

2.1 **Sec. 2. NULLIFICATION OF EXPEDITED TOWN ROAD EXTINGUISHMENT.**

2.2 (a) Any extinguishment of town interest in a town road under Minnesota Statutes,
2.3 section 164.06, subdivision 2, is hereby nullified if:

2.4 (1) the interest is not recorded or filed with the county recorder but is recorded
2.5 or filed with the county auditor;

2.6 (2) the state or a political subdivision has constructed a road or bridge improvement
2.7 on a right-of-way affected by the interest;

2.8 (3) the affected road was the only means of access to a property; and

2.9 (4) the extinguishment took place within the last ten years.

2.10 (b) Notwithstanding Minnesota Statutes, section 164.08, subdivision 1, for any
2.11 nullification under paragraph (a), the affected road is hereby deemed to be a cartway.

2.12 The provisions of Minnesota Statutes, section 164.08, subdivision 2, apply except that

2.13 "petitioner" means the property owner for whom the only means of access to a property is
2.14 by way of the affected road, and that the petitioner must not be required to pay damages

2.15 for the land upon which the cartway is established, the cost of professional and other
2.16 services, hearing costs, administrative costs, recording costs, or other costs and expenses.

2.17 (c) For purposes of this section, "affected road" means the road that the town board
2.18 extinguished town interest in.

2.19 **Sec. 3. EFFECTIVE DATE.**

2.20 Sections 1 and 2 are effective the day following final enactment.