

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2372

Introduced by

Senators O'Connell, Andrist, Traynor

Representatives Gerntholz, Martin, Nicholas

1 A BILL for an Act to amend and reenact section 24-07-03 of the North Dakota Century Code,
2 relating to section lines as public roads.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 24-07-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **24-07-03. Section lines considered open for public roads travel - Closing same**
7 **under certain conditions.** In all townships in this state, outside the limits of incorporated
8 cities, and outside platted townsites, additions, or subdivisions recorded pursuant to sections
9 40-50.1-01 through 40-50.1-17 or recorded prior to July 1, 1987, under former chapter 40-50,
10 the congressional section lines are considered open for public roads, open travel to the width of
11 thirty-three feet [10.06 meters] on each side of ~~such the~~ section lines.

12 The board of county commissioners, if petitioned by a person having an interest in the
13 adjoining land or a portion thereof, ~~is authorized~~, after public hearing and a finding by the
14 commissioners of public benefit, ~~to may~~ close section ~~line roads lines~~ or portions thereof which
15 are not used for ten years, are not traveled due to natural obstacles or difficulty of terrain, are
16 not required due to readily accessible alternate routes of travel, or are intersected by interstate
17 highways causing ~~such the~~ section line ~~road~~ to be a dead end, providing the closing of ~~such the~~
18 dead end section line ~~road~~ does not deprive adjacent ~~landowner~~ landowners access to ~~his the~~
19 landowners' property. After ~~such the~~ section ~~line roads lines~~ are closed, they may be ~~leveled~~
20 ~~and farmed by~~ used to the benefit of the adjacent landowners or tenants, only if the leveling or
21 ~~farming does not disturb, remove, or destroy any.~~ However, survey or property reference
22 ~~monument. However, if monuments may not be disturbed, removed, or destroyed. If drainage~~
23 is interfered with due to the farming operations, alternate means of drainage must be provided
24 for by the landowners or tenants farming ~~such the~~ lands.