

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

Section 1. Minnesota Statutes 1969, Section 106.351, is amended to read:

**106.351 DITCH LIENS; EFFECT UPON EASEMENTS OF RECORD.** The lien statement shall be certified by the auditor and recorded by the register of deeds of the county. The fees of the register of deeds for recording shall be paid on allowance by the county board, and the lien statement, after recording, shall be returned and preserved by the auditor.

The amount that each tract and property will be liable for, as shown by the statement, and the interest thereon as hereinafter provided, shall be and remain a first and paramount lien thereon until fully paid; and shall take precedence of all mortgages, charges, encumbrances and other liens ; provided, however, that the county board may subordinate said lien to easements of record . Payment thereof shall be made as hereinafter provided. The filing of the statement shall be notice to all parties interested of the existence of the lien.

Approved May 21, 1971.

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## CHAPTER 461—S.F.No.1757

[Coded]

*An act relating to the vacation of public ways in certain political subdivisions of the state.*

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

Section 1. **[160.29] MUNICIPALITIES; VACATION OF PUBLIC WAYS; EFFECT. Subdivision 1.** For purposes of this act the term "municipality" means any city, village, borough, county or town. The term "public way" means any highway, road, street, cartway, alley or lane or other publically owned interest in real property which is open to the free passage and use of the public.

Sec. 2. **[160.29] Subd. 2.** In proceedings under statute or charter to vacate a public way or portion thereof, a municipality may specify the extent to which such vacation affects existing easements therein and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains

**Changes or additions indicated by underline, deletions by strikeout.**

and hydrants, thereon or thereunder, to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto.

Approved May 21, 1971.

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CHAPTER 462—S.F.No.1766

*An act relating to levies for park purposes; authorizing certain levies in counties having a population of more than 200,000; amending Minnesota Statutes 1969, Section 412.531, Subdivision 1.*

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

Section 1. Minnesota Statutes 1969, Section 412.531, Subdivision 1, is amended to read:

**412.531 PARK BOARDS; POPULOUS COUNTIES; TAX LEVY.** Subdivision 1. **ESTABLISHMENT, TRANSFER; TAX LEVIES.** For the purpose of carrying out the powers of the park board there shall be established in the village treasury a special fund to be called a park fund. The village council may transfer to the park fund such moneys as it shall consider necessary for park purposes. No later than September 1 of each year the park board shall present to the council in such detail as the council shall require its estimate of the financial needs of the board for the ensuing fiscal year. In any county having a population of more than ~~225,000~~ 200,000 the council of any village, whether having a park board or not, may annually at the time of levying other village taxes levy a special tax of not to exceed two mills for park purposes. The proceeds of this tax shall be placed in the village park fund.

Approved May 21, 1971.

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CHAPTER 463—S.F.No.1816

*An act relating to coroners; providing for certain fees for holding an inquest even if such inquest is held on the same day that a dead*

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