

CHAPTER 161

DEPARTMENT OF TRANSPORTATION AND
TRUNK HIGHWAY SYSTEM

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161.01 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.01 DEFINITIONS.

For the purposes of this chapter the terms defined in section 160.02 shall have the same meaning.

History: 1959 c 500 art 2 s 1

161.02 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.02 MS 1974 [Repealed, 1976 c 166 s 119]

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161.03 MS 1957 Subdivision 1. [Repealed, 1959 c 500 art 6 s 13]

- Subd. 2. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 3. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 4. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 5. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 6. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 7. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 8. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 9. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 10. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 11. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 12. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 13. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 14. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 15. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 16. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 17. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 18. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 19. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 20. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 21. [Renumbered 161.47, subdivision 1]
- Subd. 22. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 23. [Renumbered 161.47, subd 2]
- Subd. 24. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 25. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 26. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 27. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 28. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 29. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 30. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 31. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 32. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 33. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 34. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 35. [Repealed, 1959 c 500 art 6 s 13]
- Subd. 36. [Repealed, 1959 c 500 art 6 s 13]

161.03 MS 1974 [Repealed, 1976 c 166 s 119]

161.031-161.035 MS 1957 [Repealed, Ex1959 c 42 s 1]

161.04 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.04 TRUNK HIGHWAY FUND.

Subdivision 1. **Composition.** The trunk highway fund shall consist of 62 percent of the net highway user tax distribution fund as provided in article 14 of the constitution; the proceeds of the sale of any bonds authorized by article 14 of the constitution; money received from the federal government as aid in the

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construction and maintenance of trunk highways; and any other money otherwise allotted, appropriated, or legislated therefor.

Subd. 2. **Investment of the trunk highway fund.** Upon the request of the commissioner, moneys in the trunk highway fund shall be invested by the state board of investment in those securities authorized for such purpose in section 11A.21. All interest and profits from such investments shall be credited to the trunk highway fund. The state treasurer shall be the custodian of all securities purchased under the provisions of this section.

History: 1959 c 500 art 2 s 4; 1963 c 567 s 4; 1965 c 113 s 1; 1967 c 404 s 5; 1976 c 2 s 172; 1980 c 607 art 14 s 46

161.05 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.05 TEMPORARY LOANS.

Subdivision 1. **Loans from other public funds.** For the purpose of providing sufficient money in the trunk highway fund to meet the state's share of highway projects financed in part by federal funds, the state treasurer may borrow from other public funds a sum not exceeding in the aggregate the amount of federal aid allotted to the construction of trunk highways under project appropriation by the federal government. No fund shall be so impaired thereby that all proper demands thereon cannot be met.

Subd. 2. **Interest.** All such loans shall bear interest at the average rate that the state treasurer has realized from the investment of surplus cash.

Subd. 3. **Certificate.** Before the state treasurer shall make any such loan, the commissioner shall file with the commissioner of finance 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.

Subd. 4. **Federal aid to be paid to state treasurer.** All funds received from federal aid allotted to the construction, reconstruction, or maintenance of trunk highways shall be paid to the state treasurer and credited to the trunk highway fund.

Subd. 5. **Repayment of moneys borrowed.** When there is sufficient money in the trunk highway fund, the state treasurer shall transfer therefrom to such other public fund the amount of the loan together with interest thereon.

History: 1959 c 500 art 2 s 5; 1973 c 492 s 14

161.06 MS 1945 [Repealed, 1947 c 391 s 4]

161.06 CONTINGENT FUND.

Subdivision 1. **Amount.** The commissioner of finance and the state treasurer are authorized and directed to make available to the department of transportation out of moneys in the state treasury appropriated for trunk highway purposes the sum of \$5,000, or such lesser amount as the commissioner may request, to be used by said department as a contingent fund, subject to such rules and regulations for its use as may be prescribed by the commissioner of administration.

Subd. 2. **Use.** The commissioner may use the moneys in the contingent fund for trunk highway purposes in facilitating and expediting the business of the department of transportation, particularly in the handling of garnishments, emergency labor payrolls, expense accounts of employees and in departmental litigation, and all acts of the commissioner heretofore performed in the use of the fund are in all things recognized and confirmed.

History: 1959 c 500 art 2 s 6; 1973 c 492 s 14; 1976 c 166 s 7

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161.061 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.07 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.07 MANNER OF PAYMENTS.

Subdivision 1. **Abstract for payment.** In all cases of payments to be made as herein authorized by the commissioner out of the trunk highway fund, the same shall be made in the following manner. The commissioner shall furnish verified abstracts of the same, prepared in triplicate, one of which shall be delivered to the commissioner of finance, one to the state treasurer, and one to be retained by the commissioner of transportation. The abstract shall contain the name, residence, and the amount due each claimant and designate the contract or purpose for which the payment is made.

Subd. 2. **Payment.** The copy of the abstracts delivered to the commissioner of finance shall be accompanied by the original voucher or vouchers, together with the proof of claim for each item included in such abstracts. If there be sufficient money in the proper fund, the commissioner of finance shall issue his warrant upon the state treasurer for the gross amount shown by such abstract. The state treasurer shall deliver checks to the several persons entitled thereto as shown by such abstracts, and he shall preserve in his office a record of each check and remittance showing the date of each issue, the name of the payee and any other facts tending to evidence its payment.

History: 1959 c 500 art 2 s 7; 1973 c 492 s 14; 1976 c 166 s 7

161.08 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.08 BOOKS OF ACCOUNT.

The commissioner shall keep accurate and complete books of account of such character as may be prescribed by the legislative auditor, the same to show in detail itemized receipts and disbursements of the trunk highway fund. The books of account shall show the following facts, among others:

(1) The expenses of maintaining the transportation department, including the salaries and expenses of the individual members thereof;

(2) The amounts of money expended in each county of the state for the construction of trunk highways, and when, where, and upon what job or portion of road expended so that the cost per mile of such construction can be easily ascertained;

(3) Any other money expended by the state in connection with any roads other than trunk highways and when, where, and upon what portion of road so expended; and

(4) The amount of road equipment and materials purchased, and when, where, and from whom purchased, and the price paid for each item. The original invoices shall form a part of the permanent files and records in the department of transportation and be open to public inspection.

History: 1959 c 500 art 2 s 8; 1963 c 333 s 1; 1973 c 492 s 14; 1976 c 166 s 7

161.081 HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.

Pursuant to article 14, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

(1) 60 percent to the trunk highway fund;

(2) 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;

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(3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

History: 1965 c 672 s 1; 1975 c 203 s 22

161.082 COUNTY TURNBACK ACCOUNT, EXPENDITURE.

Subdivision 1. Except as hereinafter provided, all money accruing to the county turnback account shall be expended in accordance with rules and regulations of the commissioner of transportation in paying a county for the restoration of former trunk highways, or portions thereof, that have reverted to the county in accordance with law, and have become a part of the county state-aid highway system.

Subd. 2. By reason of insufficient funds in the county turnback account to adequately repair and restore the former trunk highways or portions thereof that have already reverted to counties, the commissioner of transportation, after May 26, 1971, shall not revert to the counties any additional trunk highways or portions thereof until there are adequate funds in such account to repair and restore such reverted highways to reasonable standards, unless such reversion is necessary due to the constitutional limitations on the mileage of the trunk highway system.

Subd. 2a. An amount equal to 32 percent of the county turnback account shall be expended, within counties having two or more towns, on town road bridge structures that are 10 feet or more in length. The expenditures on such bridge structures may be on a matching basis, and if on a matching basis, not more than 90 percent of the cost of any such bridge structure shall be paid from the county turnback account.

History: 1965 c 672 s 2; 1967 c 187 s 1; 1971 c 528 s 1; 1975 c 203 s 23; 1976 c 166 s 7; 1978 c 686 s 2

161.083 MUNICIPAL TURNBACK ACCOUNT, EXPENDITURE.

Except as hereinafter provided, all money accruing to the municipal turnback account shall be expended in accordance with rules and regulations of the commissioner of transportation in paying a municipality having a population of 5,000 or more for the reconstruction and improvement of former trunk highways, or portions thereof, that have reverted to such municipality in accordance with law, and have become a part of the municipal state-aid street system.

History: 1965 c 672 s 3; 1967 c 187 s 2; 1976 c 166 s 7

161.084 SURPLUS IN TURNBACK FUNDS.

If at any time the commissioner determines that there are surplus funds in either the county or municipal turnback account that are not needed for the purposes specified herein, he shall notify the commissioner of finance in writing of such determination, and such surplus funds, in the amount specified by the commissioner, shall be transferred to the county state-aid highway fund, or the municipal state-aid street fund, as the case may be, and apportioned as provided by law.

History: 1965 c 672 s 4; 1973 c 492 s 14

161.085 APPROPRIATION.

Moneys in the county turnback account and the municipal turnback account are hereby appropriated annually to the commissioner of transportation for the purposes of carrying out the terms of sections 161.081 to 161.086.

History: 1965 c 672 s 5; 1976 c 166 s 7

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161.086 FEDERAL AID, ALLOCATION.

Subject to applicable federal laws and rules and regulations, the commissioner of transportation is directed to allocate the federal aid secondary funds apportioned to the state of Minnesota by the United States of America in the following manner:

(1) 35 percent of the funds for expenditure on the state federal aid secondary system;

(2) 65 percent of the funds for expenditure on the county federal aid secondary system.

If the allocation to one of the federal aid secondary systems cannot be fully utilized on that system, the commissioner may reallocate those funds that cannot be utilized to the other federal aid secondary system, notwithstanding the provisions of clauses (1) and (2).

History: 1965 c 672 s 6; 1976 c 166 s 7; 1981 c 203 s 1

161.09 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.09 ORDERS, FILES AND RECORDS.

Subdivision 1. **Commissioner to be custodian.** The official acts and determinations of the commissioner shall be denominated orders. The commissioner shall be the custodian of and shall preserve such orders and the records and files of the transportation department and its predecessor departments. Subject to reasonable regulations, the orders, records, and files shall be open to public inspection.

Subd. 2. **Copies as evidence.** Copies of the orders, records, and files, certified by the commissioner as true copies, shall be received in evidence in any court in this state with the same force and effect as the originals.

History: 1959 c 500 art 2 s 9; 1978 c 674 s 18

161.10 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.10 INVESTIGATIONS; RECOMMENDATIONS; REPORTS.

When practicable the commissioner shall investigate and determine the location of road material in the state, ascertain the most approved methods of construction and improvement of roads, investigate the most approved laws in relation to roads in other states and hold public meetings throughout the state when deemed advisable. On or before November 15 on each even-numbered year he shall make a printed report to the governor and the legislature stating the condition, management, and financial transactions of his department, including a statement of the expense incurred in maintaining such department; the number of miles of roads built or improved during the preceding two fiscal years and their cost; the general character and location of material suitable for road construction; the general character and needs of the roads of the state; the name, location, size, and description of each state trail, state water access site, and state rest area established by him since his last report; and recommend such legislation as he deems advisable. The report shall be transmitted by the governor to the legislature.

History: 1959 c 500 art 2 s 10; 1969 c 540 s 8; 1975 c 353 s 40

161.11 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.11 COMPENSATION INSURANCE IN CERTAIN CASES.

Subdivision 1. **Commissioner may procure insurance on open market.** The commissioner may procure on the open market a policy of insurance covering the

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payment of benefits accruing under the workers' compensation act to employees of the department of transportation engaged in work on highways other than trunk highways pursuant to any agreements made for such work by the commissioner with any political subdivision or agency of the state.

Subd. 2. **Payment of premium and reimbursement.** The commissioner may pay the premiums for any said policy of insurance out of the trunk highway fund. The political subdivision or agency of the state for whom work is performed by employees of the department of transportation pursuant to any agreement therefor made with the commissioner shall pay to the trunk highway fund that portion of the premium for said policy of insurance directly attributable to the work performed for it.

History: 1959 c 500 art 2 s 11; 1975 c 359 s 23; 1976 c 166 s 7

161.114 CONSTITUTIONAL TRUNK HIGHWAYS.

Subdivision 1. The trunk highway routes, numbered 1 through 70, as described in the constitutional amendment adopted November 2, 1920, are designated as the constitutional routes of the trunk highway system.

Subd. 2. The constitutional routes are described as follows:

Route No. 1. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southeasterly at Albert Lea and thence extending in a northwesterly direction to a point in Albert Lea and thence extending in a northerly direction to a point and on the southerly limits of the city of St. Paul and then beginning at a point on the northerly limits of the city of St. Paul and thence extending in a northerly direction to a point on the westerly limits of the city of Duluth and then beginning at a point on the northerly limits of the city of Duluth and thence extending in a northeasterly direction to a point on the boundary line between the state of Minnesota and the province of Ontario, affording Albert Lea, Owatonna, Faribault, Northfield, Farmington, St. Paul, White Bear, Forest Lake, Wyoming, Rush City, Pine City, Hinckley, Sandstone, Moose Lake, Carlton, Duluth, Two Harbors, Grand Marais and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 2. Beginning at a point on Route No. 1 on the westerly limits of the city of Duluth and thence extending in a southwesterly direction along said Route No. 1 to a point on said route at Carlton and thence extending in a westerly direction to a point on the east bank of the Red River of the North at Moorhead, affording Duluth, Carlton, McGregor, Aitkin, Brainerd, Motley, Staples, Wadena, Detroit, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 3. Beginning at a point on the boundary line between the states of Minnesota and Wisconsin, westerly of La Crosse, Wisconsin, and thence extending in a northwesterly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at Breckenridge, affording La Crescent, Winona, Kellogg, Wabasha, Lake City, Red Wing, Hastings, St. Paul, Minneapolis, Osseo, Champ-lin, Anoka, Elk River, Big Lake, St. Cloud, Albany, Sauk Centre, Alexandria, Elbow Lake, Fergus Falls, Breckenridge and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 4. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southwesterly of Jackson and thence extending in a northerly direction to a point on Route No. 3, southeasterly of Sauk Centre and thence

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extending in a northwesterly direction along said Route No. 3 to a point on said route at Sauk Centre and thence extending in a northerly direction to a point at International Falls, affording Jackson, Windom, Sanborn, Redwood Falls, Morton, Olivia, Willmar, Paynesville, Sauk Centre, Long Prairie, Wadena, Park Rapids, Itasca State Park, Bemidji, International Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 5. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Blue Earth and thence extending in a northeasterly direction to a point on the southerly limits of the city of Minneapolis and then beginning at a point on the northerly limits of the city of Minneapolis and thence extending in a northerly direction to a point in Swan River on Route No. 8, hereinafter described, affording Blue Earth, Winnebago, Mankato, St. Peter, Le Sueur, Jordan, Shakopee, Minneapolis, Cambridge, Mora, McGregor, Swan River and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 6. Beginning at a point on the boundary line between the states of Minnesota and Iowa, southerly of Ash Creek, and thence extending in a northerly direction to a point on the boundary line between the state of Minnesota and the province of Manitoba, near St. Vincent, affording Luverne, Pipestone, Lake Benton, Ivanhoe, Canby, Madison, Bellingham, Odessa, Ortonville, Graceville, Dumont, Wheaton, Breckenridge, Moorhead, Kragnes, Georgetown, Perley, Hendrum, Ada, Crookston, Warren, Donaldson, Hallock and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 7. Beginning at a point on Route No. 3 at Winona and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota, westerly of Lake Benton, affording Winona, St. Charles, Rochester, Kasson, Dodge Center, Claremont, Owatonna, Waseca, Mankato, St. Peter, New Ulm, Springfield, Tracy, Lake Benton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 8. Beginning at a point on the westerly limits of the city of Duluth and thence extending in a northwesterly direction to a point on Route No. 6 near Crookston and thence extending in a westerly and northerly direction along said Route No. 6 to a point on said route northerly of Crookston and thence extending in a northwesterly direction to a point on the east bank of the Red River of the North at East Grand Forks, affording Duluth, Floodwood, Swan River, Grand Rapids, Cass Lake, Bemidji, Bagley, Erskine, Crookston, East Grand Forks and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 9. Beginning at a point on Route No. 3 at La Crescent and thence extending in a westerly direction to a point on the boundary line between the states of Minnesota and South Dakota southwesterly of Beaver Creek, affording La Crescent, Hokah, Houston, Rushford, Lanesboro, Preston, Fountain, Spring Valley, Austin, Albert Lea, Blue Earth, Fairmont, Jackson, Worthington, Luverne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 10. Beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a northwesterly direction to a point on Route No. 6 at or near Wheaton, affording Minneapolis, Montrose, Cokato, Litchfield, Willmar, Benson, Morris, Herman, Wheaton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

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Route No. 11. Beginning at a point on Route No. 8 at the westerly limits of the city of Duluth and thence extending in a northwesterly and northerly direction to a point on Route No. 4 at International Falls and thence extending in a southwesterly direction along said Route No. 4 to a point on said route southwest-erly of International Falls and thence extending in a westerly direction to a point on Route No. 6 at Donaldson, affording Duluth, Eveleth, Virginia, Cook, Orr, Cussons, International Falls, Baudette, Warroad, Roseau, Greenbush, Donaldson and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 12. Beginning at a point on the west bank of the St. Croix River near Hudson, Wisconsin and thence extending in a westerly direction to a point on the easterly limits of the city of St. Paul and then beginning at a point on the westerly limits of the city of Minneapolis and thence extending in a westerly direction to a point on Route No. 6 at Madison, affording St. Paul, Minneapolis, Hopkins, Norwood, Glencoe, Olivia, Granite Falls, Montevideo, Dawson, Madison and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 13. Beginning at a point on Route No. 9 at Albert Lea and thence extending in a northerly direction to a point on Route No. 5 at Jordan affording Albert Lea, Waseca, Waterville, Montgomery, New Prague, Jordan and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 14. Beginning at a point on Route No. 6 at Ivanhoe and thence extending in an easterly direction to a point on Route No. 4 at Redwood Falls and thence extending in an easterly direction along said Route No. 4 to a point on said route at Morton and thence extending in an easterly direction to a point on Route No. 22, hereinafter described, at Gaylord affording Ivanhoe, Marshall, Redwood Falls, Morton, Winthrop, Gaylord and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 15. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Fairmont and thence extending in a northerly direction to a point on Route No. 14 at Winthrop, affording Fairmont, Madelia, New Ulm, Winthrop and intervening and adjacent communities a reasonable means of communication each with the other and other places within the state.

Route No. 16. Beginning at a point on Route No. 5 southwesterly of Mankato and thence extending westerly to a point on Route No. 15 at Madelia and thence extending in a southerly direction along said Route No. 15 to a point on said route southerly of Madelia and thence extending in a westerly direction to a point on Route No. 4 northerly of Windom and thence extending in a southerly direction along said Route No. 4 to a point on said route at Windom and thence extending in a westerly direction to a point at Fulda and thence extending in a southerly direction to a point on Route No. 9 at Worthington, affording Mankato, Madelia, St. James, Windom, Fulda, Worthington and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 17. Beginning at a point on Route No. 16 at Fulda and thence extending in a northerly direction to a point on Route No. 12 at Granite Falls, affording Fulda, Slayton, Garvin, Marshall, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 18. Beginning at a point on Route No. 3 at Elk River and thence extending in a northerly direction to a point on Route No. 2 easterly of Brainerd, affording Elk River, Princeton, Milaca, Onamia and intervening and adjacent

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communities a reasonable means of communication, each with the other and other places within the state.

Route No. 19. Beginning at a point on Route No. 2 at Brainerd and thence extending in a northwesterly direction to a point on Route No. 8 at Cass Lake, affording Brainerd, Pine River, Walker, Cass Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 20. Beginning at a point on the boundary line between the states of Minnesota and Iowa near Canton and thence extending in a northwesterly direction to a point on Route No. 9 at or near Preston and thence extending in a northwesterly direction along said Route No. 9 to a point on said route at Fountain and thence extending in a northwesterly direction to a point on Route No. 3 in the town of Douglas, Dakota county (T. 113, R. 17 W.) affording Canton, Harmony, Preston, Fountain, Chatfield, Oronoco, Pine Island, Zumbrota, Cannon Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 21. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a westerly direction to a point on Route No. 5 at St. Peter, affording Zumbrota, Kenyon, Faribault, Le Sueur Center, Cleveland, St. Peter and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 22. Beginning at a point on Route No. 5 at St. Peter and thence extending in a northwesterly direction to a point on Route No. 4 at Paynesville, affording St. Peter, Gaylord, Glencoe, Hutchinson, Litchfield, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 23. Beginning at a point on Route No. 4 at Paynesville and thence extending in a northeasterly direction through the village of Richmond, Coldspring, Rockville and Waite Park to a point on Route No. 3 westerly of St. Cloud, and thence extending in a northeasterly direction to a point on Route No. 5 southerly of Mora, and thence extending in a northerly direction along said Route No. 5 to a point on said route at Mora, and thence extending in an easterly direction to a point on Route No. 1 southerly of Hinckley, affording Paynesville, St. Cloud, Foley, Milaca, Ogilvie, Mora and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 24. Beginning at a point on Route No. 10 at Litchfield and thence extending in a northeasterly direction to a point on Route No. 3 at St. Cloud, affording Litchfield, St. Cloud and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 25. Beginning at a point on Route No. 5 at or near Belle Plaine and thence extending in a northerly direction to a point on Route No. 3 at Big Lake, affording Belle Plaine, Norwood, Watertown, Montrose, Buffalo, Monticello, Big Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 26. Beginning at a point on Route No. 10 at Benson and thence extending in a westerly direction to a point on Route No. 6 near Ortonville, affording Benson, Ortonville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 27. Beginning at a point on Route No. 3 at St. Cloud and thence extending in a northerly direction to a point on Route No. 2 at Brainerd, affording St. Cloud, Sauk Rapids, Royalton, Little Falls, Brainerd and intervening and

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adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 28. Beginning at a point on Route No. 27 at Little Falls and thence extending in a southwesterly direction to a point on the boundary line between the states of Minnesota and South Dakota at Browns Valley, affording Little Falls, Sauk Centre, Glenwood, Starbuck, Morris, Graceville, Browns Valley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 29. Beginning at a point on Route No. 28 at Glenwood and thence extending in a northerly direction to a point on Route No. 2 westerly of Wadena affording Glenwood, Alexandria, Parkers Prairie, Deer Creek and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 30. Beginning at a point on Route No. 3 at Fergus Falls, and thence extending in a northerly direction to a point on Route No. 8 at Erskine, affording Fergus Falls, Pelican Rapids, Detroit, Mahnomen, Erskine and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 31. Beginning at a point on Route No. 6 at Ada, and thence extending in an easterly direction to a point on Route No. 30 near Mahnomen, affording Ada, Mahnomen and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 32. Beginning at a point on Route No. 8 easterly of Crookston and thence extending in a northerly direction to a point on Route No. 11 at Greenbush, affording Red Lake Falls, Thief River Falls, Middle River, Greenbush and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 33. Beginning at a point on Route No. 32 at Thief River Falls and thence extending in a northwesterly direction to a point on Route No. 6 at Warren, affording Thief River Falls, Warren and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 34. Beginning at a point on Route No. 2 at Detroit and thence extending in a northeasterly direction to a point on Route No. 8 westerly of Grand Rapids, affording Detroit, Park Rapids, Walker, Remer, Grand Rapids and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 35. Beginning at a point on Route No. 18 near Mille Lacs Lake and thence extending in a northerly direction to a point at Grand Rapids and thence extending in a northeasterly direction to a point at Ely, affording Aitkin, Grand Rapids, Hibbing, Chisholm, Buhl, Mountain Iron, Virginia, Gilbert, McKinley, Biwabik, Aurora, Tower, and Ely and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 36. Beginning at a point on Route No. 3 at Fergus Falls and thence extending in an easterly direction to a point on Route No. 29 easterly of Henning, affording Fergus Falls, Henning and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 37. Beginning at a point on Route No. 27 at Little Falls and thence extending in a northwesterly direction to a point on Route No. 2 at Motley, affording Little Falls, Motley and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

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Route No. 38. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northerly direction to a point on Route No. 28 at Starbuck, affording Montevideo, Benson, Starbuck and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 39. Beginning at a point on Route No. 7 at Mankato and thence extending in a southeasterly direction to a point on Route No. 9 westerly of Albert Lea, affording Mankato, Mapleton, Minnesota Lake, Wells and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 40. Beginning at a point on the boundary line between the states of Minnesota and Iowa at Lyle and thence extending in a northwesterly direction to a point on Route No. 7 at Owatonna, affording Lyle, Austin, Blooming Prairie, Owatonna and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 41. Beginning at a point on Route No. 40 at or near Blooming Prairie and thence extending in an easterly direction to a point on Route No. 56, hereinafter described, near Hayfield, affording Blooming Prairie, Hayfield and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 42. Beginning at a point on Route No. 7 easterly of Rochester and thence extending in a northeasterly direction to a point on Route No. 3 at Kellogg, affording Rochester, Elgin, Plainview, Kellogg and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 43. Beginning at a point on Route No. 9 at Rushford and thence extending in a northeasterly direction to a point on Route No. 3 at Winona, affording Rushford, Winona and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 44. Beginning at a point on Route No. 9 at Hokah and thence extending in a southwesterly direction to a point on Route No. 20 near Canton, affording Hokah, Caledonia, Canton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 45. Beginning at a point on the west bank of the St. Croix River at Stillwater and thence extending in a southwesterly direction to a point on the easterly limits of the city of St. Paul, affording Stillwater, Lake Elmo, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 46. Beginning at a point on the west bank of the St. Croix River at Taylors Falls and thence extending in a southwesterly direction to a point on Route No. 1 near Wyoming, affording Taylors Falls, Center City, Wyoming and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 47. Beginning at a point on Route No. 17 at Slayton and thence extending in a westerly direction to a point on Route No. 6 at Pipestone, affording Slayton, Pipestone and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 48. Beginning at a point on Route No. 17 westerly of Granite Falls and thence extending in a westerly direction to a point on Route No. 6 at Canby, affording Granite Falls, Clarkfield, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

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Route No. 49. Beginning at a point on Route No. 12 easterly of Montevideo and thence extending in a northeasterly direction to a point on Route No. 4 southerly of Willmar, affording Montevideo, Clara City, Willmar and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 50. Beginning at a point on Route No. 20 at Cannon Falls and thence extending in a northwesterly direction to a point on the southerly limits of the city of Minneapolis, affording Cannon Falls, Farmington, Minneapolis and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 51. Beginning at a point on Route No. 5 at Shakopee and thence extending in a northerly direction to a point on Route No. 12 northerly of Shakopee, affording a connection between said Route No. 5 and said Route No. 12.

Route No. 52. Beginning at a point on Route No. 5 south of the city of Minneapolis and thence extending in a northeasterly direction to a point on the westerly limits of the United States Military reservation at Fort Snelling, affording St. Paul and adjacent communities a reasonable communication with said Route No. 5.

Route No. 53. Beginning at a point on Route No. 3 at Hastings and thence extending in a northwesterly direction to a point on the southerly limits of the city of South St. Paul, affording Hastings, South St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 54. Beginning at a point on Route No. 3 at Elbow Lake and thence extending in a southwesterly direction to a point on Route No. 10 at Herman, affording Elbow Lake, Herman and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 55. Beginning at a point on Route No. 2 northwesterly of Carlton and thence extending in a northerly direction to a point in Cloquet, affording Carlton, Cloquet and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 56. Beginning at a point on Route No. 9 easterly of Austin and thence extending in a northerly direction to a point on Route No. 21 at or near Kenyon, affording Brownsdale, Hayfield, Dodge Center, West Concord, Kenyon and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 57. Beginning at a point in Mantorville and extending in a southerly direction to a point on Route No. 7 southerly of Mantorville, affording Mantorville a reasonable means of communication with said Route No. 7.

Route No. 58. Beginning at a point on Route No. 20 at Zumbrota and thence extending in a northeasterly direction to a point on Route No. 3 at Red Wing, affording Zumbrota, Red Wing and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 59. Beginning at a point on the boundary line between the states of Minnesota and Iowa southerly of Spring Valley and thence extending in a northerly direction to a point on No. 3 at Lake City, affording Spring Valley, Stewartville, Rochester, Zumbrota Falls, Lake City and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

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Route No. 60. Beginning at a point on Route No. 1 at Faribault and thence extending in a southwesterly direction to a point on Route No. 7 at or near Madison Lake, affording Faribault, Morristown, Waterville, Madison Lake and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 61. Beginning at a point on Route No. 8 at Deer River and thence extending in a northerly direction to a point on Route No. 4 at or near Big Falls, affording Deer River, Big Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 62. Beginning at a point on Route No. 3 at Anoka and thence extending in a southeasterly direction to a point on the northerly limits of the city of St. Paul, affording Anoka, St. Paul and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 63. Beginning at a point on Route No. 1 southerly of Forest Lake and thence extending in a southwesterly direction to a point on the northerly and easterly limits of the city of Minneapolis, affording a reasonable means of communication between Route No. 1 and Minneapolis.

Route No. 64. Beginning at a point on Route No. 30 northerly of Fergus Falls and thence extending in a northerly and westerly direction to a point on Route No. 6 southerly of Moorhead, affording Fergus Falls, Rothsay, Barnesville, Moorhead and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 65. Beginning at a point on Route No. 8 at Bagley, and thence extending in a northerly and westerly direction to a point on Route No. 32 southerly of Red Lake Falls, affording Bagley, Clearbrook, Gonvick, Gully, Brooks, Terrebonne and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 66. Beginning at a point on Route No. 12 at Montevideo and thence extending in a northwesterly direction to a point on Route No. 26 northerly of Appleton affording Montevideo, Appleton and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 67. Beginning at a point on Route No. 14 southerly of Echo and thence extending in a northerly and westerly direction to a point on Route No. 17 at or near Granite Falls, affording Echo, Granite Falls and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 68. Beginning at a point on Route No. 14 at Marshall and thence extending in a northwesterly direction to a point on Route No. 6 near Canby, affording Marshall, Minneota, Canby and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 69. Beginning at a point on Route No. 25 at Buffalo and thence extending in a northwesterly direction to a point on Route No. 22 southeasterly of Paynesville, affording Buffalo, Maple Lake, Annandale, Eden Valley, Paynesville and intervening and adjacent communities a reasonable means of communication, each with the other and other places within the state.

Route No. 70. Beginning at a point on Route No. 7 westerly of New Ulm and thence extending in a northerly direction to a point on Route No. 12 at or near the village of Hector, affording Fort Ridgely, Fairfax, Hector and intervening

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and adjacent communities a reasonable means of communication, each with the other and other places within the state.

History: 1969 c 11 s 1,2

161.115 ADDITIONAL TRUNK HIGHWAYS.

The following routes hereby and heretofore added to the trunk highway system by the legislature under the provisions of Article 14, 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, southerly of Bemidji and thence extending in a northerly direction to a point on Route No. 11, easterly of Baudette; affording Bemidji, Waskish, Baudette, 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 at or near Chatfield; affording Weaver, St. Charles, and Chatfield, 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;

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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 or near 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.

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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. 390 westerly of Forest Lake, thence extending in a northeasterly direction to a point on Route No. 1 at or near the junction of Route No. 1 and Route No. 98, 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 within 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 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 terminus of Route No. 1 on the westerly limits of the city of Duluth, thence extending in a northeasterly direction to the point of beginning of Route No. 1 on the northerly limits of the city of Duluth.

Route No. 104. Beginning at the 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 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 terminus of Route No. 10 on the westerly limits on 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 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 southwesterly direction to connect with Route No. 102 as herein established.

Route No. 110. Beginning at the 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 No. 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 terminus of Route No. 52 on the westerly limits of the United States Military Reservation at Fort Snelling, thence extending

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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 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 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. 394 in Roseville.

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. 391 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. [Discontinued and removed]

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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. 212 as herein established; 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 extending 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 point on Route No. 3 at Osakis, thence extending in a general southerly direction to a point on Route No. 392; 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 No. 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,

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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 direction 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. [Discontinued and removed]

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. 58 in Red Wing, thence extending in a northerly direction to a point on the line between the states of Minnesota and Wisconsin.

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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 No. 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 Mahnommen.

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 transportation 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 city in which event it shall become a street of such 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.

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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 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. 392 southwest or west of Ashby, thence extending in a general northerly or northeasterly direction to 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 Ottertail.

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 No. 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.

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161.115 DEPARTMENT OF TRANSPORTATION AND TRUNK HIGHWAY SYSTEM 3412

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 Waubun.

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. 18, 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.

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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 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 states 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.

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161.115 DEPARTMENT OF TRANSPORTATION AND TRUNK HIGHWAY SYSTEM 3414

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 easterly 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 southwesterly direction crossing the Mississippi River; thence continuing in a general southerly direction to a point on Route No. 3 at or near 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. 3 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.

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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. 391.

Route No. 254. Beginning at a point on Route No. 391 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 No. 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.

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161.115 DEPARTMENT OF TRANSPORTATION AND TRUNK HIGHWAY SYSTEM 3416

Route No. 260. Beginning at a point on Route No. 5 southwesterly of Shakopee, thence extending in a northerly direction to a point on proposed Route No. 12, thence extending in a northeasterly direction to a point on Route No. 5 at or near Edina.

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. 391 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. 391 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 on the boundary line between the states of Minnesota and South Dakota westerly of Marietta, thence extending in an easterly direction to 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.

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Route No. 278. [Discontinued and removed]

Route No. 279. Beginning at a point in Dakota county southwesterly of Fort Snelling in the proximity of the state zoological garden entrance, thence westerly to Dakota county road 23, thence extending in a general northerly direction across the Minnesota river to a point on Route No. 114 in Minneapolis.

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. [Discontinued and removed]

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 No. 242 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 southwesterly direction to a point at or in the grounds of the Minnesota State Sanatorium.

Route No. 291. Beginning at a point on Route No. 3, at or near the intersection of Vermillion and 18th Streets in the City of Hastings, thence extending in an easterly direction to a point at or in the grounds of the Hastings State Hospital, thence extending in a general northeasterly direction to a point on present County State Aid Highway No. 54, situated in the northwest one quarter of the northwest one quarter of Section 35, Township 115 North, Range 17 West, in the City of Hastings.

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, situated in Government Lot 1 of Section 2, Township 119 North, Range 35 West, as presently laid out and opened for travel, thence extending in a general easterly direction into the grounds of the Willmar state hospital, thence extending in a general northerly direction to a point on Route No. 4.

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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 in the grounds of the Faribault State School and Hospital; thence extending in an easterly and northerly direction to a point on Route No. 298.

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 for Girls.

Route No. 303. Discontinued and removed from T.H. system. See Laws 1973, Chapter 249.

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, thence extending in a general southerly direction to a point on Route No. 18 at or near Brainerd.

Route No. 310. Beginning at a point on Route No. 11 at or near Roseau, thence extending in a northerly direction to a point on the boundary line between the State of Minnesota and the Province of Manitoba, Canada.

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Route No. 311. Beginning at a point on Route No. 289 at or near the entrance to the Moose Lake State Hospital, thence extending in an easterly direction to a point on Route No. 390.

Route No. 312. [Discontinued and removed]

Route No. 313. Beginning at a point on Route No. 11 at or near Warroad, thence extending in a northerly direction to a point on the boundary between the State of Minnesota and the Province of Manitoba, Canada.

Route No. 314. Beginning at a point on Route No. 110 southerly of St. Francis, thence extending in a general easterly direction to a point on Route No. 5, thence extending in a general easterly direction to a point on Route No. 1 at or near Forest Lake, provided, however, that such route shall not be established, constructed or marked until receipt by the adjutant general of Minnesota of the authority from the proper federal agency to proceed with the acquisition of land for the construction of the proposed Bethel airport affording Bethel Airport a reasonable means of communication with other places within the state.

Route No. 315. Beginning at a point on Route No. 158 in International Falls, thence extending in a general northerly direction to the boundary line between the State of Minnesota and the Province of Ontario, Canada.

Route No. 316. Beginning at a point on Route No. 3 at or near Hastings, thence extending in a southeasterly direction to a point on Route No. 3 at or near Red Wing.

Route No. 317. Beginning at a point on Route No. 220 westerly of Stephen in Marshall County, thence extending in a westerly direction to the boundary line between the state of Minnesota and the state of North Dakota.

Route No. 318. Discontinued and removed from T.H. system. See Laws 1974, Chapter 151.

NOTE: Laws 1974, Chapter 151, Section 3, reads as follows: "Sec. 3. This act shall take effect upon the construction of the trunk highway 12 bypass of Willmar."

Route No. 319. Beginning at a point on Route No. 6 in the city of Ortonville; thence in a general northwesterly direction to a point on Route No. 148 in Ortonville.

Route No. 320. Beginning at a point on Route No. 116, easterly of Nerstrand; thence extending in a general westerly direction to a point on Route No. 246 in or adjacent to Nerstrand.

Route No. 321. Beginning at a point on Route No. 22 in Eden Valley, thence extending in a general northerly direction, so as to run easterly of Horse Shoe Lake, to a point on Route No. 23 in Richmond.

Route No. 322. Beginning at a point on Route No. 27 in the City of Brainerd; thence extending in a general easterly direction to a point on Route No. 18 in the City of Brainerd.

Route No. 323. Beginning at a point on Route No. 298 at or near the intersection of Route No. 298 and Barron Road; thence extending westerly, southerly and northeasterly to a point on Route No. 298.

Route 324A. Beginning at a point on Route No. 6 in Hallock; thence extending in a general westerly direction following generally the location of present County State-Aid Highway No. 3 to a point on the boundary line between the state of Minnesota and the state of North Dakota.

Route No. 325. Beginning at a point on Constitutional Route No. 11 in Baudette, thence extending in a northerly and northeasterly direction to the boundary line between the state of Minnesota and the Province of Ontario, Canada.

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Route No. 326. Beginning at a point on Route No. 394 at or near the intersection of Route No. 63 in the northwest one quarter of section 17, township 31 north, range 22 west, in the city of Lino Lakes, Anoka county; thence in a general westerly direction to the main entrance of the Minnesota youth center situated in the northeast one quarter of section 18, township 31 north, range 22 west, to include a loop on the east side of the service building.

Route No. 327. [Discontinued and removed]

Route No. 328. Beginning at a point on Route No. 6 in Hallock; thence extending in a general easterly direction to a point on Route No. 174, northerly of Lake Bronson.

Route No. 329. Beginning at a point on Route No. 144 in or near Morris; thence extending in an easterly direction into and through the grounds of the West Central School and Experiment Station of the University of Minnesota and terminating at the east boundary thereof.

Route No. 330. Beginning at a point on Route No. 7 westerly of Lamberton; thence extending into and through the grounds of the Southwest Experiment Station of the University of Minnesota; thence back to a point on Route No. 7.

Route No. 331. Beginning at a point on Route No. 79, at or near Harmony, thence extending in a westerly direction to a point on Route No. 59.

Route No. 332. Beginning at a point on Koochiching County State-Aid Highway No. 102 at its intersection with Constitutional Route No. 4 and Constitutional Route No. 11, southwesterly of International Falls, thence extending in a general easterly direction generally along the present route of said State-Aid Highway No. 102 to its junction with Constitutional Route No. 11 southeasterly of International Falls, thence extending in a general northerly direction generally along the present route of County State-Aid Highway No. 114, a distance of approximately 2 1/2 miles, thence continuing in a general northerly direction to legislative Route No. 158 east of International Falls.

Route No. 333. Beginning at a point on Route 392 in Hennepin county, thence extending in a generally easterly direction to a point on Route 394 in Anoka or Ramsey county.

Route No. 334. Beginning at a point on Route No. 116 at or near Inver Grove Heights; thence extending in a general northerly direction to a point on Route No. 102 at or near St. Paul.

Route No. 335. Beginning at a point on Route No. 7 near St. Peter; thence extending in a southerly direction to a point at or in the grounds of the St. Peter state hospital.

NOTE: Laws 1975, Chapter 214, Sections 3 and 4, read as follows:

"Sec. 3. Notwithstanding any other law to the contrary, the commissioner of highways upon completion of construction of the route described in section 1, is authorized to turn back to the appropriate counties and/or municipalities portions of existing trunk highways lying within the counties through which the route described in section 1 passes. The aggregate mileage to be turned back shall be substantially the same as the mileage of the route described in section 1. Trunk highways to be turned back shall be designated by the commissioner of highways.

Sec. 4. The counties and municipalities through which the route described in section 1 passes, are hereby authorized to expend their respective share of highway user funds or such other funds available to them for highway or street purposes for planning, preliminary engineering and right-of-way acquisition for said route. The commissioner shall not proceed with right-of-way acquisition or construction of the route described in section 1 unless federal aid requirements have been met and federal aid highway funds are made available for said route. Moneys expended by local governmental units for planning, preliminary engineering and right-of-way acquisition including all related acquisition costs shall be reimbursed by the governmental unit authorizing construction at the time of authorization."

History: 1957 c 19 s 3; 1957 c 287 s 3; 1957 c 943 s 46; 1959 c 381 s 1-3; 1959 c 426 s 1; Ex1959 c 43 s 1; 1961 c 431 s 1; 1961 c 451 s 1; 1961 c 498 s 1; 1963 c 884 s 15; 1965 c 207 s 1,2; 1967 c 421 s 1; Ex1967 c 12 s 1,2; 1971 c 488 s 1; 1971 c 492 s 1-3; 1971 c 635 s 1; 1971 c 639 s 1; 1971 c 858 s 1,2; Ex1971 c 48 s 21; 1973 c 123 art 5 s 7; 1973 c 249 s 1; 1974 c 123 s 1; 1974 c 151 s 1; 1974 c 265 s 2; 1974 c 287 s 1; 1974 c 386 s 1; 1975 c 214 s 1; 1976 c 2 s 172; 1976 c 62 s 1; 1976 c 166 s 7; 1977 c 80 s 1,3; 1978 c 472 s 1,2; 1980 c 533 s 3-5; 1981 c 209 s 2; 1982 c 617 s 2,3

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161.117 TRUNK HIGHWAYS; ADDITIONAL ROUTES.

There may be added by order of the commissioner of transportation to the trunk highway system new routes described as follows:

(1) Route No. 380. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Route Nos. 112 and 392;

(2) Route No. 382. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of the right of way already acquired on May 31, 1975, for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul.

History: 1975 c 203 s 19; 1976 c 166 s 7; 1978 c 740 s 1

161.12 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.12 ADDITIONAL ROUTES ADDED TO TRUNK HIGHWAY SYSTEM.

To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system:

Route No. 390. Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin. Route No. 390 shall not include any portion of trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul.

Route No. 391. Beginning at a point on the boundary between the states of Minnesota and South Dakota, westerly of Luverne; thence extending in a general easterly direction to a point on the boundary between the states of Minnesota and Wisconsin, near La Crescent.

Route No. 392. Beginning at a point on the boundary between the states of Minnesota and North Dakota in or near Moorhead; thence extending in a general southeasterly direction through the city of Minneapolis; thence in a general easterly direction through the city of St. Paul to a point on the boundary between the states of Minnesota and Wisconsin in or near Lakeland.

Route No. 393. Beginning at a point on Route No. 392, easterly of the city of St. Paul; thence in a general southerly and westerly direction through the city of South St. Paul; thence in a general westerly direction to a point in Eden Prairie Township, Hennepin County; thence in a general northerly direction to a point in the city of Maple Grove, Hennepin County; thence in a general easterly direction to a point on Route 390; thence in a general easterly, southeasterly and southerly direction to the point of beginning on Route No. 392, easterly of St. Paul.

Route No. 394. Beginning at a point on Route No. 390, southerly of the Minnesota River; thence extending in a general northerly and northeasterly direction through the city of Minneapolis; thence continuing in a northeasterly direction to a point on Route No. 390, near Forest Lake and there terminating.

Route No. 395. Beginning at a point on Route No. 390 at or near the intersection of Superior Street and Nineteenth Avenue West in the city of Duluth,

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thence extending in a northeasterly direction to a point on Route No. 103 at or near the intersection of Superior Street and Tenth Avenue East in the city of Duluth.

History: 1959 c 500 art 2 s 12; 1961 c 473 s 1; 1973 c 123 art 5 s 7; 1975 c 203 s 18; 1978 c 740 s 2; 1982 c 628 s 1

161.121 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.122 RESTRICTIONS ON MARKED TRUNK HIGHWAY NO. 51.

The location, designation, marking and numbering of Legislative Route No. 125, marked trunk highway No. 51, as that route is established, located, designated, marked and traveled southerly of University Avenue within the city of St. Paul, shall not be changed by the commissioner of transportation.

Nothing in this section shall be construed to restrict the study of options under consideration regarding the completion of Interstate 35E.

History: 1981 c 345 s 1

161.123 HIGHWAY CONSTRUCTION; PROHIBITIONS.

Following May 31, 1975 the department of transportation shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335; proposed I-394 between I-494 and the Hawthorne interchange; nor for any extension or connector of the Dartmouth interchange of the interstate route designated as I-94, except for a connection from Fulton Avenue and Huron Street to University Avenue Southeast and 25th Avenue Southeast generally via Huron Street and 25th Avenue Southeast; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes of travel on said highway.

(3) Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

(4) Preparation of any environmental impact statements, recreational and other land use reports, and other elements of the planning process required by federal and state law, utilizing the most reasonably recent available data, on the following:

Routes and corridors enumerated above and all feasible and prudent alternate routes and corridors, giving the fullest possible consideration to each, without regard to prior authorization or to whether legislative approval or other action is necessary. In the preparation of such environmental impact statements the commissioner shall analyze and evaluate:

(a) Design modifications which may mitigate any adverse environmental impact; and

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(b) The recommendations of the metropolitan council, transportation advisory board, and interstate study committee as reported to the legislature pursuant to Laws 1975, Chapter 203, Section 16; and

(c) All other matters required of an environmental impact statement by applicable state and federal laws.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right-of-way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right-of-way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right-of-way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of transportation shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth.

History: 1975 c 203 s 15; 1976 c 166 s 7; 1976 c 317 s 1; 1978 c 740 s 3; Ex1979 c 1 s 15

161.124 INTERSTATE I-94, USE OF TRUNK HIGHWAY 12.

The department of transportation shall utilize the existing trunk highway marked No. 12 corridor between the intersection of interstate highways marked I-94 and I-694-494 to the St. Croix river in central Washington county for the construction of interstate highway marked I-94, acquiring only that additional right of way required to comply with current federal design standards.

History: 1978 c 569 s 1

161.1245 HIGHWAY CONSTRUCTION; AUTHORIZATIONS AND RESTRICTIONS.

Subdivision 1. The commissioner of transportation is authorized to construct a four-lane parkway with limited access along the right of way of Route No. 382 in the city of St. Paul. The commissioner shall not construct any highway on Route No. 382 or connection to Route No. 392 other than that described in this subdivision.

Subd. 2. [Repealed, 1982 c 628 s 3]

Subd. 3. The commissioner of transportation shall not authorize the construction of any traffic lanes on trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul in addition to those in existence on January 1, 1978.

History: 1978 c 740 s 4; 1982 c 628 s 2

161.125 SOUND ABATEMENT ALONG HIGHWAYS.

Subdivision 1. The commissioner of transportation shall, in accordance with the department's program, implement sound abatement measures within or along the perimeter of any interstate or trunk highway within incorporated areas located within the metropolitan area or any municipality whenever the noise level attributable to vehicular traffic at the abutting residential property line is in excess of the federal noise standards. The commissioner shall utilize federal matching funds available for constructing and maintaining sound abatement measures. No stan-

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standard adopted by any state agency for limiting levels of noise in terms of sound pressure in the outdoor atmosphere shall apply to any interstate highway.

Subd. 2. [Repealed, 1977 c 454 s 49]

Subd. 3. For the purpose of this section, sound abatement measures include but are not limited to the following:

(a) traffic management measures, including reduced speed limits or exclusion and rerouting of excessively noisy vehicles;

(b) design and construction measures, including use of sound absorbing road surface materials, landscaping and planning, acquisition of buffer zones or noise insulation of buildings on abutting property;

(c) enforcement of the motor vehicle source noise limits of the pollution control agency and of the federal bureau of motor carrier safety; and

(d) other measures designed for the purpose of reducing motor vehicle source noise or reducing the effects of that noise. The commissioner of public safety shall cooperate with the commissioner of transportation in implementing any sound abatement measures that include law enforcement activities.

History: 1975 c 203 s 20; 1976 c 164 s 1; 1976 c 166 s 7; 1977 c 454 s 13,14; 1978 c 791 s 18; 1981 c 357 s 49

161.13 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.13 CONNECTING ROUTES.

Subdivision 1. **Certain routes may be added.** Routes conforming to the standards and in the locations hereinafter prescribed may be added to the trunk highway system by order of the commissioner so as to provide an efficient, practicable and economical method of meeting situations and conditions that may arise during the periods between legislative sessions requiring connections between trunk highways on the interstate system and other trunk highways.

Subd. 2. **Location.** The commissioner may establish and thereafter construct, reconstruct, and maintain routes connecting a trunk highway on the interstate system with another trunk highway in the vicinity of Geneva, Medford, White Bear, Rush City, Pine City and Wyoming. If after any such connecting route has been constructed, the trunk highway or portion thereof that is one terminus of such route is removed from the trunk highway system but remains a public road, the connecting route shall remain a trunk highway.

Subd. 3. **Definite and specific locations and numbering left to the commissioner.** The definite and specific locations of such routes and the numbering thereof shall be fixed and determined by order of the commissioner.

Subd. 4. **Not to exceed certain lengths.** No such route shall exceed five miles in length, and the total length of all such routes shall not exceed twenty-five miles.

History: 1959 c 500 art 2 s 13

161.131 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.132 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.133 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.134 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.135 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.14 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.14 NAMES AND DESIGNATIONS OF CERTAIN HIGHWAYS.

Subdivision 1. **The 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 Constitutional Route No. 9, now marked trunk highway No. 16, thence east on Constitutional Route No. 9, now marked trunk highway No. 16, to the northeast corner of section 2, township 102, range 17, thence in a southerly direction along county state-aid highway No. 19 to the junction of statutory route No. 81, now marked trunk highway No. 56, thence southeasterly along statutory route No. 81, now marked trunk highway No. 56, to the junction of county state-aid highway No. 12, thence southerly along county state-aid highway No. 12 to a point on the Iowa state line near the south quarter line of section 34, township 101, range 14.

Subd. 2. **The 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.

Subd. 3. **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.

Subd. 4. **Theodore Christianson drive.** The following route in the vicinity of Dawson is named and designated "The Theodore Christianson Memorial Drive" in memory of the late Governor Theodore Christianson of Dawson, Minnesota, to-wit:

Beginning at a point on Constitutional Route No. 26, now marked trunk highway No. 12, at its intersection with Constitutional Route No. 66, now marked trunk highway No. 119, northerly of Appleton; thence extending in a southerly direction along Constitutional Route No. 66 to its intersection with Statutory Route No. 144, now marked trunk highway No. 119, at or near the south corporate limits of Appleton; thence extending southwesterly and southerly along said Statutory Route No. 144 to a point approximately six miles east of Madison; thence continuing southerly along present county state-aid highway No. 25 to its intersection with Constitutional Route No. 12, now marked trunk highway No. 212, at or near the westerly limits of Dawson; thence easterly along Constitutional Route No. 12 to its intersection with present county state-aid highway No. 23 in Dawson; thence continuing southerly along present county state-aid highways No. 23 and No. 11 to a point on Constitutional Route No. 48, now marked trunk highway No. 67.

Beginning at a point near the present junction of state trunk highway No. 40 and county state-aid highway No. 13 in Lac qui Parle County; thence extending in a general easterly direction along Statutory Route No. 276, now marked trunk highway No. 40 and county state-aid highway No. 20 in said county to a point at or near the city of Lac qui Parle; thence continuing in a general easterly and

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northerly direction to county state-aid highway No. 33; thence continuing easterly across the Minnesota River and Dam to its intersection with state trunk highway No. 59; thence extending in a general easterly direction along state trunk highway No. 59 to the junction of state trunk highway No. 7 in the city of Montevideo; thence extending in a general easterly direction on state trunk highway No. 7 to a point at or near the city of Minneapolis and there terminating.

Subd. 5. **P. H. McGarry Memorial Drive.** That portion of Constitutional Route No. 19, known as trunk highway No. 371, in Cass County from its south junction of Constitutional Route No. 34 to Walker is hereby named and designated as the "P. H. McGarry Memorial Drive."

Subd. 6. **Evergreen Memorial Drive.** That portion of road No. 185, known as trunk highway No. 23 in St. Louis, Pine and Carlton Counties, is hereby named and designated "Evergreen Memorial Drive" in memory of World War veterans of St. Louis, Pine and Carlton counties.

Subd. 7. **Prohibition of advertisements.** 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. 8. **Commissioner may remove advertisements.** The commissioner shall remove or cause to be removed any advertisement or sign prohibited under this section.

Subd. 9. **Yellowstone Trail.** The highway now marked and known as Trunk Highway No. 212 from the Wisconsin state line to the South Dakota state line is hereby named and designated as the "Yellowstone Trail," and the commissioner of transportation shall adopt a suitable marking design with which he shall mark or blaze said highway to carry out the purposes of this subdivision.

Subd. 10. **Sioux Trail.** The following route is named and designated the "Sioux Trail:"

Beginning at a point in Mendota at or near the Mendota Bridge over the Mississippi River; thence extending southwesterly along Legislative Route No. 117 to its junction with Legislative Route No. 187; thence extending westerly along Legislative Route No. 187 to its junction with Constitutional Route No. 5 in Shakopee; thence extending southwesterly along Constitutional Route No. 5 to Mankato; thence extending southwesterly along Constitutional Route No. 5 to its junction with Legislative Route No. 83; thence extending northwesterly along Legislative Route No. 83 to its junction with Constitutional Route No. 15; thence extending northerly along Constitutional Route No. 15 across the Minnesota River to its junction with Nicollet County State-Aid Highway No. 21; thence extending northwesterly along Nicollet County State-Aid Highway No. 21 to Nicollet County State-Aid Highway No. 29 near Fort Ridgely State Memorial Park; thence extending northwesterly along Nicollet County State-Aid Highway No. 29 to Renville County State-Aid Highway No. 5 at the Renville County line; thence extending northwesterly along Renville County State-Aid Highway No. 5 to Renville County Highway No. 51 at or near Franklin; thence extending northwesterly along Renville County Highway No. 51 to Constitutional Route No. 14 easterly of Morton; thence extending along Constitutional Route No. 14 to its junction with Constitutional Route No. 4 at Morton; thence extending northwesterly along Constitutional Route No. 4 at its junction with Renville County State-Aid Highway No. 15; thence extending northwesterly along Renville County State-Aid Highway No. 15 to its junction with Renville County State-Aid Highway No. 10; thence extending northerly along Renville County State-Aid Highway No. 10 to its junction with Renville County Highway No. 52; thence extending along

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Renville County Highway No. 52 to Chippewa County Highway No. 40 at the Chippewa County line; thence extending northwesterly along Chippewa County Highway No. 40 to its junction with Constitutional Route No. 12 at Granite Falls; thence extending northwesterly along Constitutional Route No. 12 to its junction with Constitutional Route No. 66 at Montevideo; thence extending northwesterly along Constitutional Route No. 66 to its junction with Legislative Route No. 147 at or near Appleton; thence extending northwesterly along Legislative Route No. 147 to its junction with Constitutional Route No. 6; thence extending northwesterly along Constitutional Route No. 6 to Ortonville.

The commissioner of transportation shall adopt a suitable marking design with which he shall mark or blaze the specified portions of the trunk highway routes heretofore described over which the Sioux Trail is located, and the counties of Nicollet, Renville, and Chippewa shall mark or blaze their respective highways heretofore described with the same marking design adopted by the commissioner of transportation.

Subd. 11. **Arthur V. Rohweder Highway.** That portion of Constitutional Route No. 1, known as Trunk Highway No. 61, from Lester Park in Duluth to Two Harbors, as the same is relocated and to be constructed on new alignment, is hereby named and designated as the "Arthur V. Rohweder Memorial Highway."

Subd. 12. **Hiawatha Pioneer Trail.** (1) The following route is named and designated the "Hiawatha Pioneer Trail":

Beginning at Trunk Highway No. 61 on the boundary line between the states of Minnesota and Wisconsin; thence northwesterly on Trunk Highway No. 61 to junction with Trunk Highway No. 12 in St. Paul; thence westerly and southwesterly on Trunk Highways No. 12 and No. 5 to Fort Snelling; thence southwesterly on Trunk Highway No. 3 to Faribault; thence westerly on Trunk Highway No. 99 to St. Peter; thence southerly on Trunk Highway No. 22 to Mankato; thence westerly on Trunk Highway No. 68 to Sleepy Eye; thence northerly on Trunk Highway No. 4 to Fairfax; thence westerly on Trunk Highway No. 19 to junction with Trunk Highway No. 67; thence northerly on Trunk Highway No. 67 to Granite Falls; thence southwesterly on Trunk Highway No. 23 to junction with Trunk Highway No. 14; thence westerly on Trunk Highway No. 14 to Lake Benton; thence southerly on Trunk Highway No. 75 to Pipestone; thence easterly on Trunk Highway No. 30 to Slayton; thence southerly on Trunk Highway No. 59 to Worthington; thence easterly on Trunk Highway No. 16 to Jackson; thence southerly on Trunk Highway No. 71 to the boundary line between the states of Minnesota and Iowa.

(2) The route of the "Hiawatha Pioneer Trail" designated in clause (1) of this subdivision is the main route of the trail. The following routes are named and designated as the alternate southern route and the alternate northern route of the "Hiawatha Pioneer Trail."

The alternate southern route is described as follows:

Commencing at the junction of Trunk Highway No. 61, on the main route, and Trunk Highway No. 14, north and west of Winona, thence westerly on Trunk Highway No. 14 to Owatonna; thence northerly on Trunk Highway No. 3 to Faribault, and connecting to the main route.

The alternate northern route is described as follows:

Commencing at the junction of Trunk Highway No. 12, on the main route, and Trunk Highway No. 10 in the city of St. Paul; thence northerly on Trunk Highway No. 10 to Little Falls, to junction Trunk Highway No. 371; thence northerly on Trunk Highway No. 371 to Brainerd and junction with Trunk Highway No. 18; thence easterly on Trunk Highway No. 18 to Garrison and junction with Trunk Highway No. 169; thence southerly on Trunk Highway No.

169 to junction with Trunk Highway No. 65; thence northerly on Trunk Highway No. 65 to Jacobsen, and junction with Trunk Highway No. 34; thence easterly on Trunk Highway No. 34 to junction with Trunk Highway No. 2; thence easterly and southerly on Trunk Highway No. 2 to Duluth and junction with Trunk Highway No. 23; thence southerly and westerly on Trunk Highway No. 23 to Sandstone and junction of Trunk Highway No. 61, thence southerly on Trunk Highway No. 61 to North Branch and junction with Trunk Highway No. 95; thence easterly and southerly on Trunk Highway No. 95 to Stillwater and junction with Trunk Highway No. 212; thence southerly and westerly to Trunk Highway No. 12 on the main route in the city of St. Paul.

(3) The commissioner of transportation shall adopt a suitable marking design with which he shall mark or blaze the highways heretofore described over which the "Hiawatha Pioneer Trail" is located.

Subd. 12a. **Hiawatha Pioneer Trail; alternate route.** The following route is designated as an alternate route of the "Hiawatha Pioneer Trail":

Commencing at the junction of Trunk Highway No. 61, on the main route, and Trunk Highway No. 58, at Red Wing, thence southwesterly on Trunk Highway No. 58, to its junction with Trunk Highway No. 52, at Zumbrota. The commissioner shall mark the route as provided in subdivision 12.

Subd. 13. **Blue star memorial highway.** Trunk Highway Routes Numbered 390, 392, 394, and 395, as described in section 161.12, are hereby named and designated as the Blue Star Memorial Highway.

Subject to the approval of the commissioner of transportation, the Blue Star Memorial marker may be placed in roadside rest areas, waysides, or parking areas within the right-of-way of the routes described in the first paragraph of this subdivision.

Subd. 14. **John A. Johnson Memorial Highway.** That portion of trunk highway marked No. 5 commencing in the city of St. Paul, to interstate highway marked No. 494, and that portion of trunk highway marked No. 169 from the intersection of interstate highway marked No. 494 to the city of St. Peter is hereby named and designated as the "John A. Johnson Memorial Highway."

Subd. 15. **Glacial Ridge Trail.** The following route is named and designated the "Glacial Ridge Trail":

Beginning at the junction of Trunk Highway No. 71, at its intersection with Trunk Highway No. 12, in Willmar; thence extending north and northeasterly along Trunk Highway No. 71 to its intersection with Kandiyohi County Highway No. 90; thence extending east along said Highway No. 90 to its junction with Kandiyohi County State Aid Highway (SAH) No. 9; thence extending north and northeasterly along said Highway No. 9 to its junction with Kandiyohi SAH No. 26; thence extending east along said Highway No. 26 to its junction with Kandiyohi SAH No. 8; thence extending north along said Highway No. 8 to its junction with Kandiyohi SAH No. 10, south of Green Lake; thence northerly along said Highway No. 10 to its junction with Kandiyohi SAH No. 30 in Spicer; thence extending northerly and easterly along said Highway No. 30 to its junction with Kandiyohi County SAH No. 2; thence extending northerly on said Highway No. 2 to a highway easterly of Long Lake and on the north side of Irving Township; thence westerly and southerly on the township road through Sections 4 and 5 of Irving Township to Kandiyohi County Highway No. 103 to its junction with a township road running south through Sections 6, 7, and 18 of Irving Township to its junction with Kandiyohi SAH No. 40; thence west on said Highway No. 40, across Trunk Highway No. 23 to the junction of SAH No. 40 and SAH No. 9 in the City of New London; thence via city streets to Trunk Highway No. 9 in New London; thence extending westerly on said Highway No. 9, to its junction with Trunk Highway No. 71; thence southerly on said Highway

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No. 71 to Kandiyohi County SAH No. 48; thence westerly through Sibley State Park and northerly, across Trunk Highway No. 9, to Colfax Township road running westerly through Sections 27, 22, 21, 20, and 19, of said township, and Section 24 of Norway Lake Township to Kandiyohi County Road No. 1, thence north to the township road on the south side of Sections 13 and 14 of Norway Lake Township to Kandiyohi County Road No. 115 to its junction with Kandiyohi County SAH No. 36 and west on said Highway No. 36 to a Norway Lake Township Road running northerly through Section No. 5 to the Pope County line and there joining a township road in Section 32 of Lake Johanna Township; thence northerly and westerly through Sections 32 and 31 to Trunk Highway No. 104; thence northerly on said Highway No. 104 to a township road; running westerly through Sections 24 and 23 of Gilchrist Township to Pope County Highway No. 84; thence westerly on said Highway No. 84 to the west side of Section No. 15; thence northerly and westerly on a township road through Sections 16 and 17 to Pope County SAH No. 8; thence north on said Highway No. 8, in Section No. 8, to a township road; thence in a general northwesterly direction on township roads to Trunk Highway No. 104.

And beginning in the Community of Terrace, in Section No. 33 of Chippewa Falls Township, Pope County, Minnesota; thence northwesterly on Pope County SAH No. 21 to a township road; thence westerly on said township road to Trunk Highway No. 104; thence along said Highway No. 104 in a westerly and northerly direction to Pope County SAH No. 18; thence westerly on said Highway No. 18 to Pope County SAH No. 17; thence northerly on said Highway No. 17 to its junction with Trunk Highway No. 104; thence northerly to Trunk Highway No. 28 in Glenwood; thence easterly on said Highway No. 28 to its junction with Pope County SAH No. 25; thence northerly and easterly to the City of Villard; thence to Trunk Highway No. 28 and easterly to its junction with Trunk Highway No. 71; thence northerly on said Highway No. 71 to the city of Sauk Centre.

And beginning in the City of Villard on Pope County SAH No. 28; thence westerly on said SAH No. 28 to its junction with Trunk Highway No. 29.

And beginning at the south limits of the City of Alexandria on Trunk Highway No. 29; thence southerly to its junction with Trunk Highway No. 55; thence southeasterly to 14th Avenue Northeast and the adjacent Mount Lookout Rest Area in the City of Glenwood; thence westerly on said 14th Avenue NE to its junction with Trunk Highway No. 29; thence southerly on said Highway No. 29 to its junction with Trunk Highway No. 104 in the City of Glenwood.

And beginning in the City of Glenwood at the junction of Trunk Highway No. 104 and Lakeshore Drive; thence westerly on Lakeshore Drive into the City of Long Beach to Golf Course Road; thence on Golf Course Road to Trunk Highway No. 29; thence on said Highway No. 29 to Pope County SAH No. 24; thence westerly on said SAH No. 24 to the Pelican Lake Road; thence southerly on said road to Trunk Highway No. 29; thence southerly and westerly on said Highway No. 29 through the City of Starbuck to Pope County SAH No. 41; thence southerly on said SAH No. 41 to Glacial Lakes State Park.

And beginning on Pope County SAH No. 41 at its junction with Pope County Highway No. 74; thence easterly on said County Highway No. 74 to its junction with Pope County SAH No. 13; thence southerly on said SAH No. 13 to its junction with a township road on the north side of Section 5 of Rolling Forks Township; thence easterly on said township road through Sections 5, 4, and 3 of Rolling Forks Township; said road continuing as the township road through Sections 34, 35, and 36 of Barsness Township to its junction with Pope County SAH No. 19.

And beginning at the junction of Trunk Highway 104 and Pope County SAH No. 19; thence southerly on said SAH No. 19 to the Swift County line where it

becomes Swift County SAH No. 25; thence on said SAH No. 25 to the Swift Falls Community Park.

And beginning at the junction of Swift County SAH No. 25 and Swift County Highway No. 87; thence southerly and easterly on said Highway No. 87 to its junction with a township road in Section 12 of Camp Lake Township; thence easterly and northerly on township roads through Sections 12 and 1 of Camp Lake Township to a junction with a township road in Section No. 6 of Kerkhoven Township; thence easterly and southerly on township roads through Sections No. 6, 5, 4, 3, 2, and 11 to its junction with Swift SAH No. 28; thence easterly on said SAH No. 28 to its junction with Swift County Highway No. 95; thence southerly on said Highway No. 95 through Monson Lake Memorial Park to its junction with Swift County SAH No. 18; thence easterly on said SAH No. 18 to the Kandiyohi County line where it becomes Kandiyohi County SAH No. 40; thence on said SAH No. 40 to Trunk Highway No. 104.

And beginning at the junction of Kandiyohi County SAH No. 36 and a township road in Section No. 8 of Norway Lake Township; thence southerly on said SAH No. 36 to its junction with Trunk Highway No. 9; thence on said Highway No. 9 to its junction with Trunk Highway No. 104; thence south on said Highway No. 104, through the City of Sunburg to the junction of said Highway No. 104 and Kandiyohi County SAH No. 40; thence easterly on said SAH No. 40 to its junction with Kandiyohi SAH No. 5.

And beginning at the junction of Kandiyohi County SAH's No. 48 and 38; thence southerly on said SAH No. 38 to Kandiyohi County SAH No. 40; thence westerly on said SAH No. 40 to its junction with Kandiyohi SAH No. 5; thence southerly on said SAH No. 5 to its junction with a township road in Section No. 9 of Dovre Township; thence easterly on said township road through Sections No. 9, 10, and 11 to its intersection with Kandiyohi County SAH No. 27; thence easterly on said SAH No. 27 to its junction with a township road in Section No. 13 of Dovre Township; thence on said township road through Sections No. 13, 14, 23, 25, and 36 of Dovre Township to its junction with Trunk Highway No. 71.

The respective road authorities of the highways over which the route described in this subdivision is located shall place and maintain the "Glacial Ridge Trail" emblem, an arrowhead design with red, black, and white colors, on the highways under their jurisdiction to adequately mark the highways as "Glacial Ridge Trail".

The state transportation department shall make sufficient additional markers to enable the counties to mark those portions of the trail not maintained by the state.

Subd. 16. Eisenhower Memorial Bridge. The bridge over the Mississippi river at the city of Red Wing, being part of legislative route No. 161, is hereby named and designated the "Eisenhower Memorial Bridge". Any plaques or signs memorializing this bridge should be furnished by other than the Minnesota department of transportation and approved by the commissioner of transportation.

Subd. 17. Hiawatha-Appleblossom Scenic Drive.

(1) The following described route is named and designated the "Hiawatha-Appleblossom Scenic Drive."

Beginning at a point in LaCrescent on Houston county state aid highway No. 29; thence extending northerly along Houston county state aid highway No. 29 to the Winona county line; thence extending northerly and westerly along Winona county state aid highway No. 1 to its junction with Winona county state aid highway No. 12; thence easterly along Winona county state aid highway No. 12 to its intersection with trunk highway marked No. 61 in Dakota and there terminating. Also from the junction of Winona county state aid highway No. 1 and Winona county state aid highway No. 12; thence westerly and northerly

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along Winona county state aid highway No. 12 to its intersection with Winona county state aid highway No. 3; thence easterly and northerly along Winona county state aid highway No. 3 to its intersection with trunk highway marked No. 61 and there terminating.

(2) The respective road authorities having jurisdiction of the highways over which the route described in clause (1) is located shall adopt and place suitable marking signs on their respective highways to adequately mark the route as "Hiawatha-Appleblossom Scenic Drive."

Subd. 18. Voyageur highway. The following route is named and designated the "Voyageur Highway":

(a) Beginning at a point on trunk highway No. 26 on the boundary line between the states of Minnesota and Iowa; thence northerly along trunk highway No. 26 to its junction with trunk highway No. 61; thence northwesterly along trunk highway No. 61 to its junction with trunk highway No. 10 in the city of St. Paul; thence extending in a general northwesterly direction along trunk highway No. 10 to its junction with trunk highway No. 371 at Little Falls; thence extending in a general northerly direction along trunk highway No. 371 to its junction with trunk highway No. 210 at Brainerd; thence northeasterly along trunk highway No. 210 to its junction with trunk highway No. 169 at Aitkin; thence in a general northerly direction along trunk highway No. 169 to its junction with trunk highway No. 2 at Grand Rapids; thence northwesterly along trunk highway No. 2 to its junction with trunk highway No. 71 at Bemidji; thence northeasterly along trunk highway No. 71 to its junction with trunk highway No. 11 at Pelland; thence northeasterly along trunk highway No. 11 to its junction with trunk highway No. 53 at International Falls; thence southeasterly along trunk highway No. 53 to its junction with trunk highway No. 61 at Duluth; thence northeasterly along trunk highway No. 61 to the boundary line between the state of Minnesota and the province of Ontario, Canada.

(b) The route of the Voyageur highway designated and described in clause (a) is supplemented by legs or alternative routes described as follows:

Beginning at a point on trunk highway No. 1 at its junction with trunk highway No. 61 northerly of Silver Bay; thence northwesterly along trunk highway No. 1 to Ely; thence southwesterly along trunk highway No. 1 to its junction with trunk highway No. 169; thence southerly and westerly along trunk highway No. 169 to its junction with trunk highway No. 53, and there terminating.

Beginning at a point on trunk highway No. 11 at its junction with trunk highway No. 53 at International Falls; thence easterly along trunk highway No. 11 to its easterly terminus near Island View.

Beginning at a point on trunk highway No. 33 at its junction with interstate highway marked I-35 southerly of Cloquet, thence northerly along trunk highway No. 33 to its junction with trunk highway No. 53.

(c) The commissioner of transportation shall

(1) adopt a suitable marking design of signs or informational plaques.

(2) effect the installation of such signs or plaques in public waysides or other public areas as approved and designated by the commissioner.

Subd. 19. Viking trail. The following route is named and designated the "Viking Trail":

(a) Beginning on Clay County State Aid Highway (SAH) No. 36 on the boundary line between the states of Minnesota and North Dakota; thence easterly on said SAH No. 36 to Clay County Highway No. 100; thence southerly through the city of Georgetown to U.S. Trunk Highway No. 75; thence southerly on said Trunk Highway to its intersection with U.S. Trunk Highway No. 10; thence easterly on said Trunk Highway No. 10 to its junction with Becker County SAH

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No. 5; thence southerly on said SAH No. 5 to Becker County SAH No. 6; thence easterly on said SAH No. 6 to Becker County SAH No. 11; thence southerly on said SAH No. 11 to Becker County SAH No. 5; thence southerly on said SAH No. 5 to the Otter Tail County line where the highway becomes Otter Tail County SAH No. 9; thence southerly on said SAH No. 9 to Otter Tail County SAH No. 20; thence easterly on said SAH No. 20 to Otter Tail County SAH No. 31; thence southerly on said SAH No. 31, across U.S. Trunk Highway No. 59, to the junction of said SAH No. 31 and Otter Tail County SAH No. 4; thence westerly on said SAH No. 4 to its junction with U.S. Trunk Highway No. 59; thence southerly on said Trunk Highway No. 59 through the cities of Pelican Rapids, Erhard, and Elizabeth to its junction with Minnesota Trunk Highway No. 52; thence west on said Trunk Highway No. 52 to its junction with Otter Tail County Highway No. 116; thence southerly on said County Highway No. 116 to its junction with Minnesota Trunk Highway No. 210; thence easterly on said Trunk Highway No. 210 through the cities of Fergus Falls and Underwood to its junction with Minnesota Trunk Highway No. 78; thence northerly on said Trunk Highway No. 78 to its junction with Otter Tail County SAH No. 83 in the City of Battle Lake; thence westerly on said SAH No. 83 to its junction with Otter Tail County Highway No. 122; thence westerly on said County Highway No. 122 to its junction with Otter Tail County SAH No. 35 in the City of Underwood; thence southerly, across Minnesota Trunk Highway No. 210, through the City of Dalton and across Interstate Highway No. 94 to the junction of said SAH No. 35 with U.S. Trunk Highway No. 59; thence southerly on said Trunk Highway No. 59 into Grant County to its junction with Grant County Highway No. 50; thence easterly on said County Highway No. 50 to its junction with Grant County SAH No. 4; thence easterly on said SAH No. 4 to its junction with Grant County SAH No. 21; thence southerly on said SAH No. 21 to its junction with Minnesota Trunk Highway No. 79.

Beginning in the City of Elbow Lake on Minnesota Trunk Highway No. 79; thence easterly on said Trunk Highway No. 79 to its junction with Grant County SAH No. 21; thence southerly on said SAH No. 21 to Grant County Highway No. 36; thence easterly on said County Highway No. 36 to its junction with Grant County SAH No. 10; thence southerly on said SAH No. 10 to its junction with Grant County SAH No. 2.

Beginning in the City of Barrett on Grant County SAH No. 2; thence easterly on said SAH No. 2 to its junction with Grant County SAH No. 5; thence southerly on said SAH No. 5 through the City of Hoffman to Minnesota Trunk Highway No. 55; thence southeasterly on said Trunk Highway No. 55 to its junction with Douglas County SAH No. 1 in the City of Kensington; thence northerly on said SAH No. 1 to the Solem Township road on the south side of Section 15 of Solem township (T. 127 N., R. 40 W.); thence easterly and northeasterly on Solem Township roads through Sections 15, 14, and 11 to their junction with Minnesota Trunk Highway No. 27; thence easterly on said Trunk Highway No. 27 to its junction with Minnesota Trunk Highway No. 114; thence northerly on said Trunk Highway No. 114, under Interstate Highway No. 94, to the junction of said Trunk Highway No. 114 with Douglas County SAH No. 8; thence easterly on said SAH No. 8 to its junction with Douglas County SAH No. 82; thence southerly and easterly on said SAH No. 82 to its junction with Minnesota Trunk Highway No. 29 in the City of Alexandria; thence northerly on said Trunk Highway No. 29 to its junction with Douglas County SAH No. 42 in the City of Alexandria; thence northerly on said SAH No. 42 to its junction with Minnesota Trunk Highway No. 29; thence easterly across said Trunk Highway No. 29 to Douglas County SAH No. 13 and continuing easterly on said SAH No. 13 through the City of Carlos to the junction of said SAH No. 13 with Douglas County SAH No. 3 in the community known as Belle River; thence easterly on

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said SAH No. 3 to the Belle River Township Road in Section 14 of Belle River Township (T. 129 N., R. 36 W.); thence easterly on said township Road through Sections 14 and 13 of Belle River Township to the Douglas-Todd County Line, where it becomes a Leslie Township Road in Section No. 18 of Leslie Township (T. 129 N. R. 35 W.); thence easterly on said Leslie Township Road through Sections No. 18 and 17 to the Todd County SAH No. 1; thence southerly on said SAH No. 1 to its junction with Todd County SAH No. 36; thence easterly on said SAH No. 36 to its junction with Leslie township Road in Section No. 22 of said Leslie Township; thence southerly on said Township Road through Sections No. 22, 27, and 28 of said Leslie Township to Todd County SAH No. 10; thence easterly on said SAH No. 10 to its junction with Todd County SAH No. 37; thence southerly on said SAH No. 37 to its junction with Minnesota Trunk Highway No. 27; thence southerly on said Trunk Highway No. 27 to the City of Osakis.

Beginning at the junction of Minnesota Trunk Highway No. 27 and Todd County SAH No. 4; thence easterly on said SAH No. 4 to its junction with Todd County SAH No. 11; thence southerly on said SAH No. 11 to its junction with Todd County Highway No. 96; thence easterly on said County Highway No. 96 to its junction with Todd County SAH No. 50 at the community of Little Sauk; thence southerly on said SAH No. 50 to its junction with U. S. Trunk Highway No. 71; thence southerly on said Trunk Highway No. 71 to its junction with Todd County SAH No. 2; thence easterly on said SAH No. 2 to its junctions with Todd County SAH No. 15; thence southerly on said SAH No. 15 to the Todd-Stearns County line and its junction with Stearns County SAH No. 24; thence southerly on said SAH No. 24 to Minnesota Trunk Highway No. 28; thence southwesterly on said Trunk Highway No. 28 to its junction with U.S. Trunk Highway No. 71; thence southerly on said Trunk Highway No. 71 through the City of Sauk Centre to its junction with the Interstate Highway No. 94 and there terminating.

(b) The respective road authorities, of the highways over which the route described in this subdivision is located, may erect and maintain the "Viking Trail" emblem on the highways under their jurisdiction to adequately mark the route as the "Viking Trail". The commissioner of transportation shall approve an emblem which shall consist of the lettering "Viking Trail" with the bow section of a Viking ship on a body of water; the colors being blue on white.

History: 1959 c 210 s 1; 1959 c 500 art 2 s 14; 1961 c 669 s 1,2; 1961 c 734 s 1; 1965 c 445 s 1-3; 1965 c 556 s 1; 1969 c 346 s 1; 1969 c 480 s 1; 1969 c 1058 s 1; 1971 c 82 s 1; 1971 c 640 s 1; 1973 c 123 art 5 s 7; 1974 c 65 s 1; 1974 c 102 s 1; 1975 c 255 s 1; 1976 c 29 s 1; 1976 c 166 s 7; 1976 c 292 s 1; 1978 c 674 s 19

161.141 NORTHWEST ANGLE, CONNECTING HIGHWAY; FEDERAL APPROVAL.

Subdivision 1. The commissioner of transportation may enter into an agreement with the authorized authorities of the province of Manitoba, Canada providing for an equitable division of costs and responsibilities to be borne by the state of Minnesota and the province of Manitoba for the establishment, location, construction, maintenance, and operation of a highway through the province of Manitoba, thereby connecting the Northwest Angle with other parts of the state of Minnesota.

Subd. 2. The agreement shall contain an express provision that it shall not be binding on the state of Minnesota until approved by the Congress of the United States. The agreement shall contain the further express provision that the agreement shall not be binding on the state of Minnesota unless the Congress of the United States appropriates to the state of Minnesota a sum of money sufficient to pay Minnesota's share of the cost of the highway.

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Subd. 3. Upon approval of Congress and the appropriation of money by Congress as provided in subdivision 2, the commissioner may proceed to carry out the terms of the agreement provided for in subdivision 1.

History: 1959 c 132 s 1-3; 1976 c 166 s 7

161.1419 MISSISSIPPI RIVER PARKWAY COMMISSION.

Subdivision 1. It is declared to be the policy of the state and to be in the best public interest for the promotion of public safety, recreation, travel, trade, and the general welfare of the people to cooperate with the federal government and with the interstate Mississippi River parkway planning commission. To carry out such policy and to aid in the promotion and securement of a scenic parkway and highway for the state of Minnesota and to aid in securing the location of federal parks within Minnesota a Mississippi River parkway commission is created. Such commission shall also work toward the planning, construction, maintenance, and improvement of the Great River Road or Mississippi River Parkway which is to follow generally the course of the Mississippi River and extend from Canada to the Gulf of Mexico.

Subd. 2. The commission shall be composed of ten members of which three shall be appointed by the governor, three shall be members of the senate to be appointed by the committee on committees, and three shall be members of the house of representatives to be appointed by the speaker. The tenth member shall be the secretary appointed pursuant to subdivision 3. The members of the commission shall be selected immediately after final enactment of this act and shall serve for a term expiring at the close of the next regular session of the legislature and until their successors are appointed. Successor members shall be appointed at the close of each regular session of the legislature by the same appointing authorities. Members may be reappointed. Any vacancy shall be filled by the appointing authority. The commissioner of transportation, the commissioner of natural resources, and the director of the Minnesota historical society shall be ex officio members, and shall be in addition to the ten members heretofore provided for. Immediately upon making the appointments to the commission the appointing authorities shall so notify the Mississippi River parkway commission, hereinafter called the national commission, giving the names and addresses of the members so appointed.

Subd. 3. The commission may hold meetings and hearings at such time and places as it may designate to accomplish the purposes set forth in this section and may subpoena witnesses and records. It shall select a chairman, a vice-chairman, and such other officers from its membership as it deems necessary. The commission shall appoint a secretary who shall also serve as a commission member.

Subd. 4. Members of the commission shall serve without compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties. The commission may purchase supplies, employ part time or full time employees, and do all things reasonably necessary and convenient in carrying out the purposes of this section. Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees.

Subd. 5. The commissioner of transportation shall designate one employee of the department of transportation who is an engineer or who has engineering experience and the commissioner of natural resources shall appoint one member of his staff who shall advise with and assist the commission in carrying out its functions and duties.

Subd. 6. The commission shall be an affiliate of the national commission and as a member of the national commission may pay an annual fee for its equal share of the planning program of the national commission.

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Subd. 7. The commission may review the programs of the various interstate compacts, studies, planning groups and commissions involved in water and land use activities along the Mississippi river in Minnesota and report to the legislature biennially any duplication of programs and funding as well as its recommendations for new legislation.

History: 1963 c 875 s 1; 1969 c 1129 art 3 s 1; 1971 c 653 s 1-5; 1973 c 35 s 34; 1976 c 166 s 7

NOTE: Grants-in-aid from counties, see section 373.27.

161.142 GREAT RIVER ROAD.

Subdivision 1. [Repealed, 1963 c 875 s 3]

Subd. 2. **Location; construction; improvement; maintenance; acquisition of land.** The commissioner of transportation shall establish and locate the route or routes of the Great River Road and shall thereafter construct, reconstruct, improve and may maintain same. He may acquire by purchase, gift or eminent domain proceedings, in fee or such lesser estate as he may determine, all lands and properties needed in laying out, establishing, constructing, reconstructing, and improving the Great River Road in Minnesota.

Subd. 3. **Inclusion within state system; controlled access.** The portion of the Great River Road in Minnesota may be part of the state trunk highway system and may be a controlled access highway.

Subd. 4. **Acceptance of federal funds; cooperation with federal agencies.** The commissioner of transportation may accept any federal funds made available to the state of Minnesota for expenditure on the Great River Road. He may cooperate with the federal government or any federal agency in the establishment, construction, reconstruction and improvement of the Great River Road to the end that the state will obtain all federal funds available for expenditure on the Great River Road in Minnesota. He may act as agent for any other department of state, public corporation, or political subdivision of the state in accepting federal aid in their behalf for the purposes expressed in subdivisions 2 to 7, and may distribute any federal aid received by the department to other departments of the state, public corporations or political subdivisions of the state.

Subd. 5. **Cooperation with other governmental units.** The commissioner of transportation shall cooperate with other state departments, public corporations and political subdivisions in laying out, constructing, reconstructing and improving and maintaining the Great River Road.

Subd. 6. **Expenditures; limitation, appropriation.** None of the provisions of subdivisions 2 to 7 shall be construed as authorizing the commissioner of transportation to expend trunk highway funds for non-trunk highway purposes.

Subd. 7. **Preservation of adjacent areas.** The commissioner of transportation and any political subdivision or public corporation adjacent to the Great River Road or through which the Great River Road passes may acquire by purchase, gift or eminent domain proceedings as provided by law any lands or properties, or interests in lands and properties, lying along the Great River Road as they deem necessary for the purpose of preserving areas of natural scenic beauty, views of lake or riverside areas, historic sites, and such lands as they deem necessary for the purpose of providing recreational and rest areas and facilities in connection therewith including camping and overnight facilities. They may enter into agreements with property owners along the Great River Road providing for restrictions on land uses along such road and providing for compensation therefor. Such agreements may provide that the lands or properties may continue to be used for agricultural, horticultural, forest, grazing, residential, or other purposes not inconsistent with parkway principles and standards approved by the federal government and the Mississippi River Parkway Commission.

History: 1959 c 411 s 1-7; 1976 c 163 s 33; 1976 c 166 s 7; 1978 c 495 s 1

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161.143 [Repealed, 1974 c 34 s 2]

161.144 [Repealed, 1974 c 34 s 2]

161.145 [Repealed, 1974 c 34 s 2]

161.146 [Repealed, 1974 c 34 s 2]

161.147 [Repealed, 1974 c 34 s 2]

161.148 GREAT RIVER ROAD, LOCATION OF ROUTE.

Subdivision 1. The commissioner of transportation shall designate, establish and locate the great river road described in and authorized by section 161.142, with the approval of the Mississippi River Parkway Commission and, when the location is not on the trunk highway system, with the approval of the political subdivision having jurisdiction of the road.

Subd. 2. The commissioner of transportation may designate, establish, locate and mark alternate routes of the Great River Road with the approval of the Mississippi River Parkway Commission upon highways of the trunk highway system and when not located upon the trunk highway system with the approval of the political subdivision having jurisdiction of the road.

Subd. 3. Funds shall not be expended on any alternate route or routes provided for by subdivision 2 except to the extent of any surplus in federal funds provided for the route designated under subdivision 1 or as provided by agreement with the United States government.

Subd. 4. [Repealed, 1978 c 495 s 5]

History: 1974 c 34 s 1; 1976 c 166 s 7; 1978 c 495 s 2-4

161.15 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.15 SPECIFIC LOCATION; LIMITATION ON DEVIATIONS.

The commissioner may specifically and definitely locate all of the routes of the trunk highway system, but in so locating same, he shall not deviate from the starting points or terminals as set forth in the route description; nor shall there be any deviation from the various cities named in the routes through which such routes shall pass.

History: 1959 c 500 art 2 s 15; 1973 c 123 art 5 s 7

161.16 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.16 TEMPORARY TRUNK HIGHWAYS; DEFINITELY LOCATED TRUNK HIGHWAYS; VACATION AND REVERSION.

Subdivision 1. **Temporary trunk highways.** Until such time as the commissioner definitely locates and constructs the several routes of the trunk highway system, he shall select practicable existing roads along the general location of such routes which he shall maintain for the benefit of the traveling public. Such roads shall be known as temporary trunk highways. The road authority which had jurisdiction over such road shall, thereupon, be relieved of responsibilities thereto; provided, however, if the definite location of the route shall be other than the location of the temporary trunk highway, the portion of the temporary locations which is not included in the definite location shall, upon notice of the commissioner, revert to the road authority unless the same lies within the corporate limits of a city, in which case it shall become a street of the city, provided that when the portion of the temporary location, which is not included in the definite location lies within a city having a population of less than 5,000, that portion shall revert to the county if it meets the criteria for a county state-aid highway.

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Subd. 2. Designation and location by order. The commissioner shall by order or orders designate such temporary trunk highways, and when he has determined the definite location of any trunk highway or portion thereof, the same shall also be designated by order or orders. The definite location of such highway or portion thereof may be in the form of a map or plat showing the lands and interests in lands required for trunk highway purposes. Formal determination or order if by map or plat, shall be certified by the commissioner of transportation on said map or plat. The commissioner may, by similar order or orders, change the definite location of any trunk highway between the fixed termini, as fixed by law, when such changes are necessary in the interest of safety and convenient public travel. The commissioner shall file certified copies of such orders with the county auditor of the county wherein such highways are located. Such certified copies shall become permanent records and shall not be removed from the office or offices wherein filed.

Subd. 3. Public hearing. When the county board of any county requests a public hearing in regard to the definite location or a change in the definite location of any trunk highway within its boundaries, the commissioner shall hold such hearing in such county before making his determination in such matters.

Subd. 4. Reversion or conveyance to another road authority. (a) If the commissioner makes a change in the definite location of a trunk highway as provided in this section, the portion of the existing road that is no longer a part of the trunk highway by reason of the change and all right, title, and interest of the state in the trunk highway shall revert to the road authority originally charged with the care of that trunk highway.

(b) If the portion had its origin as a trunk highway, it shall become a county highway unless it lies within the corporate limits of a city, in which case it shall become a street of the city. When the existing road that is no longer a part of the trunk highway by reason of the change lies within a city of less than 5,000 population, the portion shall revert to the county if the portion meets the criteria for a county state-aid highway. In municipalities of over 5,000 population that portion of the road may revert to the county if the appropriate authorities of the state, county and the various cities through which the route passes so agree. Should any city not agree that the portion of the roadway that passes through it shall revert to county jurisdiction, the portion shall not so revert, although the other portions of the roadway in which agreement has been reached shall revert to county jurisdiction. Notwithstanding the other provisions of this chapter or other applicable laws and regulations, the commissioner may convey and quitclaim to a county, city, or other political subdivision all or part of the right of way of the existing road that is no longer a part of the trunk highway by reason of the commissioner's order or orders. The conveyance shall be for highway purposes, and the future cost of maintenance, improvement, or reconstruction of the highway and the contribution of that highway to the public highway system is reasonable and proper consideration for the conveyance. Extra Session Laws 1967, Chapter 11 shall apply to all trunk highways reverted before the date of its enactment.

Subd. 5. Damages due to vacation of road having origin as a trunk highway. Damages occasioned by the vacation of any highway or street that had its origin as a trunk highway, if vacated by the county within one year after the commissioner relinquished jurisdiction thereof, shall be paid by the state out of the trunk highway fund. No award of damages determined by the county shall be made for such vacation without the concurrence of the attorney general, and no action brought to recover damages for such vacation shall be settled or otherwise disposed of without the consent of the attorney general. The attorney general may defend any action brought to recover damages for such vacation.

Subd. 6. **Vacation.** When the definite location of any trunk highway takes the place of and serves the same purpose as any portion of an existing road, however established, the commissioner may make an order vacating such portion of the road. A copy of the order shall be served upon the owners and occupants of the lands on which is located the portion of the road so vacated. A copy of the order, together with proof of service, or affidavit of publication if the owners are unknown or reside outside the state, shall be filed with the county auditor of the county in which such lands lie. Any person claiming to be damaged by the vacation may appeal at any time within 30 days after the service of the order to the district court of the county for a determination of his damages, by serving notice of the appeal on the commissioner and filing same with proof of service in the office of the clerk of the district court. The appeal shall be tried in the same manner as an appeal from an award in proceedings in eminent domain.

History: 1959 c 500 art 2 s 16; 1967 c 436 s 1,2; Ex1967 c 11 s 1; 1969 c 207 s 1; 1969 c 336 s 1; 1973 c 123 art 5 s 7; 1976 c 166 s 7; 1981 c 209 s 3

161.161 COUNTY LINE ROADS, REVERSION.

Where a trunk highway which is being reverted to a lower governmental subdivision is on or forms the line between two or more counties, the trunk highway shall revert to and remain the responsibility of the affected counties.

History: 1969 c 342 s 1

161.17 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.17 APPROVAL OF PLANS.

Subdivision 1. [Repealed, 1969 c 312 s 8]

Subd. 2. **Interstate system.** It is hereby declared that construction of the interstate system of highways will vitally affect the future development of the cities through which these routes pass and such municipalities should have an important role in the development of this highway system; that on the other hand the future planning and programming of construction projects over a period of years is necessary to take maximum advantage of federal aid and to build a unified and coordinated interstate system; that excessive delay in local approval of plans for construction of one segment may seriously impede completion of the entire system and adversely affect other municipalities along the interstate routes; that the mutual exchange of information and close cooperation between the department and local governing bodies should be encouraged by improved administrative processes for securing orderly review of plans and the resolution of differences over interstate routes and projects; and that the provisions of subdivision 1 for local approval of trunk highway plans must be modified for the interstate highway system in the light of these various considerations. Before the commissioner proceeds with the preparation of the final plans for the construction, reconstruction, or improvement of any route on the interstate system lying within any city, he shall submit to its governing body preliminary plans covering the route location. The preliminary plans shall be submitted as part of a report containing such supporting data that the commissioner deems helpful to the governing body in appraising the plans submitted.

Any public hearing on location of an interstate route held in compliance with federal requirements shall be held at least one month after submission to the governing body of the report provided for in this subdivision. After the public hearing, when the commissioner has prepared final plans, he shall submit the final plans to the governing body for approval. If the governing body does not approve the final plans within three months after submitted, the commissioner may refer

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the plans to (1) the Twin Cities Metropolitan Area Planning Commission, if the project is within the area of its jurisdiction, or (2) the municipal advisory committee on state-aid rules and regulations established under section 162.09, subdivision 2, if the project is elsewhere in the state. If a member of the advisory committee is from the municipality concerned he shall be excused. If the plans are so referred, the commission or committee shall give the commissioner and the governing body ample opportunity to present the case for or against approval of the plans so referred. Not later than three months after such hearings and independent study as it deems desirable, it shall approve or disapprove such plans, making such additional recommendations consistent with state and federal requirements as it deems appropriate, and it shall submit a written report containing its findings and recommendations to the commissioner and the governing body. The commissioner shall not proceed with the proposed construction, reconstruction, or improvement except in accordance with plans approved by the governing body or, if referred to the commission or committee, until after the commission or committee has made its report, and then only after the governing body has had an additional 90 days within which to consider the plans originally submitted or such modified plans as may be submitted to it by the commissioner following the report of the commission or committee. If within such 90-day period, the governing body does not approve the plans submitted to it, and if the commissioner then wishes to proceed with the project according to plans differing substantially from the plans recommended by the commission or committee in its report, he shall, before proceeding with the project, file a written report with the commission or committee and the governing body stating fully his reasons for doing so. Whenever plans are referred to the Twin Cities Metropolitan Area Planning Commission, the commission shall be reimbursed from the trunk highway fund for actual and necessary expenses incurred by the commission in staff work incident to consideration of plans and action thereon by the commission. Whenever plans are referred to the advisory committee on rules and regulations, members of the committee shall be paid their necessary expenses to the same extent and in the same manner as for its duties in considering the commissioner's rules and regulations.

History: 1959 c 500 art 2 s 17; 1973 c 123 art 5 s 7

161.171 ROUTING AND CONSTRUCTION THROUGH MUNICIPALITIES; DEFINITIONS.

Subdivision 1. As used in sections 161.171 to 161.177, the terms defined in this section have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of transportation.

Subd. 3. "Governing body of a municipality" means the duly elected council of a municipality.

Subd. 4. "Municipality" means any city within the state.

Subd. 5. "Metropolitan area" includes the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, presently under the jurisdiction, for metropolitan area planning and coordination purposes, of the metropolitan council established pursuant to chapter 473, which council is hereinafter referred to as "agency".

Subd. 6. "Layout plan" means a preliminary plan for the proposed construction or reconstruction of a highway facility which plan indicates the proposed locations, elevation, width of lanes, and the type and location of proposed roadway intersections or interchanges together with the approximate location, width, and length of bridges and the approximate right of way limits and access locations, where applicable.

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Subd. 7. "Construction plan" means the plan sheets, profiles, typical cross-sections and supplemental drawings which show the location, character, dimensions and details of the highway construction or improvement work to be done, and which are substantially in conformance with the plan which will be submitted to prospective bidders.

History: 1969 c 312 s 1; 1973 c 123 art 5 s 7; 1976 c 166 s 7; 1980 c 509 s 51

161.172 MUNICIPALITIES TO CONSENT.

Except for routes on the interstate system, no state trunk highway or any part thereof, located within the corporate limits of any municipality, shall be constructed or improved in the manner specified in this section without the consent of the governing body of such municipality, unless the procedures prescribed by sections 161.172 to 161.177 shall have been followed by the commissioner of transportation. The highway improvements requiring consent are limited to those improvements which alter access, increase or reduce highway traffic capacity or require acquisition of permanent rights-of-way. This section shall not limit the power of the commissioner to regulate traffic or install traffic control devices or other safety measures on trunk highways located within municipalities.

Nothing contained in this section shall be construed as in any way limiting the commissioner's discretion to determine the priority and programming of trunk highway construction.

History: 1969 c 312 s 2; 1976 c 166 s 7; 1980 c 533 s 6

161.173 SUBMISSION OF CORRIDOR PROPOSAL.

The commissioner shall submit to the governing body of each municipality wherein a trunk highway is proposed to be constructed or improved, and to the governing body of each municipality adjacent to any such municipality, a report containing: a statement of the need for this proposed construction or improvement, a description of alternate routes which were considered by the commissioner and an explanation of the advantages and disadvantages in the selection of any route considered. The report shall also contain for each alternate, the following information: general alignment and profile, approximate points of access, highway classification, an approximate cost estimate, relation to existing and planned regional and local development and to other transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. Where a state trunk highway is proposed to be constructed or improved within the metropolitan area, a copy of the report shall also be submitted to the metropolitan council and the metropolitan transit commission established by chapter 473. In all areas of the state a copy of the report shall be sent to established regional, county and municipal planning commissions in the area affected by the highway project. Not less than 45 nor more than 90 days, or as otherwise mutually agreed, after the report has been submitted, the commissioner shall hold a public hearing on the proposed highway construction or improvement at such time and place within any municipality wherein a portion of the proposed construction or improvement is located, as the commissioner shall determine. Not less than 30 days before the hearing the commissioner shall mail notice thereof to the governing body of each municipality or agency entitled to receive a copy of the report, and shall cause notice of the hearing to be published at least once each week for two successive weeks in a newspaper or newspapers having general circulation in such municipalities, the second publication to be not less than five days before the date of the hearing. The notice shall state the date, time, place and purpose of the hearing, shall describe the proposed or actual general location of the highway to be constructed or improved, and shall state where the report may be inspected prior to the hearing

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by any interested person. The hearing shall be conducted by the commissioner or his designee, and shall be transcribed and a record thereof mailed to each municipality or agency entitled to receive a copy of the report. All interested persons shall be permitted to present their views on the proposed highway construction or improvement. The hearing may be continued as often as necessary. Within 120 days after the hearing is completed, the governing body of each municipality or agency entitled to receive a copy of the report shall submit to the commissioner its approval or disapproval of the report. If all or any part of the report is disapproved, the municipality or agency shall state the reasons for such disapproval and suggested changes in the report. The commissioner shall, before preparing additional plans for the proposed highway construction or improvement, submit to the governing body of each municipality or agency disapproving the report, a statement accepting or rejecting any suggested changes and the reasons for his acceptance or rejection.

History: 1969 c 312 s 3; 1980 c 509 s 52

161.174 SUBMISSION OF LAYOUT PLANS.

The commissioner shall submit to the governing body of each municipality wherein a highway is proposed to be constructed or improved, a proposed layout plan for the highway construction or improvement containing: the proposed location, elevation, width and geometrics of the construction or improvement, together with a statement of the reasons therefor. Said plan shall also contain: approximate right-of-way limits; a tentative schedule for right-of-way acquisition, if known; proposed access points; frontage roads; separation structures and interchanges; location of utilities, when known; landscaping, illumination, a tentative construction schedule, if known; and the estimated cost of the construction or improvement. The commissioner shall submit more than one layout plan. Each such plan shall also be submitted to the metropolitan council and the metropolitan transit commission if any portion of the proposed highway construction or improvement is located in the metropolitan area. In all areas of the state a copy of the layout plan shall be sent to established regional, county and municipal planning commissions in the area affected by the highway project. Not less than 90 nor more than 120 days after said plan has been submitted, the commissioner shall hold a public hearing on the proposed highway construction or improvement at such time and place within any municipality wherein a portion of the construction or improvement is located, as the commissioner shall determine. The hearing shall be noticed, held and conducted in the manner provided in section 161.173, except that the commissioner shall mail notice of the hearing only to those municipalities and agencies entitled to receive a copy of the layout plan. The hearing shall be transcribed and a record thereof made available to each municipality or agency entitled to receive a copy of said plan. Within 180 days after the hearing is completed, the commissioner shall formally adopt a layout plan. A copy of the layout plan as adopted shall be submitted to each municipality or agency entitled to receive a copy of the proposed plan, together with the reasons for any change in the plan as presented at the hearing. Within 120 days after the receipt of the adopted layout plan, each such municipality or agency shall submit to the commissioner its approval or disapproval of the layout plan and the reasons for such disapproval, and proposed alternatives, which may include a recommendation of no highway. Such alternatives submitted by a municipality located within the metropolitan area shall, upon request of the municipality, be reviewed by the metropolitan council in order to determine whether such alternatives are likely to meet minimum federal requirements. The metropolitan council is authorized to provide whatever assistance it deems advisable to the submitting municipality in order to assist it in arriving at an alternative which meets minimum

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federal requirements. If said plan or any part thereof is not disapproved within such period, the commissioner may proceed to prepare final construction plans and specifications for the highway construction or improvement consistent with the adopted layout plan, and may acquire the necessary right-of-way. If the layout plan or any part thereof is disapproved by any municipality or agency, and the commissioner determines to proceed with the plan without modifications, he shall proceed in the manner provided in section 161.175. If the commissioner determines to proceed with the plan with modifications, he shall submit the modified layout plan to the municipalities and agencies entitled to receive the original layout plan in the manner described above, for approval or disapproval by each such municipality or agency within 60 days after receipt of the modified layout plan. If the modified layout plan or any part thereof is not disapproved by any municipality or agency within 60 days after its receipt, the commissioner may proceed to prepare final construction plans and specifications consistent with the modified layout plan, and may acquire the necessary right-of-way. If the modified plan is disapproved by any municipality and the commissioner determines to proceed with the plan without additional modification, he shall proceed in the manner provided in section 161.175. If the layout plan is disapproved, either as originally submitted or as modified and the commissioner does not act pursuant to section 161.175, within one year from the date of the completion of the hearing, any objecting municipality entitled to receive a copy of the layout plan by virtue of this section may invoke the appellate procedure pursuant to section 161.175, in the same manner as the same might be invoked by the commissioner. In the event the appellate procedure is invoked by either the commissioner or the municipality, the commissioner shall hold a public hearing prior to the appointment of an appeal board. Such hearing shall be limited to the proposed alternative layout plans.

History: 1969 c 312 s 4

161.175 APPEAL BOARD.

Upon the request of the commissioner an appeal board shall be appointed. One of the members shall be selected by the governor and one by the governing body of the municipality involved. If more than one municipality is involved in the proposal the governing bodies of the municipalities involved shall appoint one member. This appointment shall be made by resolutions of the governing bodies of said municipalities which resolutions shall be submitted to the governor. When the governor has received resolutions from a majority of the municipalities involved designating the same person, said person shall be deemed appointed. If a majority of the municipalities which must include all disapproving municipalities have not agreed on the same person and submitted such resolutions to the governor within 60 days after receipt of the commissioner's request for an appeal board by the commissioner, then the chief justice of the supreme court shall appoint such member upon application by the commissioner upon five days notice to all municipalities involved. The two members so selected shall select a third member. If they cannot agree on a third member within 30 days after the last member was appointed, then the chief justice of the supreme court shall appoint the third member upon application of the commissioner after five days notice to the first two members. The three persons so selected and appointed shall serve as a highway appeal board and as such board they shall choose a chairman from among their members and they shall have such duties and exercise such powers as are hereinafter provided. Members of the board shall not be employees or consultants of any counties, the state of Minnesota, or any of the municipalities involved in the proposal.

History: 1969 c 312 s 5

161.176 POWERS OF APPEAL BOARD.

Subdivision 1. The highway appeal board shall, on notice to the commissioner and the affected municipalities, hold an appeal hearing on the entire highway layout plan as proposed by the commissioner, and alternates consistent with minimum federal requirements that are presented by the disapproving municipalities. The board shall take into consideration all aspects of the proposal including highway design, economic development, aesthetics, urban and rural planning, agriculture, transportation planning, and all other factors concerning highways. After considering all the evidence in the record, the appeal board shall issue an order approving the commissioner's proposed highway layout plan or one of the alternatives. The appeal board shall be limited in its ruling to any previously submitted layout plan of the commissioner or an alternate presented by the community in response to the commissioner. A copy of the order and a memorandum setting forth the reasons therefor shall be filed with the secretary of state, and shall be mailed to the commissioner and each municipality or agency entitled to receive notice of the layout hearing. If the cost is not substantially in excess of his programmed estimates for projects included in his current construction program the commissioner shall construct the plan approved by the board in accordance with the original program schedule.

Subd. 2. The chairman of the board, or any member thereof, shall have the power to subpoena witnesses; to administer oaths, and to compel the production of books, records, and other evidence. The rules of evidence and procedure for the trial of civil matters shall apply, but such rules may be modified by the board when it is deemed necessary. All evidence, including records and documents in the possession of the board of which it desires to avail itself, shall be offered and made a part of the record in the proceeding, and no other factual information or evidence shall be considered in the determination of the matter. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. The board shall cause a record of all proceedings before it to be made and filed with the chairman of the board. Copies thereof shall be made available upon such terms and conditions as the board shall prescribe.

Subd. 3. Members of the highway appeal board shall receive per diem compensation in the amount of \$100 for the time spent in disposing of matters presented to the board. Board members shall be reimbursed for all reasonable expenses incurred by them in the performance of their duties including all costs incurred in connection with any hearing.

Subd. 4. Each party to the appeal shall submit to the appeal board an itemized list of the expenses incurred in preparing its layout plan and presenting the appeal. The appeal board may determine what portion, if any, of a municipality's expenses incurred for the services and disbursements of persons not regularly employed by the municipality will be reimbursed from the trunk highway fund.

History: 1969 c 312 s 6

161.177 CONSTRUCTION PLANS AND SPECIFICATIONS.

Not less than 120 days before the date specified by the commissioner for the receipt of construction bids for the construction or improvement of any state trunk highway within any municipality, the commissioner shall submit to the governing body of each municipality or agency entitled to receive a copy of the layout plan therefor under section 161.174, a copy of as complete a set of construction plans as is possible which will be issued to prospective bidders. All such plans shall be in accordance with the highway construction or improvement layout plan as approved under section 161.174, or section 161.176. If the construction plans are not in accordance with the layout plan as approved, the governing body of any municipality or agency entitled to receive notice of the hearing under section

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161.174, within 60 days after the receipt of such construction plans, may request the establishment of a highway appeal board as provided in section 161.175, and the highway appeal board shall approve the plans following the procedures outlined in that section, except that action and comment is limited to changes from or additions to the layout. Changes in design capacity required to accommodate increased traffic forecasts shall not be considered deviations from the layout. A copy of any plans prepared to affect any highway construction or improvement plan previously approved by the highway appeal board, shall also be sent to the chairman of the board. If the construction plans are not in accordance with the layout plan approved by the board under section 161.176, the board, within 60 days after the receipt of such plans, shall issue its order directing the commissioner to withhold any advertisement for construction bids until the plans are revised to comply with the plan approved by the board, or are approved by the board. If no municipality or agency requests the establishment of a highway appeal board, or the highway appeal board does not issue its order, as provided above, the commissioner may proceed to advertise for construction bids.

History: 1969 c 312 s 7

161.18 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.18 PRIOR EASEMENTS TO VEST IN STATE.

When any road or highway, including any city street or portion thereof, is taken over by the state as a trunk highway, the state as to any such road, street, or highway or portion thereof, without compensation paid therefor, shall be vested with all rights, titles, easements, and appurtenances thereto appertaining, held by or vested in any of the political subdivisions of the state prior to the time such road, street, or highway is taken over by the state.

History: 1959 c 500 art 2 s 18; 1973 c 123 art 5 s 7

161.19 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.19 CERTAIN RECORDS OBTAINED AND FILED.

Upon the written request of the commissioner the clerk of any court, the auditor of any county, the clerk of any town, or the recorder or clerk of any city shall furnish a copy of the proceedings, documents, and plats, if any, relating to the establishment of any road or the procuring of the right of way of any road which has been or may be taken over by the state of Minnesota as a trunk highway. The copy shall be filed in the records of the commissioner and shall be prima facie evidence of the existence of the road as described therein. The legal fee for the copies shall be paid from the trunk highway fund.

History: 1959 c 500 art 2 s 19; 1973 c 123 art 5 s 7

161.20 GENERAL POWERS OF THE COMMISSIONER.

Subdivision 1. **To carry out the provisions of Constitution.** The commissioner shall carry out the provisions of article 14, section 2 of the constitution of the state of Minnesota.

Subd. 2. **Acquisition of property; buildings; relocation of corners; agreements with railroads; contracts.** He is authorized to acquire by purchase, gift, or by eminent domain proceedings as provided by law, in fee or such lesser estate as he deems necessary, all lands and properties necessary in laying out, constructing, maintaining, and improving the trunk highway system including recreational vehicle lanes; to locate, construct, reconstruct, improve, and maintain the trunk highway system; to purchase all road material, machinery, tools, and supplies

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necessary for the construction, maintenance, and improvement thereof; to construct necessary buildings, or rent or acquire by purchase, gift, or condemnation, grounds, and buildings necessary for the storing and housing of such material, machinery, tools, and supplies or necessary for office space for employees or for providing for driver license examinations; to maintain, repair, or remodel such buildings as may be necessary; to make agreements with any county for the relocation or re-establishment, by the county, of section, quarter section, or meander corners originally established by the United States, when such relocation or re-establishment is necessary in order to write land acquisition descriptions or by reason of the construction, reconstruction, improvement, or maintenance of a trunk highway; to contract on an equitable basis with railroad companies for the installation and reinstallation of safety devices at trunk highway-railroad grade crossings, and for the construction, reconstruction and maintenance of bridges and approaches existing or necessary for the separation of grades at railroad and trunk highway intersections; and in carrying out his duties, to let all necessary contracts in the manner prescribed by law. The commissioner may make agreements with and cooperate with any governmental authority for the purpose of effectuating the provisions of this chapter.

Subd. 3. **Appropriations.** The commissioner may expend trunk highway funds only for trunk highway purposes.

Subd. 4. **Debt collection.** The commissioner shall make reasonable and businesslike efforts to collect money owed to the department arising from damages to state owned property and other causes related to trunk highways. When a debt has been reduced to a money judgment, the commissioner may contract for debt collection services for the purpose of collecting the judgment. Money received as full or partial payment shall be deposited in the trunk highway fund. When money is collected through contracted services, the commissioner may make payment for the service from the money collected. The amount necessary for payment of contractual collection costs is appropriated from the trunk highway fund.

History: 1959 c 500 art 2 s 20; 1965 c 505 s 1; 1973 c 620 s 2; 1976 c 2 s 172; 1982 c 641 art 1 s 3

161.201 RELOCATION SERVICES, CITIES OF FIRST CLASS.

The commissioner of transportation may enter into agreements with any public agency of a city of the first class whereby such agency would contract to provide relocation services to fee owners, contract for deed vendees, or lessees within such city whose property has been or is about to be acquired for trunk highway purposes. The compensation agreed upon for such services shall be paid out of the trunk highway fund. The specific services to be performed by such agency and the compensation to be paid therefor from the trunk highway fund shall be set forth in detail in the agreement.

History: 1965 c 139 s 1; 1976 c 163 s 34; 1976 c 166 s 7

161.202 REPLACEMENT OF PUBLIC LANDS.

Subdivision 1. **Definitions.** For the purposes of this section the following terms shall have the meanings ascribed to them:

(1) "Public lands" means any lands, except streets, roads, or bridges owned by any subdivision of government, including but not limited to, the property of school districts, however organized, towns, cities, municipalities, counties, and any board or commission of any thereof, and public corporations created by the laws of this state.

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(2) "Affected agency" means any governing body of any subdivision of government which owns public lands, and shall include any agency, board, or commission charged with the administration of such lands.

(3) "Cost of replacement" means the amount paid by any affected agency to purchase and develop lands to replace public lands acquired for the purpose of constructing or improving trunk highways.

Subd. 2. **Replacement of acquired public lands.** Whenever it has been determined that the commissioner of transportation is to acquire any public lands for the construction or improvement of a federally-aided state trunk highway, including urban extensions thereof, he may, and in the case of parks shall, upon the request of the affected agency, authorize the affected agency to replace the same within a reasonable time by gift, purchase, or condemnation if granted the power of eminent domain by law. The replacement lands to be acquired by the affected agency shall be designated in an agreement entered into between any affected agencies and the commissioner. Such replacement lands shall be a functional replacement which shall consist of but not be limited to land substantially equal in acreage, use, interest, or estate in the lands to be acquired from the affected agency. If the parties are unable to agree on the designation of the replacement lands, the parties may agree to submit to an arbiter or the district court the issue of which replacement lands proposed by the parties is a functional replacement for the lands to be acquired from the affected agency. After the completion of the acquisition of the replacement lands by the affected agency the cost of replacement shall be ascertained and paid by the state from any funds available for the acquisition of lands.

Subd. 3. **Lump sum settlements.** The commissioner of transportation may enter into agreements with an affected agency for the replacement of public lands providing for the payment by the state of a lump sum based on the estimated cost of replacement when the lump sum so agreed upon, which shall be irrevocable, does not exceed \$50,000.

Subd. 4. **Acquisition of replacement lands for the affected agency.** When the affected agency is unable to acquire the replacement lands, or if the acquisition of such lands by the affected agency would result in undue delay in the completion of the highway project, upon a request of an affected agency which shall include a recommendation as to the replacement land to be acquired within its jurisdiction, the commissioner of transportation by gift, purchase, or condemnation proceedings, may acquire the designated replacement lands if the commissioner deems that such acquisition would reduce the cost to the state of highway project and would otherwise be in the public interest. The affected agency shall relinquish to the commissioner its interests in the lands required for the highway project upon its completion of the acquisition of the replacement lands or upon conveyance by the commissioner to the affected agency of the replacement lands designated in the agreement between the affected agency and the commissioner. Upon the recommendation of the commissioner, the governor shall convey such lands or interests therein to the affected agency.

Subd. 5. **Compensation for damage to improvements.** The affected agency, unless otherwise provided for in the agreement, by the acceptance of the replacement lands, shall not be deemed to have waived its right to compensation for the total of the damage to improvements.

History: 1969 c 968 s 1; 1973 c 123 art 5 s 7; 1976 c 166 s 7

161.203 RIGHTS PRESERVED; EFFECTIVE DATE.

Nothing in section 161.202 shall be construed to amend, alter, or in any manner modify the rights, duties or obligations of any party to any litigation

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instituted on or before July 1, 1969 without his consent. Such litigation only concerns the proposed acquisition by the department of park lands in areas known as Minnehaha Park, Wilson Park, and North Mississippi Park located in the city of Minneapolis. Laws 1969, Chapter 968 becomes effective on July 1, 1969.

History: 1969 c 968 s 2

161.21 STUDIES.

Subdivision 1. The commissioner may make or cause to be made such studies and investigations as he deems necessary for the purpose of determining the most advantageous location and design of trunk highways from the standpoint of both present and future traffic needs, and in making such determinations he may take into consideration the probable future development of both urban and rural areas and the effect of such development on future traffic needs as indicated by such studies and investigations and the location and design with respect to recreational vehicle lane establishment.

Subd. 2. Such studies and investigations may also be carried out by the commissioner in cooperation with any governmental authority or agency of this state or of any other state, the federal government or any of its agency, including the national academy of sciences, whenever federal law or federal rules and regulations require such studies in order for Minnesota to receive federal aid.

History: 1959 c 500 art 2 s 21; 1963 c 115 s 1; 1973 c 620 s 3

161.22 APPRAISERS.

The commissioner may employ full time appraisers on a salary basis, and he may employ appraisers on a fee basis, for the purpose of ascertaining or estimating the costs of lands and properties needed for highway purposes. Appraisers may also be employed to make estimates whenever federal law or federal rules and regulations require estimates as a prerequisite to obtaining federal aid.

History: 1959 c 500 art 2 s 22; 1961 c 71 s 1

161.23 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.23 EXCESS ACQUISITION.

Subdivision 1. **Acquisition of entire tract.** Whenever the commissioner of transportation determines that it is necessary to acquire any interest in a part of a tract or parcel of real estate for trunk highway purposes, he may acquire in fee, with the written consent of the owner or owners thereof, by purchase, gift, or condemnation the whole or such additional parts of such tract or parcel as he deems to be in the best interests of the state. Any owner or owners consenting to such excess acquisition may withdraw his or their consent at any time prior to the award of commissioners in the case of condemnation proceedings, or at any time prior to payment in the case of purchase. In the event of withdrawal the commissioner shall dismiss from the condemnation proceedings the portion of the tract in excess of what is needed for highway purposes.

Subd. 2. **Conveyance of excess.** If the commissioner of transportation acquires real estate in excess of what is needed for trunk highway purposes as authorized in subdivision 1, he shall, within one year after the completion of the construction, reconstruction, or improvement of the highway for which a portion of the real estate was needed and required, convey and quitclaim the excess real estate to the highest responsible bidder, after receipt of sealed bids following published notice of the sale for three successive weeks in a newspaper or trade journal of general circulation in the territory from which bids are likely to be received. The deed may contain restrictive clauses limiting the use of such real

estate in the interests of safety and convenient public travel when the commissioner finds that the restrictions are reasonably necessary.

Subd. 3. **Leasing.** The commissioner may lease for the term between the acquisition and sale thereof and for a fair rental rate and upon such terms and conditions as he deems proper, any excess real estate acquired under the provisions of this section, and any real estate acquired in fee for trunk highway purposes and not presently needed therefor. All rents received from the leases shall be paid into the state treasury. Seventy percent of the rents shall be credited to the trunk highway fund. The remaining 30 percent shall be paid to the county treasurer where the real estate is located, and shall be distributed in the same manner as real estate taxes. This subdivision does not apply to real estate leased for the purpose of providing commercial and public service advertising pursuant to franchise agreements as provided in sections 160.276 to 160.278.

Subd. 4. **Limitation on construction of section.** Nothing contained in this section shall be construed to prevent the commissioner from acquiring lands, real estate, or interests in lands or real estate necessary for trunk highway purposes, without the consent of the owner or owners thereof.

History: 1959 c 500 art 2 s 23; 1973 c 544 s 1; 1976 c 166 s 7; 1980 c 494 s 6; 1980 c 533 s 7

NOTE: See section 16.02, subdivision 14.
See section 272.68.

161.231 APPROPRIATION; PROCEEDS FROM LEASED PROPERTY.

There is appropriated annually from the fund or account in the state treasury to which the rental money from state leased property is credited a sufficient amount of money to carry out the state's obligations under the provisions of sections 161.23, subdivision 3, and 272.68, subdivision 3.

History: Ex1971 c 3 s 75

161.24 MS 1957 [Repealed, 1959 c 500 art 6 s 13]

161.24 CHANGES REQUIRED BY CONSTRUCTION OF TRUNK HIGHWAY.

Subdivision 1. **Grade at intersections.** When the construction or reconstruction of a trunk highway results in a change of grade which necessitates a change of grade in intersecting or connecting highways or streets, including city streets, the cost of making the grade changes and any damages occasioned thereby shall be paid out of the trunk highway fund.

Subd. 2. **Relocation of highway.** When in the judgment of the commissioner, the establishment, construction, or reconstruction of a trunk highway requires, in the interest of safety or convenient public travel, a change in the location of any highway or street, including a city street, the commissioner may make the needed change in location after obtaining the approval of the road authority having jurisdiction over such highway or street. The cost of the change in location and any damages occasioned thereby shall be paid out of the trunk highway fund. All lands necessary therefor may be acquired by purchase, gift or condemnation. The highway or street as changed shall be the legally designated location thereof until otherwise changed as provided by law, and the maintenance and care of the highway or street shall be the responsibility of the road authority having jurisdiction thereof.

Subd. 3. **Detours during construction.** When, during construction, reconstruction, or maintenance of a trunk highway, the commissioner determines that it is impractical to provide crossovers within the trunk highway limits for local

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highways or city streets designated for and carrying traffic of five tons or more per axle, and the commissioner determines that it is necessary to provide a detour outside the limits of the trunk highway for traffic using such local highways or streets to meet local traffic needs, he may, upon request of the local road authority, expend trunk highway funds on the most practical detour to the extent necessary to provide a route reasonably adequate to carry such detoured traffic. He may provide temporary traffic control devices on such detours as he deems necessary.

Subd. 4. Access to isolated property. When the establishment, construction, or reconstruction of a trunk highway closes off any other highway or street, including city streets, private road, or entrance at the boundary of such trunk highway the commissioner may, in mitigation of damages, or in the interest of safety and convenient public travel, construct a road either within the limits of the trunk highway, or without the limits of the trunk highway, connecting the closed off highway, street, private road, or entrance with another public highway. In determining whether to build the road within or without the limits of the trunk highway, the commissioner may take into consideration economy to the state and local traffic needs. The commissioner, in mitigation of damages, may connect the closed off private road with the remaining portion of the private road or with another private road. All lands necessary therefor may be acquired by purchase, gift, or condemnation.

Subd. 5. Maintenance of roads outside trunk highway. Any road so constructed outside the limits of the trunk highway shall be maintained by the road authority having jurisdiction over the highway or street closed off. Any private road constructed outside the limits of the trunk highway connecting the private road with a public highway shall be the responsibility of the property owners or owners served thereby.

Subd. 6. Agreements. The commissioner and the road authority affected may enter into agreements upon such terms as may be agreed upon, to provide for the construction of such grade changes, changes in location, detours, or connecting roads.

History: 1959 c 500 art 2 s 24; 1961 c 577 s 1; 1963 c 336 s 1; 1973 c 123 art 5 s 7

161.241 RELOCATION OF RAILROAD TRACKS, ACQUISITION OF LAND.

Subdivision 1. Whenever the construction, reconstruction, or improvement of a trunk highway will require the acquisition by the state of lands or interests in lands owned by a railroad company, and will require the railroad company to relocate its tracks in order to provide right of way for the trunk highway, the commissioner of transportation may acquire, by purchase, gift, or eminent domain proceedings, the lands or interests in lands necessary for the relocation of such tracks. Such acquisition is deemed to be for a trunk highway purpose.

Subd. 2. The lands to be acquired from the railroad company, and the lands necessary for the relocation of the railroad tracks to be acquired by the state, shall be described in a voluntary agreement between the railroad company and the commissioner. Such agreement shall set forth the consideration to be paid for the lands involved. The consideration may be an even exchange of land if the market value is equal, or there may be money payment or services to be rendered by one party or the other to the agreement in addition to the exchange of land, depending on the relative market values of the lands involved. Any money paid to the state shall be credited to the trunk highway fund.

Subd. 3. Upon recommendation of the commissioner of transportation, the governor shall convey to the railroad company, by quit claim deed, such lands or

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interests in lands acquired by the state pursuant to the provisions of subdivisions 1 to 3.

Subd. 4. Upon recommendation of the commissioner of transportation, the governor shall convey to a railroad company, by quit claim deed, lands owned by the state in fee for trunk highway purposes, but no longer needed for such purposes, when such lands are needed by a railroad company for the relocation of its tracks which relocation is required by the construction, reconstruction, or improvement of a trunk highway. The consideration shall be set forth in a voluntary agreement between the railroad company and the commissioner of transportation and shall be as provided in subdivision 2, hereof.

Subd. 5. [Repealed, 1976 c 163 s 63]

History: 1963 c 704 s 1-3; 1976 c 166 s 7

161.242 JUNK YARD ACT.

Subdivision 1. **Legislative findings and purpose.** It is hereby found that the operation of motor vehicle, agricultural, construction machinery or other junk yards adjacent to the trunk highways on which motor vehicles are operated is a distracting influence on drivers, thereby impairing the public safety; and that junk yards are unsightly, thus impairing the public investment in such highways. It is hereby found and declared that in the interest of and to promote the public safety, to protect the public investment in such highways, and to preserve natural beauty, it is necessary to regulate the operation of junk yards on lands adjacent to the trunk highways of the state.

Subd. 2. **Definitions.** (1) For the purposes of this section, the terms defined in this subdivision shall have the meanings given them.

(2) Junk yard means an establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills not regulated by the Minnesota pollution control agency, any of which are wholly or partly within one half mile of any right-of-way of any state trunk highway, including the interstate highways, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to five or more motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

(3) Dealer means any person, partnership, or corporation engaged in the operation of a junk yard.

(4) Junk means old or scrap copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(5) Automobile graveyard means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(6) Unzoned industrial area means the land occupied by the regularly used building, parking lot, storage or processing area of an industrial activity, and the land within 1,000 feet thereof which is located on the same side of the highway as the principal part of said activity, and not predominantly used for residential or commercial purposes, and not zoned by state or local law, regulation or ordinance.

(7) Industrial activities means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other

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zoning authorities within the state, except that none of the following shall be considered industrial activities:

(a) Outdoor advertising devices as defined in Minnesota Statutes 1969, Sections 173.02, Subdivision 2.

(b) Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands.

(c) Activities normally and regularly in operation less than three months of the year.

(d) Activities not visible from the traffic lanes of the main traveled way.

(e) Activities conducted in a building principally used as a residence.

(f) Railroad tracks, minor sidings, and passenger depots.

(g) Junk yards, as defined herein.

Subd. 3. Unauthorized junk yards prohibited. (1) No junk yard may exist or be operated outside a zoned or unzoned industrial area, including those located on public lands and reservations of the United States, unless it be screened so as to effectively conceal it from the view of motorists using the highway. The screening required by this section may be effected by trees, shrubs, or foliage, natural objects, fences or other appropriate means as determined by standards established by the commissioner. Plantings which will eventually achieve effective screening shall be acceptable. Plantings shall be used in connection with any fence or other non-natural screening device.

(2) Any such junk yard or portion thereof which cannot effectively be screened shall be removed or relocated pursuant to the provisions of this section on or before July 1, 1979. Any such junk yard lawfully existing on a highway which is made a part of the trunk highway system after January 1, 1975, and becomes nonconforming thereby shall be effectively screened or removed or relocated within four years thereafter. Any junk yard which comes into existence after July 1, 1971 which does not conform to this section, or which becomes nonconforming after July 1, 1971, or which becomes nonconforming after action by the commissioner pursuant to this section, is hereby declared to be a public nuisance and illegal, and the commissioner may enter upon the land where the junk yard is located and may screen the same, or may relocate or dispose of the junk yard after 90 days notice to the owner or dealer thereof, if known, or to the owner of the land. In this event, no compensation shall be paid to the owner or dealer or owner of the land, and the commissioner may collect the cost of screening, removal, relocation or disposal from the owner or dealer, if known, or from the owner of the land upon which the junk yard is located.

(3) None of the articles commonly found in junk yards shall be allowed to remain on the grounds for more than 24 hours unless within the buildings or the properly screened area as provided herein, nor shall any junk in any junk yard be allowed to extend above existing or planned screening so as to be visible from the highway.

Subd. 4. Authority. The commissioner shall screen junk yards when required by this section at locations on the right-of-way of the highway or on lands within 1,000 feet of the right-of-way and shall pay for the costs thereof. If screening is not feasible because of economic or topographic reasons, the commissioner shall secure the removal, relocation or disposal of such junk yard by sale, agreement, or other means, and pay for the costs thereof. Notwithstanding the other provisions of this section, if a junk yard exists within one-half mile of the right-of-way of any trunk highway and is visible from the highway, the commissioner may acquire easements for screening purposes up to one-half mile from the edge of the right-of-way of the highway. The commissioner shall acquire such rights and interest in property, personal or real, necessary to carry out the

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purposes of this section by purchase, gift, or eminent domain proceedings and shall pay just compensation therefor. The commissioner shall not expend any money to acquire rights or interests in junk yards under this section, except those for which acquisition proceedings were begun before June 8, 1979 or for which federal money has been appropriated by Congress for junk yards described in Title 23, United States Code, Section 136(j) and the federal share has been made available to the commissioner. All costs described herein shall be necessary for a highway purpose.

Subd. 5. Penalty. The owner or dealer of any junk yard which is declared a public nuisance and illegal under subdivision 3, clause (2), or who violates any provision of this section shall be guilty of a misdemeanor. Each day such a condition exists is a separate offense.

Subd. 6. Agreements with United States. The commissioner is authorized to do all things necessary, including, but not limited to, entering into agreements with the United States or any of its agencies or departments as provided in Title 23, United States Code, Section 136, with respect to control of junk yards, or any other applicable federal statute, and the rules and regulations promulgated pursuant thereto, to accomplish the purposes of this section and to take such action as may be necessary to obtain all available federal moneys therefor.

Subd. 7. Other regulation allowed. Nothing in this section shall be construed to limit any right, power or authority to regulate more strictly and control the erection or maintenance of junk yards under the provisions of any other law of this state.

Subd. 8. Citation. This section is the junk yard act.

Subd. 9. [Unnecessary]

History: 1965 c 674 s 1-6; 1971 c 881 s 1; 1973 c 35 s 35; 1974 c 483 s 9; 1975 c 266 s 1; 1981 c 357 s 50

161.25 TEMPORARY TRUNK HIGHWAY DETOUR AND TEMPORARY TRUNK HIGHWAY HAUL ROAD.

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 by order 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 a temporary trunk highway until he revokes the designation. Prior to revoking the designation the commissioner 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 the designations such streets or highways shall revert to the subdivision charged with the care thereof at the time it was taken over as a temporary trunk highway.

History: 1959 c 500 art 2 s 25

161.26 HIGHWAY MAINTAINED ACROSS PORTION OF ADJOINING STATE.

When a state trunk highway route is so located that in order to properly connect the designated objectives it is advisable to construct and maintain the highway across a portion of an adjoining state, the commissioner is authorized to expend trunk highway funds therefor in the same manner as other expenditures for trunk highway purposes are made. No such highway or portion thereof shall be established or constructed in any adjoining state until the adjoining state shall first pass legislation consenting thereto and granting the commissioner necessary jurisdiction over the portion of the highway located in the adjoining state.

History: 1959 c 500 art 2 s 26

161.261 CONNECTOR SEGMENTS WITH OTHER STATES.

Subdivision 1. When the beginning or terminal of a trunk highway is the state boundary, and the commissioner of transportation and the authorities of the adjoining state deem it desirable during the construction or improvement of such trunk highway to construct or improve a connector highway in the adjoining state thereby connecting or improving the connection of such trunk highway with the highway system of the adjoining state, the commissioner may enter into agreements with the authorities of such adjoining state providing for such connecting highway to be constructed or improved under and as part of the trunk highway construction contract. Such connector highway shall connect with the trunk highway at the state boundary and shall not exceed one mile in length. The entire cost of constructing or improving the connector highway, including engineering costs and expenses, planning and designing expenses, and any other expenses attributable to such connector highway, shall be paid by the adjoining state, and the manner and time of such payment shall be specified in the agreement.

Subd. 2. The commissioner, in the interest of construction economy, may enter into agreements with the authorities of an adjoining state providing that the adjoining state construct or improve a segment of a Minnesota trunk highway route in conjunction with a construction project of the adjoining state so as to connect or improve the connection of the Minnesota trunk highway route with the highway system of such adjoining state at their common boundary. Such segment of the Minnesota trunk highway route to be constructed or improved by the adjoining state shall not exceed one mile in length. The cost of construction or improvement of such segment, including costs of planning and design and equitable engineering costs and expenses attributable to such segment, shall be paid from the trunk highway fund.

Subd. 3. [Repealed, 1976 c 163 s 63]

History: 1963 c 460 s 1-3; 1976 c 166 s 7

161.27 TRUNK HIGHWAYS ACROSS BODIES OF WATER.

Subdivision 1. **Permit.** The commissioner may establish, construct, and maintain trunk highways into, through, or across any lake and may alter and change the channel of any stream when necessary or expedient in the construction or maintenance of any trunk highway; provided that no such trunk highway improvement affecting public waters shall be made until a permit therefor is issued by the commissioner of natural resources as provided by law.

Subd. 2. **Acquisition of lands.** For the purposes set forth in subdivision 1 the commissioner may acquire lands and properties or any interest therein by purchase, gift, or condemnation.

History: 1959 c 500 art 2 s 27; 1969 c 1129 art 3 s 1

161.28 ALTERATION OF PUBLIC DRAINAGE DITCH AFFECTING TRUNK HIGHWAY.

Subdivision 1. **Petition.** Upon the filing of a petition by the commissioner with the county auditor in the case of a drainage system lying wholly within a county, or with the clerk of the district court having jurisdiction over the ditch in the case of a drainage system affecting two or more counties, therein setting forth that it would be advantageous or desirable in the construction or maintenance of a trunk highway to make a minor alteration or change in a public drainage system directly affecting a trunk highway and that the alteration or change will not affect the functioning or efficiency of the public drainage system, it shall be the duty of the auditor or the clerk with the approval of the judge, to fix a time and place for

hearing thereon and to give notice of the hearing by publication, as defined in section 106.171. Upon the filing of the petition the commissioner shall also file a plan showing in detail the alteration or change petitioned for. If upon the hearing it appears to the county board or district court that the alteration or change in the public drainage system will not affect or impair the efficiency of the drainage system, the board or court shall make its order allowing the commissioner to make the alteration or change petitioned for. Upon the making of the order by the county board or the court, the commissioner may proceed at the sole cost and expense of the state to make the alterations or changes as may be in said order allowed, damages, if any, for any additional lands necessary for the change or alteration being first duly paid or secured. Upon completion of the alteration or change the commissioner shall file with the auditor or clerk a map drawn to scale showing thereon the change or alteration made and shall also file a profile of all lines of the alteration or change in the ditch showing graphically the elevation of the ground and gradient, whether open or tiled, the size of tile, and the bottom width and side slope of open ditch sections, and such other information as may appear necessary for the understanding thereof. If the map and profile be filed with the clerk, duplicates thereof shall also be filed with the auditor of each county affected. Upon the completion of the alteration or change herein provided for, the ditch shall thereafter include such alteration or change as a part thereof with the same force and effect as though it had been originally so constructed and established.

Subd. 2. Recovery of damages. Within six years after completion of any alteration or change as provided in this section, any owner or owners of lands in the drainage system claiming damages by reason of the alteration or change may bring an action in the district court of the county in which the lands are located to compel the commissioner to pay damages, if any, caused by the alteration or change.

History: 1959 c 500 art 2 s 28

161.29 TOLL BRIDGE MAY BE PART OF TRUNK HIGHWAY SYSTEM.

When the commissioner determines that it is in the best interests of the public and necessary in the location, construction, improvement, or maintenance of any trunk highway, he may designate by order as a part of the trunk highway system any toll bridge situated wholly within the state, and he may acquire by purchase, gift, or condemnation, as provided by law, the necessary rights or easement in, to, or over any such toll bridge as will enable the public to use the bridge for highway traffic free of toll.

History: 1959 c 500 art 2 s 29

161.30 MARKING DESIGN.

Subdivision 1. Commissioner to adopt. The commissioner shall adopt a suitable marking design with which he shall mark or blaze the trunk highway routes, and as the definite final location of each route is opened to traffic the markings shall be changed to such location.

Subd. 2. Revision and consolidation of marking and numbering of routes. In order to coordinate the markings of the various existing routes, together with the new routes which have been or may be added, and in order to avoid duplication in numbers used on interstate routes, the commissioner may revise and consolidate the marking and numbering of the routes within the system from time to time. When the commissioner does so revise the marking or numbering he shall prepare a map showing the existing routes and identifying numbers and the routes and identifying numbers or design of the revised system. This map shall be authenti-

cated by a certificate of the commissioner certifying the same as being the map showing the revised markings under the provisions of this section. This map and certificate shall be filed in the office of the commissioner and thereafter shall govern the identification of the several routes or portions thereof in the trunk highway system and all proceedings, records, and accounts thereafter shall be governed accordingly. Proceedings pending and under way at the time such map is filed shall cite both the old and the new identifications.

History: 1959 c 500 art 2 s 30

161.31 MAPS AND PAMPHLETS.

Subdivision 1. **Maps.** The commissioner shall periodically publish a map showing the location and status of improvements of the trunk highway system.

Subd. 2. **Pamphlets.** The commissioner may print and distribute pamphlets containing information pertaining to the trunk highway system. The pamphlets shall be limited to information as to the location and use of trunk highway routes, the location and proper use of traffic interchanges, speed laws and traffic restrictions, the meaning and use of traffic control devices and directional signs, and other information that will contribute to safer and more convenient use of trunk highways through increased knowledge and better understanding of the traveling public. He may use other means of communication to disseminate such information when such other means are more practical and efficient.

History: 1959 c 500 art 2 s 31; 1975 c 126 s 1

161.32 MANNER OF CONDUCTING WORK ON TRUNK HIGHWAY.

Subdivision 1. **Advertisement for bids.** The commissioner may conduct the work or any part thereof incidental to the construction and maintenance of the trunk highways by labor employed therefor or by contract. In cases of construction work, the commissioner shall first advertise for bids for contracts, and if no satisfactory bids are received, he may either reject all bids and readvertise, or do the work by labor employed therefor. Except as hereinafter provided, when work is to be done under contract, he shall advertise for bids once each week for three successive weeks prior to the date such bids are to be received. The advertisement for bids shall be published in a newspaper or other periodical of general circulation in the state. The plans and specifications for the proposed work shall be on file in the commissioner's office prior to the first call for bids.

Subd. 2. **Direct negotiation.** In cases where the estimated cost of construction work or maintenance work does not exceed \$75,000, the commissioner may enter into a contract for the work by direct negotiation, by obtaining two or more quotations for the work, and without advertising for bids or otherwise complying with the requirements of competitive bidding if the total contractual obligation of the state for the directly negotiated contract or contracts on any single project does not exceed \$75,000. All quotations obtained shall be kept on file for a period of at least one year after receipt of the quotation.

Subd. 3. **Emergencies.** In the case of emergency, contracts may be let without advertising for bids. Emergency is defined as a condition on a trunk highway that necessitates immediate work in order to keep such highway open for travel. No such contract shall be let without advertising for bids except upon the written authority of the commissioner or his deputy.

Subd. 4. **Repair and restoration of trunk highways damaged by spring break-up.** Contracts may be let for the repair and restoration of trunk highways damaged by spring break-up upon advertisement for bids and publication thereof in a newspaper or periodical of general circulation for a period of one week prior to the date such bids are to be received, and upon the mailing of such advertisements to all contractors who have filed a written request therefor.

Subd. 5. **Default by contractor.** In cases where work is being done under contract and the commissioner finds that the contractor has failed to comply within 60 days from the date of receipt of a written demand to make arrangements, satisfactory to the commissioner, to correct specified delays, neglect, or default, within the control of the contractor, the commissioner may negotiate with others, with the approval of the defaulting contractor's surety, for the completion of the contract according to the terms and provisions of the contract.

History: 1959 c 500 art 2 s 32; 1961 c 17 s 1; 1963 c 455 s 1; 1967 c 232 s 1; 1981 c 209 s 4

161.321 SMALL BUSINESS CONTRACTS.

Subdivision 1. **Definitions.** For purposes of this section the following terms have the meanings given them, except where the context clearly indicates a different meaning is intended.

(a) "Award" means the granting of a contract in accordance with all applicable laws and rules governing competitive bidding except as otherwise provided in this section.

(b) "Contract" means an agreement entered into between a business entity and the state of Minnesota for the construction of transportation improvements.

(c) "Subcontractor" means a business entity which enters into a legally binding agreement with another business entity which is a party to a contract as defined in clause (b).

Subd. 2. **Small business set asides.** The commissioner shall set aside, on a fiscal year basis, at least two percent of the construction work to be performed by contract for award to small businesses, small businesses owned and operated by socially or economically disadvantaged persons and small businesses owned and operated by physically handicapped persons or for award to businesses which guarantee use of such small businesses as subcontractors.

Subd. 3. **Awards to minority small businesses.** At least 50 percent of the amount so set aside shall be awarded, if possible, either to small businesses owned and operated by socially and economically disadvantaged persons as direct contracts or as part of contracts awarded to businesses which guarantee the use, as subcontractors, of small businesses owned and operated by socially and economically disadvantaged persons. Any funds subject to this subdivision which are not awarded according to this subdivision shall be awarded to other small businesses and small businesses owned and operated by physically handicapped persons.

Subd. 4. **Awards, limitations.** The amount of any individual contract or subcontract awarded pursuant to subdivisions 2 and 3 shall not exceed \$200,000, nor shall any one small business be awarded an aggregate amount of contracts or subcontracts or both in excess of \$200,000 in any one fiscal year. Contracts awarded pursuant to this section shall be subject to all applicable limitations contained in section 16.083, subdivisions 2, 3, and 6.

Subd. 5. **Recourse to other businesses.** In the event that the commissioner is unable to award a contract pursuant to the provisions of subdivisions 2 and 3, the award may be placed pursuant to the normal solicitation and award provisions set forth in chapters 16 and 161.

Subd. 6. **Rules.** The commissioner may promulgate by rule, standards and procedures for certifying that small businesses, small businesses owned and operated by physically handicapped persons and small businesses owned and operated by socially or economically disadvantaged persons are eligible to participate in the set aside program authorized in subdivision 2. The commissioner may promulgate other rules as may be necessary to carry out the provisions of this section.

History: 1977 c 222 s 1; 1978 c 506 s 1; 1979 c 246 s 1; 1980 c 361 s 1,2

161.3211 REPORT BY COMMISSIONER OF TRANSPORTATION.

The commissioner of transportation shall submit an annual report pursuant to section 3.195, to the governor and the legislature indicating the progress being made toward the objectives and goals of section 161.321 during the preceding fiscal year. This report shall include the following information:

(a) The total dollar value and number of potential set-aside awards identified during this period and the percentage of total construction work this figure reflects;

(b) The number of small businesses identified and responding to the set-aside program, the total dollar value and number of set-aside contracts actually awarded to small businesses with an approximate designation as to the total number and value of set-aside contracts awarded to each small business, and the total number of small businesses that were awarded set-aside contracts;

(c) The total dollar value and number of set-aside contracts awarded to small businesses owned and operated by economically or socially disadvantaged persons with an approximate designation as to the total number and value of set-aside contracts awarded to each such small business, and the percentages of the total construction work the figures of the total dollar value and the number of set-asides reflect;

(d) The number of contracts which were designated and set-aside pursuant to section 161.321, but which were not awarded to a small business, the estimated total dollar value of these awards, the lowest bid on each of these awards made by a small business and the price at which these contracts were awarded pursuant to the normal procedures.

History: 1977 c 222 s 2

161.322 PAYMENT OF INTEREST TO CONTRACTORS.

When any contract for the construction, improvement, or repair of any trunk highway has been entered into by the commissioner of transportation of the state of Minnesota, and the work provided for in the contract has been in all things completed to the satisfaction of the commissioner or his agent except for the release of sureties, in accordance with the contract, by the person with whom the commissioner has contracted, herein termed the contractor, unless final estimate for the work is made within 90 days after the contractor has so completed the work, he shall be entitled to receive interest at the rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred from the date of the expiration of that 90 day period upon all amounts finally determined to be due him which were not paid prior to the expiration of that period, to be paid in the same manner as, and at the time of, the final payment under the contract. The 90 day requirement, and the interest provisions provided for herein, shall not apply if delay is caused by the contractor; nor shall the 90 day requirement apply to contracts over two million dollars if the contract provides specifically for a different period of time in which to make such final estimate.

History: 1963 c 515 s 1; 1976 c 166 s 7; 1980 c 464 s 5

161.33 EMPLOYEES NOT TO BE INTERESTED IN CONSTRUCTION CONTRACTS.

It shall be unlawful for any member or employee of the department of transportation to be directly or indirectly interested in any contract for the construction or improvement of any public road or bridge, or in any contract for the repair, purchase or sale of any road machinery, equipment, materials, or supplies to be used thereon. Any person violating any of the foregoing provisions shall be guilty of a gross misdemeanor.

History: 1959 c 500 art 2 s 33; 1976 c 166 s 7

161.34 CLAIMS AGAINST THE STATE ARISING OUT OF CONTRACT.

Subdivision 1. **Waiver of immunity.** When a controversy arises out of any contract for the construction or repair of state trunk highways entered into by the commissioner or by his authority, in respect to which controversy a party to the contract would be entitled to redress against the state, either in a court of law or equity if the state were suable, and when no claim against the state for the same redress has heretofore been made, the state hereby waives immunity from suit in connection with such controversy and confers jurisdiction on the district courts of the state to hear and try the controversy in the manner provided for the trial of causes in the district courts. Only a party to the contract shall have the right to bring action against the state.

Subd. 2. **When action may be commenced.** No such action shall be maintained unless commenced within 90 days after the plaintiff has been furnished by the state with a final estimate under his contract, or, at the election of the plaintiff, within six months after the work provided for under his contract shall have been in all things completed.

Subd. 3. **Where action may be brought.** The action shall be brought at the election of the plaintiff in the district court of Ramsey county, or in the district court of the county where a major portion of the contract is performed, or in the district court of the county in which the plaintiff resides, or, if there be several plaintiffs residing in different counties, then in the district court of the county of the residence of any one of them. The action shall be commenced by filing a complaint with the clerk of court and serving summons and copy of the complaint upon the attorney general of the state at the state capitol. The state shall have 40 days from the date of such service within which to serve an answer upon the plaintiff, and thereafter the case shall proceed in the same manner as other actions at law in the court.

Subd. 4. **Appeal to supreme court.** An appeal from any final order of judgment in such action shall lie to the supreme court of the state in the same manner as appeals in ordinary civil actions.

History: 1959 c 500 art 2 s 34

161.35 [Repealed, 1978 c 480 s 3]

161.355 TRAVEL EXPENSE FOR JOB APPLICANTS.

Subdivision 1. Notwithstanding any law to the contrary, the state of Minnesota, department of transportation, may pay the necessary moving and travel expenses including the necessary travel expenses to and from interviews arranged by the department of transportation, incurred by job applicants for technical positions recruited by the department of transportation.

Subd. 2. [Repealed, 1975 c 435 s 22]

History: 1959 c 379 s 1,2; 1976 c 166 s 7

161.36 FEDERAL AID.

Subdivision 1. **Commissioner to cooperate with the U.S. government.** The commissioner may cooperate with the government of the United States and any agency or department thereof in the construction, improvement, and maintenance of roads and bridges in the state of Minnesota and may comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such roads and bridges.

Subd. 2. **Federal aid, acceptance; commissioner as agent.** The commissioner may accept federal moneys and other moneys, either public or private, for and in

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behalf of the state of Minnesota or any governmental subdivision thereof, for the construction, improvement, or maintenance of roads and bridges upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as an agent of any governmental subdivision of the state of Minnesota upon the request of such subdivision in accepting the moneys in its behalf for road or bridge purposes, in acquiring right of way therefor, and in contracting for the construction, improvement, or maintenance of roads or bridges financed either in whole or in part by federal moneys. The governing body of any such subdivision is authorized to designate the commissioner as its agent for such purposes and to enter into an agreement with him prescribing the terms and conditions of the agency in accordance herewith and with federal laws, rules and regulations.

Subd. 3. Commissioner as agent in certain cases. The commissioner may act as the agent of any political subdivision of the state as provided herein for the construction of roads and bridges toward the construction of which no federal aid is available in the event that the construction adjoins, is connected, or in the judgment of the commissioner can be best and most economically performed in connection with construction upon which federal aid is available and upon which he is then acting as agent.

Subd. 4. State laws to govern. All contracts for the construction, improvement, or maintenance of roads or bridges made by the commissioner as the agent of any governmental subdivision shall be made pursuant to the laws of the state of Minnesota governing the making of contracts for the construction, improvement, and maintenance of roads and bridges on the trunk highway system of the state; provided, where the construction, improvement, or maintenance of any road or bridge is financed wholly with federal moneys, the commissioner as the agent of any governmental subdivision may let contracts in the manner prescribed by the federal authorities acting under the laws of the United States and any rules or regulations made thereunder, notwithstanding any state law to the contrary.

Subd. 5. Funds to be deposited in state treasury. All funds accepted for disbursement by the commissioner pursuant to this section shall be deposited in the state treasury and, unless otherwise prescribed by the authority from which the funds are received, kept in separate accounts designated according to the purposes for which the funds were made available and held by the state in trust for those purposes. All funds are appropriated for the purposes for which the funds are made available to be expended in accordance with this section and with federal laws and regulations. The commissioner may, whether acting for the state of Minnesota or as the agent of any of its governmental subdivisions or when requested by the United States government or any agency or department of the United States government, disburse funds for the designated purposes, but this shall not preclude any other authorized method of disbursement. For the purpose of providing sufficient funds in the accounts established pursuant to this subdivision to meet expenditure requirements occurring before federal or other public or private reimbursements, the commissioner of finance, at the request of the commissioner, may borrow from available balances of the county state-aid highway fund or the municipal state-aid street fund. The terms and conditions of any loans shall be determined by the commissioner of finance. The amount borrowed shall not exceed in the aggregate the amount of federal aid allotted to the construction of roads and bridges under the jurisdiction of governmental subdivisions and under project appropriation by the federal government. When there is sufficient money in the account that received the loan, the state treasurer shall transfer from that account to the other public fund the amount so loaned.

Subd. 6. No personal liability created. Nothing in this section shall be construed as creating any personal liability upon the commissioner or in any way

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authorizing him to create any liability on the part of the state of Minnesota when he is acting as the agent of any governmental subdivision thereof, or when he is acting at the request of the United States.

History: 1959 c 500 art 2 s 36; 1981 c 209 s 5; 1982 c 376 s 1

161.365 HIGHWAY CONTRACT SPECIFICATIONS; MINIMUM WAGE.

All contracts for the construction, improvement or repair of a road or highway financed in whole or in part with federal funds and with respect to which the commissioner of transportation acts as the agent for a political subdivision of the state and is required to approve plans and specifications with respect thereto and to award such contract, the commissioner of transportation shall incorporate into the specifications a provision requiring the same wage rates for labor as is currently used by the state of Minnesota on state trunk highway projects other than interstate projects, for work in the same wage rate area. The provisions of this section shall not be applicable to contracts with any railroad or public utility for the alteration or relocation of any facilities of any such railroad or public utility when the work provided for in said contract is done by the regularly employed forces of said railroad or public utility.

History: 1965 c 368 s 1; 1976 c 166 s 7

161.37 SURPLUS GOVERNMENT MATERIALS.

Subdivision 1. **Commissioner may accept.** The commissioner may accept from the federal government allotments to the state of excess materials suitable for road construction and maintenance purposes.

Subd. 2. **Costs incurred in obtaining materials.** Costs incurred in receiving, placing in use, delivering, or purchasing spare parts for excess materials shall be paid out of the trunk highway fund; provided that any expense so incurred in receiving, delivering, or purchasing spare parts for the material in behalf of any county shall be paid by the county, and payment received therefor shall be credited to the trunk highway fund.

History: 1959 c 500 art 2 s 37

161.38 TRUNK HIGHWAYS IN MUNICIPALITIES, CONSTRUCTION AGREEMENTS, IMPROVING TRUNK HIGHWAYS TO GREATER THAN NORMAL WIDTH.

Subdivision 1. **Agreements.** Road authorities, including the road authorities of any city 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 city from constructing the portions of the street not included in the trunk highway system independent of any contract with the commissioner; provided the construction conforms to the reasonable regulations as the commissioner may prescribe as to grade and drainage.

Subd. 2. **Maintenance agreements.** Where a trunk highway is located over or along a street in any city which street is or may be improved to a width greater than the normal width of such trunk highway, the road authority of the city may enter into an agreement with the commissioner for the maintenance of the additional width by the commissioner and shall in accordance with the 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 city maintaining such additional width at its own expense independent of any contract with the commissioner.

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Subd. 3. Construction and maintenance agreements; frontage roads. The commissioner for and on behalf of the state may 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. Such frontage roads may be constructed along the main traveled lanes of the trunk highway, or they may be constructed a reasonable distance out from the limits of the right of way acquired for the main traveled lanes if in the considered judgment of the commissioner such location is necessary to eliminate unreasonable circuitry of local travel or to provide access to properties otherwise denied access to public highways by the establishment and construction of the trunk highway. Such frontage roads shall connect, at least at one terminal, either with the main lanes of the trunk highway or with another public highway. The municipalities are authorized to enter into such agreement with the commissioner for the performance and responsibility of the work upon such terms as may be agreed upon.

Subd. 4. Letting of public contract by commissioner deemed to comply with statutory or charter provisions requiring city to do certain things. Whenever the road authority of any city enters into an agreement with the commissioner pursuant to this section, 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 (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 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 and operate for their protection to the same extent as though they were parties thereto.

Subd. 5. Definition of "municipalities". For the purpose of this section the term "municipalities" shall include counties, cities, and towns.

Subd. 6. Withholding state aid. If any municipality fails to fulfill its obligations as provided in any mutual agreement entered into pursuant to this section, the commissioner may retain and withhold payment of any state aid money apportioned to such municipality under the provisions of sections 162.01 to 162.181 until such municipality fulfills its obligations under the agreement. If the obligation which the municipality has failed to fulfill is a monetary obligation, the amount of state aid money which the commissioner may withhold shall not exceed the amount of the monetary obligation in default. If the obligation is other than a monetary obligation, the commissioner may withhold a reasonable amount of such state aid money until the municipality fulfills the obligation.

Subd. 7. Improvements outside limits of state construction project. The commissioner may act as agent for any municipality, at its request and on its approval, for the construction of street or highway improvements outside the limits of a state construction project. Administration of a contract in this manner must be based on an estimated cost savings for both the state and the municipality. All costs of such work shall be paid by the municipality. Prior to the letting of the state construction contract, the provisions for payment and all details of the work to be done outside of the limits of the state construction project shall be set out in an agency agreement between the municipality and the state.

History: 1959 c 500 art 2 s 38; 1961 c 40 s 1; 1961 c 577 s 2; 1965 c 155 s 1; 1973 c 123 art 5 s 7; 1Sp1981 c 4 art 1 s 83; 1982 c 376 s 2

161.39 AID TO OTHER ROAD AUTHORITIES AND STATE DEPARTMENTS.

Subdivision 1. **Technical and engineering assistance, surveys and plans.** Upon the request of any road authority, including the road authority of any city, the commissioner may provide technical and engineering advice, assistance and supervision to the road authority and may make surveys and prepare plans for the location, construction, and reconstruction of any highway, street, road, or bridge under the jurisdiction of the requesting road authority.

Subd. 2. **Additional work.** If so requested he may examine the whole or any part of the highway or street system under the jurisdiction of the road authority and recommend changes, alterations, or additions thereto that he deems to be in the public interest and in the interest of safety and convenient public travel. The commissioner may make surveys, studies, investigations, and perform work and services as are necessary in carrying out such requests.

Subd. 3. **Engineering or survey services for state departments.** The commissioner shall render engineering or surveying services as the governor may require for any of the state departments or agencies.

Subd. 4. **Pavement marking.** The commissioner may pavement mark highways and streets off the trunk highway system and furnish the necessary equipment and operators therefor when any road authority, including road authorities of cities and state department or agencies having jurisdiction over such highways or streets requests such pavement marking.

Subd. 5. **Payment for services.** The cost of the work or services performed under the provisions of this section shall be paid by the road authority, department or agency for which the work or services were performed. All money received therefor shall be credited to the trunk highway fund.

Subd. 5a. **Performing services for public utilities commission, reimbursement.** The trunk highway fund shall be reimbursed for moneys expended by the transportation department in performing services for the public utilities commission.

Subd. 6. **Agreements regarding services.** The road authorities, including road authorities of cities, state departments, or agencies may enter into agreements with the commissioner setting forth the work or services to be performed by the commissioner under the provisions of this section and providing for the method of reimbursement to the trunk highway fund of the cost thereof.

History: 1959 c 500 art 2 s 39; 1973 c 123 art 5 s 7; 1973 c 718 s 21; 1975 c 435 s 20; 1976 c 166 s 7; 1980 c 614 s 123

161.40 JOINT FACILITIES WITH DIVISION OF EMERGENCY SERVICES.

The commissioner may enter into agreements with the state division of emergency services to build, operate and maintain joint facilities in cases where the division of emergency services contributes its proportionate financial share.

History: 1959 c 500 art 2 s 40; 1974 c 428 s 5

161.41 SURPLUS PROPERTY NOT NEEDED FOR TRUNK HIGHWAY PURPOSES.

Subdivision 1. **Commissioner may declare surplus.** The commissioner is authorized to declare as surplus any property acquired by the state for highway purposes, excluding real estate, which the commissioner determines to be no longer needed or necessary for state highway purposes.

Subd. 2. **Determination of value of surplus property and disposition.** The commissioner shall administer all aspects of the disposition of property declared to

be surplus under this section. The commissioner shall first determine the value of the surplus property. The commissioner may then transfer the possession of the surplus property to any state agency or political subdivision of this state or to the United States government upon receipt of payment in an amount equal to the value of the surplus property.

The commissioner may also sell the surplus property under the competitive bidding provisions of chapter 16 if no state agency or political subdivision of this state offers to purchase the surplus property for its determined value.

Subd. 3. **Money received to be credited to trunk highway fund.** The commissioner shall deposit all money received under this section with the state treasurer to be credited to the trunk highway fund.

History: 1959 c 500 art 2 s 41; 1982 c 617 s 4

161.411 SALE OF SURPLUS EARTH MATERIALS.

Whenever the plans for the construction of a trunk highway indicate that there will be a surplus of earth materials from the roadway excavation of such trunk highway, and a political subdivision or public agency of the state indicates that it has use for all or part of such surplus earth materials, the commissioner of transportation may enter into an agreement for the sale of such surplus materials on an equitable basis to such political subdivision or agency. Prior to such agreement the state in its proposal shall require a bid item reflecting either an increased or decreased cost to the state by reason of the proposed sale of such material. If such bid item indicates an increased cost to the state, the materials shall not be sold for less than such increased cost.

History: 1965 c 301 s 1; 1976 c 166 s 7

161.42 LEASING OR SALE OF SOUNDING AND TESTING EQUIPMENT.

The commissioner may sell or lease to other road authorities sounding and testing equipment made by the transportation department. Such equipment shall be sold for not less than the cost to the department. All money received from the sale or leasing of the equipment shall be paid into the trunk highway fund.

History: 1959 c 500 art 2 s 42; 1976 c 166 s 7

161.43 RELINQUISHMENT OF HIGHWAY EASEMENTS.

The commissioner of transportation may relinquish and quitclaim to the fee owner or, if the fee owner refuses or cannot be located, to another agency or political subdivision of the state any easement or portion thereof owned but no longer needed by the transportation department for trunk highway purposes, upon payment to the transportation department of at least the amount of money paid for the acquisition thereof. Whenever less than the easement as originally acquired is to be relinquished and quitclaimed, the amount of moneys to be paid to the transportation department shall not be a less proportion of the consideration paid therefor by the transportation department than the portion to be relinquished and quitclaimed bears to the easement as originally acquired. In determining the amount to be paid upon reconveyance to the fee holder, the estimated amount of money paid by the transportation department for any improvement acquired in the original easement and not included in the reconveyance, and the estimated amount of money paid by reason of damages to remaining portions of the tract, if any, not mitigated by the reconveyance, shall first be subtracted from the total consideration paid by the transportation department for the original easement. Before any easement may be relinquished and quitclaimed to another governmental agency or political subdivision of the state, the commissioner of transportation must first publish for three successive weeks in a newspaper of general circulation

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in the county in which the easement is located notice of his intent to so relinquish and quitclaim the easement to another governmental agency or political subdivision of the state.

History: 1959 c 500 art 2 s 43; 1971 c 276 s 1; 1976 c 166 s 7; 1980 c 533 s 8

161.433 USE OF AIRSPACE ABOVE AND SUBSURFACE BELOW TRUNK HIGHWAYS.

Subdivision 1. **Lease or permit, conditions and restrictions.** The commissioner of transportation may lease or otherwise permit the use of the airspace above and subsurface area below the surface of the right of way of any trunk highway, including the surface of the right of way above and below the airspace or subsurface areas, where the land is owned in fee by the state for trunk highway purposes when the use will not impair or interfere with the use and safety of the highway. The lease, permit, or other agreement may contain such restrictive clauses as the commissioner deems necessary in the interest of safety and convenience of public travel and other highway purposes. No lease, permit, or other agreement shall be for a period in excess of 99 years. Vehicular access to such airspace, subsurface, or surface areas shall not be allowed directly from the highway where such access would violate the provisions of Title 23 of the United States Code, or would interfere in any way with the free flow of traffic on the highway. Any lease, permit, or other agreement shall have the approval of the appropriate federal agency when required.

Subd. 2. **Consideration for use.** The consideration paid for the use of airspace or subsurface areas shall be determined by the commissioner, but in no event shall it be less than a fair rental rate, and shall include costs for the erection and maintenance of any facilities or other costs occasioned by that use. All moneys received shall be paid into the trunk highway fund. This subdivision does not apply to real estate leased for the purpose of providing commercial and public service advertising pursuant to franchise agreements as provided in sections 160.276 to 160.278.

Subd. 3. **Application to certain provisions.** Laws 1967, Chapter 214 shall not apply to or affect the rights and privileges referred to in Minnesota Statutes, Sections 161.45, 222.37, and 300.03.

History: 1967 c 214 s 1,2,5; 1976 c 166 s 7; 1980 c 494 s 7; 1980 c 533 s 9

161.434 RIGHT OF WAYS OF INTERSTATE AND TRUNK HIGHWAYS; LIMITED LAND USE.

The commissioner may also make such arrangements and agreements as he deems necessary in the public interest for the limited use of land owned as interstate or trunk highway right-of-way, which use shall be for highway purposes, including aesthetic purposes, but not including the erection of permanent buildings, except buildings or structures erected for the purpose of providing information to travelers through commercial and public service advertising pursuant to franchise agreements as provided in sections 160.276 to 160.278. The commissioner shall secure the approval of the appropriate federal agency where such approval is required.

History: 1967 c 659 s 1; 1969 c 482 s 1; 1980 c 494 s 8

161.435 [Repealed, 1967 c 214 s 6]

161.44 RELINQUISHMENT OF LANDS OWNED IN FEE.

Subdivision 1. **Conveyance.** The commissioner may convey and quitclaim any lands, including any improvements thereon, owned in fee by the state for

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trunk highway purposes but no longer needed therefor. Notwithstanding any provisions in this section or in section 161.23 to the contrary, fee title to or an easement in all or part of the lands and lands previously acquired in fee for trunk highways or acquired pursuant to section 161.23, in excess of what is needed for highway purposes may be conveyed and quitclaimed for public purposes to any political subdivision or agency of the state upon the terms and conditions as may be agreed upon between the commissioner and the political subdivision or agency.

Subd. 2. **Reconveyance when remainder of tract owned by vendor or surviving spouse.** If the lands were part of a larger tract and the remainder of the tract is still owned by the person or his surviving spouse from whom the lands were acquired, or if the lands constituted an entire tract, the lands shall first be offered for reconveyance to such previous owner or his surviving spouse. If the lands constitute an entire tract, the amount of money to be repaid therefor shall not be less than the amount paid by the state for such tract less the estimated value of any improvements acquired by the state not included in the reconveyance. If less lands than originally acquired are offered for reconveyance the amount of money to be repaid therefor shall not be a less proportion of the consideration paid by the state than the proportion of the part so to be reconveyed bears to the entire property as originally acquired. In determining the amount to be repaid the estimated amount of money paid by the state for any improvements acquired in the original acquisition and not included in the reconveyance, and the estimated amount of money paid by reason of damages to remaining portions of the tract, if any, not mitigated by the reconveyance shall first be subtracted from the total consideration paid by the state for the original acquisition. The offer shall be made by certified mail addressed to such person at his last known address. Such person or his surviving spouse shall have 60 days from the date of mailing said offer to accept and to tender to the commissioner the required sum of money.

Subd. 3. **Conveyance when remainder of tract no longer owned by vendor or surviving spouse.** If the lands were part of a larger tract and the remainder of the tract is no longer owned by the person or his surviving spouse from whom the lands were acquired, the lands shall be offered for conveyance to the person owning the remaining tract in the same manner and on the same terms as provided in subdivision 2.

Subd. 4. **Conveyance when remainder of tract has been divided into smaller tracts.** If the lands were part of a larger tract and if the tract has been platted or divided into smaller tracts and sold, the commissioner may offer the lands to the owners of the smaller tracts or lots abutting upon the lands in the same manner and on the same terms as provided in subdivision 2, or he may proceed to sell the lands to the highest responsible bidder as provided in subdivisions 5 and 6.

Subd. 5. **Conveyance to highest bidder in certain cases.** If the larger tract has been platted into lots or divided into smaller tracts and the commissioner elects to proceed under this subdivision, or if the lands constituted an entire tract and the person from whom the lands were acquired and his spouse are deceased, or if the offers as provided for are not accepted and the amount of money not tendered within the time prescribed, the lands may be sold and conveyed to the highest responsible bidder upon three weeks published notice of such sale in a newspaper or other periodical of general circulation in the general area where the lands are located. All bids may be rejected and new bids received upon like advertisement.

Subd. 6. **Public auction.** In lieu of the advertisement for sale and conveyance to the highest responsible bidder, such lands may be offered for sale and sold at public auction to the highest responsible bidder. Such sale shall be made after publication of notice thereof in a newspaper of general circulation in the area where the property is located for at least two successive weeks and such other

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advertising as the commissioner may direct. If the sale is made at public auction a duly licensed auctioneer may be retained to conduct such sale, his fees for such service to be paid from the proceeds, and there is appropriated from such proceeds an amount sufficient to pay such fees.

Subd. 7. **Gravel or borrow pits; amount of repayment.** In all cases as hereinbefore specified, if the lands to be reconveyed were acquired for gravel or borrow pit purposes and the commissioner has determined that all materials suitable or needed for trunk highway purposes have been removed from such pit, the amount to be repaid therefor need not be at least the amount paid for such pit by the state, but in no event shall the amount to be so repaid to the state therefor be less than the estimated market value thereof. In all other respects the procedures for the reconveyance of gravel or borrow pits shall be the same as the procedures for the reconveyance of other lands as provided in this section.

Subd. 8. **Restrictive clauses in deed.** The deed may contain restrictive clauses limiting the use of the lands or the estate conveyed when the commissioner determines that such restrictions are reasonably necessary in the interest of safety and convenient public travel.

Subd. 9. **Receipts paid into trunk highway fund.** All moneys received from the sale of such lands and properties shall be paid into the trunk highway fund.

Subd. 10. [Repealed, 1967 c 214 s 6]

Subd. 11. **Air space above and subsurface area.** Nothing contained in this section shall apply to the lease or other agreement for the use of air space above and the subsurface area below the right of way of any trunk highway or the surface of any trunk highway right of way as provided in section 161.433, subdivision 1.

History: 1959 c 500 art 2 s 44; 1961 c 263 s 1; 1961 c 567 s 3 subd 1; 1963 c 467 s 2; 1967 c 214 s 3; 1967 c 790 s 1-3; 1978 c 674 s 60; 1980 c 533 s 10

161.441 LAND ACQUISITION AGREEMENTS WITH OTHER GOVERNMENTAL AUTHORITIES.

Subdivision 1. **Authority.** Whenever the commissioner of transportation has knowledge that lands are being acquired, or are about to be acquired, by a political subdivision of the state, another state agency, or other governmental authority including but not limited to bodies corporate such as public housing authorities created by statute, and he determines that a portion of such lands to be acquired, or lands contiguous thereto, are needed presently or in the future for trunk highway purposes, he may, if he deems it to be in the best interests of the state, enter into land acquisition agreements, as hereinafter provided, with such political subdivision, state agency, or governmental authority. Power is hereby conferred upon the commissioner of transportation, and upon political subdivisions, state agencies, and governmental authorities to enter into, and carry out to final conclusion in accordance with the terms thereof, such land acquisition agreements, each with the other, for the purpose of acquiring lands for their particular public purpose.

Subd. 2. **Contents.** The agreement shall set forth, among other matters, the purposes for which the lands are acquired and the portions to be used for each particular public purpose; the method of acquisition, whether by purchase, eminent domain proceedings, or a combination thereof; the agency, political subdivision, or governmental authority, or combination thereof, charged with the responsibility of carrying out the acquisition; and the division of the costs of such lands, including acquisition costs, building clearance costs, and all other costs that may be incurred in acquiring such lands.

Subd. 3. **Cost.** The costs to be borne by the trunk highway fund shall be as provided in such agreements.

History: 1965 c 529 s 1-3; 1976 c 166 s 7

161.45 PUBLIC UTILITIES AND WORKS ON TRUNK HIGHWAYS; RELOCATION OF UTILITIES.

Subdivision 1. Electric transmission, telephone or telegraph lines, pole lines, community antenna television lines, railways, ditches, sewers, water, heat or gas mains, gas and other pipe lines, flumes, or other structures which, under the laws of this state or the ordinance of any city, may be constructed, placed, or maintained across or along any trunk highway, or the roadway thereof, by any person, persons, corporation, or any subdivision of the state, may be so maintained or hereafter constructed only in accordance with such regulations as may be prescribed by the commissioner who shall have power to prescribe and enforce reasonable rules and regulations with reference to the placing and maintaining along, across, or in any such trunk highway of any of the utilities hereinbefore set forth. Nothing herein shall restrict the actions of public authorities in extraordinary emergencies nor restrict the power and authority of the department of public service as provided for in other provisions of law. Provided, however, that in the event any local subdivision of government has enacted ordinances relating to the method of installation or requiring underground installation of such community antenna television lines, the permit granted by the commissioner of transportation shall require compliance with such local ordinance.

Subd. 2. Whenever the relocation of any utility facility is necessitated by the construction of a project on trunk highway routes other than those described in section 161.46, subdivision 2, the relocation work may be made a part of the state highway construction contract or let as a separate contract as provided by law if the owner or operator of the facility requests the commissioner to act as its agent for the purpose of relocating the facilities and if the commissioner determines that such action is in the best interests of the state. Payment by the utility owner or operator to the state shall be in accordance with applicable statutes and the rules and regulations for utilities on trunk highways.

History: 1959 c 500 art 2 s 45; 1967 c 231 s 2; 1971 c 25 s 67; 1973 c 123 art 5 s 7; 1973 c 568 s 19; 1976 c 166 s 7

161.46 REIMBURSEMENT OF UTILITIES.

Subdivision 1. **Definitions.** For the purposes of this section the following terms shall have the meanings ascribed to them:

(1) "Utility" means all publicly, privately, and cooperatively owned systems for supplying power, light, gas, telegraph, telephone, water, pipeline, or sewer service if such systems be authorized by law to use public highways for the location of its facilities.

(2) "Cost of relocation" means the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

Subd. 2. **Relocation of facilities; reimbursement.** Whenever the commissioner shall determine the relocation of any utility facility is necessitated by the construction of a project on the routes of federally-aided state trunk highways, including urban extensions thereof, which routes are included within the National System of Interstate Highways, the owner or operator of such utility facility shall relocate the same in accordance with the order of the commissioner. After the completion of such relocation the cost thereof shall be ascertained and paid by the state out of trunk highway funds; provided, however, the amount to be paid by

the state for such reimbursement shall not exceed the amount on which the federal government bases its reimbursement for said interstate system.

Subd. 3. Lump sum settlements. The commissioner may enter into agreements with a utility for the relocation of utility facilities providing for the payment by the state of a lump sum based on the estimated cost of relocation when the lump sum so agreed upon does not exceed \$25,000.

Subd. 4. Acquisition of relocated facilities for utility. When the project requires a utility to relinquish lands or interests in lands owned by the utility and the utility is unable to acquire lands or interests in lands necessary to enable it to relocate its facilities, or if the acquisition of such lands or interests in lands by the utility would result in undue delay thereby delaying the interstate highway project, the commissioner, by purchase, gift, or eminent domain proceedings, may acquire the lands or interests in lands necessary for the relocation if the commissioner deems that such acquisition would reduce the cost to the state of the project. The lands necessary for the relocation to be acquired by the commissioner shall be designated in an agreement between the utility and the commissioner. The agreement shall also provide that without cost to either party thereto the utility will relinquish to the state its interests in the lands required for the interstate project in consideration of the conveyance by the state to the utility of the substitute lands designated in the agreement to be acquired by the state. The interest or estate acquired by the commissioner shall be substantially similar to the interest or estate that the utility owned in the lands to be relinquished by it to the state. Upon recommendation of the commissioner, the governor may convey such lands or interests in lands to the utility.

Subd. 5. Relocation work by the state. The relocation work may be made a part of a state highway construction contract or let as a separate contract by the state under applicable federal laws, rules and regulations if the owner or operator of the utility facility requests the commissioner to act as its agent for the purpose of relocating such facilities and if such action is deemed to be in the best interest of the state. When relocation work is made a part of a state highway construction contract or when let as a separate contract by the state as authorized herein, the cost of such relocation may be paid by the commissioner directly to the contractor out of the trunk highway fund without requiring the utility to first make payment for such relocation work and thereafter request reimbursement therefor; provided that, the agreement entered into between the state and the utility shall contain a stipulation that the utility shall reimburse the state for any costs of such relocation in which the federal government will not participate.

History: 1959 c 500 art 2 s 46; 1963 c 57 s 1; 1965 c 14 s 1; 1967 c 231 s 1; 1973 c 42 s 1; 1981 c 209 s 6

161.465 REIMBURSEMENT FOR FIRE SERVICES.

Ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a fire outside the right-of-way of any trunk highway if the fire originated within the right-of-way, upon approval of a police officer or an officer or employee of the department of public safety shall, upon certification to the commissioner of public safety by the proper official of the municipality or fire department within 60 days after the completion of the service, be reimbursed to the municipality or fire department from funds in the trunk highway fund. The commissioner of public safety shall take whatever action practicable to secure reimbursement to the trunk highway fund of moneys expended pursuant to this section from the person, firm or corporation responsible for the fire or danger thereof.

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The provisions of this section shall not be construed to admit any state liability for damage or destruction to private property or for injury to persons resulting from a fire that originates within a trunk highway right-of-way.

History: 1977 c 43 s 1; 1979 c 108 s 1; 1981 c 32 s 1; 1982 c 617 s 5

161.47 [Renumbered 299D.03]

161.48 [Renumbered 299D.04]

161.49 [Renumbered 299D.05]

161.50 [Repealed, 1977 c 454 s 49]

161.51 FEDERAL-STATE SAFETY ACCOUNT.

There is established within the trunk highway fund a federal-state safety account. The commissioner of transportation may transfer the unobligated balance of any direct appropriation to the department of transportation for administrative operations, maintenance, highway development support, research and standards, state aid administration, or planning and programming, into this account if needed to advance state money for approved federal highway safety projects. The commissioner may receive money from state or local governmental agencies to be used for projects under the federal highway safety program. All federal reimbursements shall be deposited in the state treasury and are appropriated to the federal-state safety account to be available until expended.

History: 1976 c 163 s 35; 1976 c 166 s 7; 1980 c 533 s 11