

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE BILL NO. 1278
(Representatives Hawken, Wieland)
(Senators Nething, Trenbeath)

AN ACT to amend and reenact section 24-07-06 of the North Dakota Century Code, relating to establishment of public road access to isolated tracts of land.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 24-07-06 of the North Dakota Century Code is amended and reenacted as follows:

24-07-06. ~~Highway or cartway~~ Public road may be established to give access to highway. Whenever any tract of land is surveyed or sold in tracts less than the original subdivision as established by the government survey thereof, so that any part thereof does not touch upon a public road so as to allow the owner of such tract access to a public highway, the board of county commissioners or board of township supervisors, upon petition of such owner, may open a ~~cartway or highway along the lines of~~ public road to gain access to any such tract or tracts when in the judgment of such board such ~~cartway or highway~~ public road is necessary and that it is of sufficient benefit to the county or township as a whole, but no such ~~cartway or highway~~ public road may exceed two rods [10.06 meters] in width unless in the judgment of such board a roadway of such width is not sufficient to accommodate the travel thereon.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1278.

House Vote: Yeas 79 Nays 9 Absent 6

Senate Vote: Yeas 40 Nays 5 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,

at _____ o'clock _____ M.

Secretary of State