district. No county engineer shall be appointed so as to serve consecutively for more than two years. Such board shall investigate and review the information submitted by each county and shall on or before the first day of November of each year submit its findings and recommendations in writing as to each county's mileage and money needs to the commissioner on a form prepared by the commissioner. Final determination of the mileage of each such system and the money needs of each county shall be made by the commissioner.

Subd. 5. The commissioner of highways acting with the cooperation of the several county boards shall cause to be made at least once every two years a complete resurvey of money needs of each county. Such resurvey shall be investigated and reviewed in the manner and by the board provided for in Subdivision 4 of this section.

Subd. 6. In the event that any county shall fail to submit the information provided for herein, the commissioner shall estimate the mileage and money needs of such county. Such estimate shall be used in determining the apportionment formula. The commissioner may withhold payment of the amount apportioned to such county until such information is submitted.

Sec. 62. [160.611] **Allocation of apportionments.**
Subdivision 1. When the commissioner has determined the sum of money to be apportioned to each county as hereinbefore provided, he shall allocate a percentage of such sum for expenditure solely on those portions of such county's county-state aid highways located within cities, villages and boroughs having a population of less than 5,000, according to the last federal decennial census. The percentage so allocated shall equal the percentage that the total needs of the county-state aid highway system in such cities, villages and boroughs bears to the total county-state aid highway needs in such county. Money so allocated shall be set apart and credited to the municipal account of such county.

Subd. 2. As soon as the commissioner has determined

the amount of money to be apportioned to each of the counties, and as soon as he has determined of such amount the sum to be allocated for expenditure on those county-state aid highways located within cities, villages and boroughs having a population of less than 5,000, he shall forthwith send a statement of such amount to the state auditor, and the county auditor and the county engineer of each county. The amounts so apportioned and allocated to each county shall be paid by the state to the treasurer of such county out of the county-state aid highway fund as hereinafter provided, and in accordance with rules and regulations made and promulgated by the commissioner not inconsistent herewith.

Subd. 3. Money so apportioned and allocated to each county shall be used for aid in the establishment, location, construction, reconstruction, improvement and maintenance of the county-state aid highway system within that county; provided, however, that in the event of hardship, or in the event that the county-state aid highway system of any county is improved to the standards set forth in the commissioner's rules and regulations, a portion of the money apportioned other than the money allocated for expenditure within cities, villages and boroughs having a population of less than 5,000, may be used on other roads within the county with the consent of the commissioner, and under rules and regulations of the commissioner. The amount of money to be apportioned by the counties from other funds for use in the establishment, location, construction, reconstruction, improvement and maintenance of the county-state aid highway system within any county is hereby left to the discretion of the individual county boards. Nothing in this section shall restrict or prohibit a county board from using moneys collected from county road and bridge levies to provide by mutual agreement financial assistance or services to townships or municipalities not otherwise prohibited by law.

Subd. 4. Not more than 40 percent of the money so apportioned and allocated to each county shall be set aside in separate accounts for the maintenance of the county-state aid highway system in such counties; provided, however, that upon good cause shown and in accordance with the commissioner's rules and regulations, the commissioner may set aside an additional percentage for the maintenance of any county-state aid highway system. Money so set aside shall be paid out to the several counties in accordance with the rules and regulations of the commissioner.

Subd. 5. When the county board of any county determines to do any construction work on a county-state aid highway or other road eligible for the expenditure of state aid

funds within the county, and desires to expend on such work a portion of the money apportioned or allocated to it out of the county-state aid highway fund, such county shall first obtain the project approval thereof by the commissioner. Thereafter as the work progresses the county engineer shall make such reports and in such manner as the commissioner requires under his rules and regulations. Upon receipt of satisfactory reports, the commissioner shall certify to the state auditor the amount of money that is eligible to be paid from such county's apportionment or allocation for the work under contract or actually completed. The state auditor shall thereupon issue a warrant in that amount payable to the county treasurer. In no event shall the warrant with all other warrants issued exceed the amount apportioned and allocated to such county.

Subd. 6. The state auditor shall not issue any such warrants without the certification of the commissioner.

Sec. 63. [160.621] **Municipal-state aid street system.**
Subdivision 1. There is hereby created a municipal-state aid street system within cities, villages and boroughs having a population of 5,000, or more. Such system shall be established, located, constructed, reconstructed, improved and maintained as public highways within such cities, villages and boroughs under rules and regulations, not inconsistent with this section, made and promulgated by the commissioner as hereinafter provided.

Subd. 2. Said rules and regulations shall be made and promulgated by the commissioner acting with the advice of a committee which shall be selected by the governing bodies of such cities, villages, and boroughs, acting through the officers of the state-wide association of municipal officials. Said committee shall be composed of 12 members, so selected that there shall be one member from each state highway construction district and in addition one member from each city of the first class. Not more than six members of said committee shall be elected officials of such cities, villages, and boroughs. The remaining members of said committee shall be city, village and borough engineers. In the event that agreement cannot be reached on any rule or regulation the commissioner's determination shall be final. Such rules and regulations shall be printed and copies thereof shall be forwarded to the clerks and engineers of such cities, villages and boroughs.

Subd. 3. Said rules and regulations shall have the force and effect of law.

Subd. 4. In determining whether any such city, village or borough has a population of 5,000 or more, the last federal

decennial census shall be conclusive; provided, however, that if a new city, village or borough is incorporated during the ten year interval between federal decennial censuses, the population of such city, village or borough shall be determined by its incorporation census. Such incorporation census shall be determinative of the population of such city, village or borough only until the next federal decennial census.

Subd. 5. In the event that any county establishes and locates a county-state aid highway upon and over a center portion of a street within such city, village or borough, the remaining portion of such street may be a municipal-state aid street.

Subd. 6. The governing bodies of such cities, villages and boroughs shall by resolution and subject to the concurrence of the commissioner locate and establish a system of municipal-state aid streets in accordance with said rules and regulations of the commissioner. A certified copy of such resolution shall be transmitted to the commissioner. Upon receipt of such resolution it shall be the duty of the commissioner to review each such system, considering the availability of funds and the desirability of such system in relation to an integrated and coordinated system of highways. After such review, the commissioner shall by written order approve such system or any such portion thereof which in his judgment is feasible and desirable. A certified copy of such order shall be filed with the clerk and the engineer of such city, village or borough.

Subd. 7. The governing bodies of such cities, villages or boroughs shall have the power to acquire by purchase, gift, or eminent domain proceedings, the necessary easements for the establishment, location, relocation, construction, reconstruction, improvement and maintenance of the municipal-state aid street system.

Subd. 8. The governing body of any such city, village, or borough may, subject to the concurrence of the commissioner, establish and locate any municipal-state aid street upon and over any established street or specified portion of any street within its limits.

Subd. 9. Any municipal-state aid street may be abandoned, changed or revoked as such by joint action of the commissioner and the governing body of such city, village or borough within which such street is located.

Subd. 10. The governing bodies of two or more of such cities, villages or boroughs may, with the consent of the commissioner, establish and locate a municipal-state aid street along or near the common boundary line of such cities, vil-

lages or boroughs. The governing bodies of such cities, villages or boroughs, may enter into agreements providing for the division of costs and responsibilities to be borne by each for right of way, construction, improvement and maintenance of such municipal-state aid streets.

Sec. 64. [160.631] **Municipal-state aid street limitation on payment of contract prices.** Whenever the construction or improvement of any municipal-state aid street is to be done by contract, the governing body of such city, village or borough may agree in such contract to pay the contractor, on account of the contract price, an amount not exceeding 90 percent of the value of the work from time to time actually completed, as shown by monthly estimates thereof made by the engineer of such city, village or borough on the basis of the contract prices. In such case it shall be lawful for the appropriate disbursing officers of such city, village or borough to pay the contractor an amount equal to the specified percentage of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the governing body of such city, village or borough.

Sec. 65. [160.641] **Percentage of highway user tax distribution fund paid into municipal-state aid street fund.** Nine percent of the net highway user tax distribution fund shall be paid into the municipal-state aid street fund.

Sec. 66. [160.651] **Estimate of accruals to municipal-state aid street fund.** Subdivision 1. On or before the second Tuesday of January of each year the commissioner shall estimate the probable sum of money that will accrue to the municipal-state aid street fund during the first six months of each year ending June 30. To such estimate amount he shall add the sum of money already accrued in the municipal-state aid street fund for the last preceding six month period ending December 31. The total of such sums, except for deductions to be first made as provided herein, shall be apportioned by the commissioner to the cities, villages and boroughs having a population of 5,000, or more as hereinafter provided.

Subd. 2. From the total of such sums the commissioner, each year, shall deduct a sum of money equal to one and one-half percent of such total sums. The sum so deducted shall be set aside in a separate account and shall be used to reimburse the trunk highway fund for administration costs incurred by the state highway department in carrying out the provisions of this act relating to the municipal-state aid street system. On the 31st day of December of each year, any money

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remaining in said account not needed to reimburse the trunk highway fund as heretofore provided shall be transferred to the municipal-state aid street fund.

Subd. 3. After deducting administrative costs as provided in subdivision 2 of this section, the commissioner each year shall set aside a sum of money equal to two percent of the remaining money in the municipal-state aid street fund to provide for a disaster fund; provided, however, that the total amount of money in the disaster fund shall never exceed five percent of the total sums to be apportioned to the cities, villages and boroughs having a population of 5,000 or more. The disaster fund shall be used to provide aid to any such city, village or borough encountering floods or other disaster affecting the municipal-state aid street system of such city, village or borough. Any such city, village or borough desiring aid by reason of disaster shall request such aid in the form required by the commissioner. Upon receipt of such request the commissioner shall appoint a board consisting of three engineers and three members of the governing bodies of such cities, villages and boroughs from cities, villages and boroughs other than the requesting city, village or borough. Said board shall investigate the matter and report its findings and recommendations in writing to the commissioner. Final determination of the amount of aid, if any, to be paid to such city, village or borough from the disaster fund shall be made by the commissioner. If the commissioner determines to aid such city, village or borough, he shall certify to the state auditor the amount of such aid and the state auditor shall thereupon issue a warrant in that amount payable to the fiscal officer of such city, village or borough. Money so paid shall be expended on the municipal-state aid street system in accordance with rules and regulations of the commissioner.

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Sec. 67. [160.661] **Formula for apportionments.** Subdivision 1. After deducting for administrative costs and for the disaster fund as heretofore provided, the remainder of the total sum provided for in subdivision 1 of section 66 of this act shall be identified as the apportionment sum, and shall be apportioned by the commissioner to the cities, villages and boroughs having a population of 5,000, or more, in accordance with the following formula:

(1) An amount equal to 50 percent of such apportionment sum shall be apportioned among the cities, villages and boroughs having a population of 5,000, or more, so that each such city, village, or borough shall receive of such amount the percentage that its money needs bears to the total money needs of all such cities, villages and boroughs.

(2) An amount equal to 50 percent of such apportionment sum shall be apportioned among the cities, villages and boroughs having a population of 5,000, or more, so that each such city, village or borough shall receive of such amount the percentage that its population bears to the total population of all such cities, villages and boroughs.

Subd. 2. For the purpose of this section money needs of each city, village or borough having a population of 5,000, or more, are defined as the estimated cost of constructing and maintaining over a period of 25 years, the municipal-state aid street system in such city, village, or borough. Right of way costs, and drainage shall be included in money needs. Lighting costs and other costs incidental to construction and maintenance, or a specified portion of such costs, as set forth in the commissioner's rules and regulations, may be included in determining money needs. When a county locates a county-state aid highway over a portion of a street in any such city, village or borough and the remaining portion is designated as a municipal state aid street only the construction and maintenance costs of the portion of such street other than the portions taken over by the county shall be included in the money needs of such city, village or borough. To avoid variances in cost due to differences in construction and maintenance policy, construction and maintenance costs shall be estimated on the basis of the engineering standards developed cooperatively by the commissioner and the engineers, or a committee thereof, of such cities, villages or boroughs.

Subd. 3. On or before September 1, of each year, the engineer of each city, village and borough having a population of 5,000, or more, shall forward to the commissioner on forms prepared by the commissioner, all information relating to the money needs of such city, village or borough that the commissioner deems necessary in order to apportion the municipal-state aid street fund in accordance with the apportionment formula heretofore set forth in this chapter. Upon receipt of such information the commissioner shall appoint a board of city, village or borough engineers. Such board shall be composed of (1) one engineer from each state highway construction district, (2) one engineer from each city of the first class. Such board shall investigate and review the information submitted by each such city, village or borough. On or before November 1, of each year, such board shall submit its findings and recommendations in writing as to each such city's, village's or borough's money needs to the commissioner on a form prepared by the commissioner. Final determination of the money needs of each such city, village or borough shall be made by the commissioner. In the event that any such city,

village or borough shall fail to submit the information provided for herein, the commissioner shall estimate the money needs of such city, village or borough. Such estimate shall be used in solving the apportionment formula. The commissioner may withhold payment of the amount apportioned to such city, village or borough until such information is submitted.

Sec. 68. [160.671] **Apportionment to cities and villages.** Subdivision 1. As soon as the commissioner has determined the amount of money to be apportioned to each of the cities, villages or boroughs having a population of 5,000, or more, he shall forthwith send a statement of such amount to the state auditor, and to the clerk and engineer of each such city, village or borough. The amount so apportioned to each such city, village or borough shall be paid by the state to the fiscal officer of such city, village or borough out of the municipal-state aid street fund as hereinafter provided, and in accordance with rules and regulations promulgated by the commissioner, not inconsistent herewith.

Subd. 2. Money so apportioned to each such city, village or borough shall be used for the establishment, location, construction, reconstruction, improvement and maintenance of the municipal-state aid street system within such city, village or borough, provided that in the event of hardship, or in the event that the municipal-state aid highway system of any municipality is improved to the standards set forth in the commissioner's rules and regulations, and subject to the consent of the commissioner, and under rules and regulations of the commissioner, a portion of the money so apportioned may be used on other streets or roads within such city, village, or borough. The amount of money to be appropriated by such cities, villages and boroughs from other funds for use in the establishment, location, construction, reconstruction, improvement and maintenance of the municipal-state aid street system within any such city, village or borough is hereby left to the discretion of the individual governing bodies of such cities, villages and boroughs.

Subd. 3. The proportion of each such city's, village's and borough's annual apportionment to be used for maintenance on its respective municipal-state aid street system shall be a joint determination of the commissioner and the governing body of each such city, village and borough. In the event that agreement cannot be reached, the determination of the commissioner shall be final.

Subd. 4. When the governing body of any such city, village or borough, determines to do any construction work on any municipal-state aid street, or other streets within such

city, village or borough upon which money apportioned out of the municipal-state aid street fund may be used as provided in subdivision 2, the governing body shall first obtain the approval of the commissioner. Thereafter, as the work progresses, the engineer of such city, village or borough shall make such reports in such manner as the commissioner requires in accordance with the commissioner's rules and regulations. Upon receipt of satisfactory reports, the commissioner shall certify to the state auditor the amount of money that is eligible to be paid from such cities, villages, or boroughs' apportionment for the work under contract or actually completed. The state auditor shall thereupon issue a warrant in that amount payable to the fiscal officers of such city, village or borough. In no event shall the warrant with all other warrants issued exceed the amount apportioned to such city, village or borough.

Subd. 5. The state auditor shall not issue any such warrants without the prior certification of the commissioner.

Sec. 69. [160.681] **Administrative costs.** The necessary personal expenses of the members of any boards appointed by the commissioner pursuant to the provisions of this act shall be considered administrative costs of the department of highways and reimbursement of such expenses shall be made from the sums deducted for administrative costs as heretofore provided.

Sec. 70. [160.691] **Agreements between county boards and cities and villages.** Subdivision 1. The governing body of any city, village, or borough having a population of 5,000, or more, may enter into cooperative agreements with the county board of the county in which such city, village or borough is located providing for the division of costs and responsibilities to be borne by each for right of way, construction, improvement and maintenance, including snow removal, of county-state aid highways and municipal-state aid streets established and located within such cities, villages and boroughs.

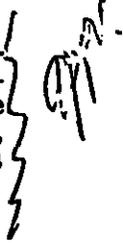
Subd. 2. The governing body of any city, village or borough having a population of less than 5,000, may enter into an agreement with the county board of the county in which it is located for the construction of any county-state aid highway within the corporate limits of the city, village or borough. The plans and specifications for such construction shall be prepared by the county engineer or by an engineer employed by the city, village or borough, as may be agreed upon by the governing body of such city, village or borough and the county board, and shall be approved by such governing body and the county board. It may be agreed that the city, village or

borough shall carry out such construction and that the county shall reimburse the city, village or borough for such share thereof as may be agreed upon, or that the county shall carry out such construction and that the city, village or borough shall reimburse the county for such share thereof as may be agreed.

Subd. 3. The governing body of any city, village or borough having a population of less than 5,000 may enter into an agreement with the county board of the county in which it is located for the maintenance of, and snow removal from, any county-state aid highway within the corporate limits of such city, village or borough. Such agreement may provide that such maintenance and snow removal be performed by the county board at the sole expense of the county or, that such city, village or borough perform such snow removal and maintenance and the county pay to the city, village or borough such sum to apply on the cost thereof as may be agreed.

Subd. 4. It shall be the primary duty of the county to maintain and to remove snow from all county-state aid highways within the corporate limits of any city, village or borough having a population of 5,000 or more in the county, but if no agreement therefor be made with the governing body of the city, village or borough as in this section provided, the county board may elect as to such cities, villages or boroughs in the county, either that the county perform such snow removal and maintenance or, in lieu thereof, that the county pay to such city, village or borough annually, an amount per mile of county-state aid highway within the corporate limits thereof, not less than the average annual cost per mile of maintaining and removing snow from all county-state aid highways of the county outside the corporate limits of any such city, village or borough therein. If the latter election be made by the county board of any county, the governing body of any such city, village, or borough affected shall be responsible for and shall maintain and remove the snow from the county-state aid highways within its corporate limits. On or before September 1 of each year, the county board shall notify the governing body of each such city, village or borough affected within the county of its election for the ensuing calendar year made pursuant to the provisions of this section.

Sec. 71. Appropriations. There is hereby appropriated from the highway user tax distribution fund, trunk highway sinking fund, the trunk highway fund, the county-state aid highway fund, and the municipal-state aid street fund, such sums as are necessary to carry out the provisions of this act.



Sec. 72. Repealer. Minnesota Statutes 1953, Sections 160.01 to 160.60, Sections 160.62 to 160.81 and Sections 296.32 to 296.42, are hereby repealed on the effective date of this act.

Sec. 73. This act takes effect July 1, 1957.

Approved April 29, 1957.

CHAPTER 944—S. F. No. 1917

An act relating to motor vehicles; amending Minnesota Statutes 1953, Section 169.83, Subdivision 2.

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

Section 1. Minnesota Statutes 1953, Section 169.83, Subd. 2, is amended to read:

Subd. 2. Gross weight schedule. No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state where the total gross weight on any group of two or more consecutive axles of any vehicle or combination of vehicles exceeds that given in the following table for the distance between the centers of the first and last axles of any group of two or more consecutive axles under consideration; the distance between axles being measured longitudinally to the nearest even foot, and when the measurement is a fraction of exactly one-half foot the next largest whole number in feet shall be used, except that when the distance between axles is more than three feet four inches and less than three feet six inches the distance of four

feet shall be used:

Distance in Feet Between First and Last Axles of Any Group	Maximum Gross Weight In Pounds Allowed on Any Group
4	32,000
5	32,000
6	32,000
7	32,000
8	33,000
9	34,000
10	35,000
11	36,000
12	37,000
13	39,000
14	41,000
15	42,200
16	43,400