

MINNESOTA STATUTES 1947 ANNOTATIONS

1003

MINNEAPOLIS-ST. PAUL SANITARY DISTRICT 445.14

CHAPTER 445

MINNEAPOLIS-ST. PAUL SANITARY DISTRICT

445.01 SANITARY DISTRICT AUTHORIZED.

The officers and servants of the Minneapolis-St. Paul Sanitary District are not state officers or employees within the act creating the state employees retirement association. *State v King*, 193 M 405, 258 NW 583.

The sanitary district, while lawfully engaged in constructing a sewage tunnel under a city street, may be held liable to adjacent property owner for creating a nuisance if, by blasting or other operations, the soil is so shaken and disturbed that injury was done to buildings. *Jones v Johnson*, 211 M 123, 300 NW 447.

445.07 QUORUMS; MEETINGS; OFFICERS AND EMPLOYEES.

See, *State ex rel v King*, 193 M 405, 258 NW 583.

445.14 MAY ACQUIRE LANDS.

Sanitary district in conducting a condemnation proceeding does so as an arm of the state in the discharge of a sovereign legislative function, and is not liable in tort for the alleged malicious prosecution of such proceedings. *Barmel v Minneapolis-St. Paul Sanitary District*, 201 M 622, 277 NW 208.

Just compensation is the market value at the time of taking contemporaneously paid in money, to be arrived at upon just consideration of all uses for which the land is suitable; and the highest and most profitable use for which the property is adaptable and needed, or likely to be needed, in the reasonably near future, is to be considered to the extent that prospects of demand for such use affect the market value while the property is privately held, but that value does not include any element resulting subsequently to or because of the taking. *Minneapolis-St. Paul Sanitary District v Fitzpatrick*, 201 M 442, 277 NW 394.