

Together with the rights and benefits reserved in the south 174 feet of the north 941 feet of the west 500 feet of the east 655.5 feet of said northeast quarter of the northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of said section 9 as described in that certain deed of record recorded in Book 1143 of Deeds, page 255, in the office of the Register of Deeds in and for Ramsey County.

Section 2. The commissioner of highways shall determine the consideration, terms and conditions under which the real estate shall be conveyed.

Approved April 24, 1959.

CHAPTER 617—H. F. No. 1287

An act relating to service of process in actions resulting from the operation and use of motor vehicles and providing for the service of process on certain residents and nonresidents and the representatives of their estates; amending Minnesota Statutes 1957, Section 170.55, Subdivision 1.

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

Section 1. **Service of process, actions relating to motor vehicle accidents.** Minnesota Statutes 1957, Section 170.55, Subdivision 1, is amended to read :

170.55 Subdivision 1. The use and operation by a resident of this state or his agent, or by a nonresident or his agent of a motor vehicle within the state of Minnesota, shall be deemed an *irrevocable* appointment by such resident when he has been absent from this state continuously for six months or more following an accident, or by such nonresident at any time, of the commissioner of highways to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding against him or *his executor, administrator, or personal representative* growing out of such use and operation of a motor vehicle within this state, resulting in damages or loss to person or property, *whether the damage or loss occurs on a highway or on abutting public or private property. Such appointment is binding upon the nonresident's executor, administrator, or personal representative. Such use or operation of a motor vehicle by such resident or nonresident is a signification of his agreement that any such process in any action against him or his executor, administrator, or personal representative which is so served, shall be of the same legal*

force and validity as if served upon him personally or on his executor, administrator, or personal representative. Service of such process shall be made by serving a copy thereof upon the commissioner or by filing such copy in his office, together with payment of a fee of \$2, and such service shall be sufficient service upon the absent resident or the nonresident or his executor, administrator, or personal representative; provided that notice of such service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at his last known address and that the plaintiff's affidavit of compliance with the provisions of this chapter is attached to the summons.

Approved April 24, 1959.

CHAPTER 618—H. F. No. 694

An act relating to termination of contracts for the conveyance of real estate and attorneys' fees incurred in connection therewith; amending Minnesota Statutes 1957, Section 559.21.

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

Section 1. Minnesota Statutes 1957, Section 559.21, is amended to read:

559.21 Termination of contract of sale; notice, service and return, costs, reinstatement. When default is made in the conditions of any contract for the conveyance of real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that such contract will terminate 30 days after the service of such notice unless prior thereto the purchaser shall comply with such conditions and pay the costs of service, together with an amount to apply on attorneys' fees actually expended or incurred, of \$50 when the amount in default is less than \$500, and of \$100 when the amount in default is \$500 or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45 days prior to the date of service of said notice. Such notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in