

(1) a statement of the claim ~~therefor~~, be is filed for record with the county recorder of the county in which the improved premises are situated, or, if the claim be is made under section 514.04, with the secretary of state; and

(2) a copy of ~~such the~~ statement be is served personally or by certified mail on the owner or his authorized agent or the person who entered into the contract with the contractor.

Approved June 7, 1983

CHAPTER 297 — S.F.No. 791

An act relating to natural resources; authorizing the commissioner of natural resources to convey to private persons, under certain circumstances, road easements across railroad rights-of-way acquired for trail purposes; proposing new law coded in Minnesota Statutes, chapter 84.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [84.631] ROAD EASEMENTS ACROSS TRAILS ESTABLISHED ON ACQUIRED RAILROAD RIGHTS-OF-WAY.

The commissioner, on behalf of the state, may convey a road easement across any abandoned railroad right-of-way which has been acquired by the state for trail purposes, and which is under his jurisdiction, to a private person requesting an easement for access to property owned by the person only if the following requirements are met: (1) alternative methods to obtain access to the property have been sought and exhausted by the person seeking the easement through the establishment of a town or other local government road; and (2) the commissioner determines that the hardship to the person being deprived of access outweighs any adverse effects to the state-owned land caused by encumbering the state-owned land with a road easement. If the commissioner determines that an easement will be granted under this subdivision, he shall require the applicant to pay the market value of the easement, and shall provide in the easement that it shall revert to the state in the event of nonuse. The commissioner may impose other terms and conditions of use as he determines necessary and appropriate under the circumstances.

Sec. 2. EFFECTIVE DATE.

This act is effective the day following its final enactment.

Approved June 7, 1983

Changes or additions are indicated by underline, deletions by ~~strikeout~~.