

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 1991

(SENATE AUTHORS: RUUD)

| DATE | D-PG | OFFICIAL STATUS |
|------------|------|---|
| 03/04/2019 | 631 | Introduction and first reading |
| | | Referred to Environment and Natural Resources Policy and Legacy Finance |
| 03/21/2019 | | Comm report: To pass as amended and re-refer to Environment and Natural Resources Finance |

1.1 A bill for an act

1.2 relating to state lands; modifying requirements for conveying certain state land;

1.3 adding to and deleting from state parks; authorizing sale of certain surplus state

1.4 land; modifying provisions for managing tax-forfeited lands; authorizing private

1.5 sale of certain tax-forfeited land; amending Minnesota Statutes 2018, sections

1.6 84.0273; 92.115, subdivision 1; 94.09, subdivision 3; 94.10; 282.01, subdivision

1.7 4; Laws 2012, chapter 236, section 28, subdivisions 2, as amended, 9, as amended.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2018, section 84.0273, is amended to read:

1.10 **84.0273 ESTABLISHING BOUNDARY LINES RELATING TO CERTAIN STATE**

1.11 **LANDHOLDINGS.**

1.12 (a) ~~In order~~ To resolve boundary line issues affecting the ownership interests of the state

1.13 and adjacent landowners, the commissioner of natural resources may, in the name of the

1.14 state upon terms the commissioner deems appropriate, convey, by a boundary line agreement,

1.15 quitclaim deed, or management agreement in such form as the attorney general approves,

1.16 such rights, titles, and interests of the state in state lands for such rights, titles, and interests

1.17 in adjacent lands as are necessary ~~for the purpose of establishing~~ to establish boundaries.

1.18 The commissioner must publish a notice of the proposed conveyance and a brief statement

1.19 of the reason ~~therefor shall be published~~ for the conveyance once in the State Register ~~by~~

1.20 ~~the commissioner between 15 and~~ at least 30 days prior to before the conveyance. ~~The~~

1.21 ~~provisions of~~ This paragraph ~~are~~ is not intended to replace or supersede laws relating to

1.22 land exchange or disposal of surplus state property.

1.23 (b) ~~In order~~ To resolve trespass issues affecting the ownership interests of the state and

1.24 adjacent landowners, the commissioner of natural resources, in the name of the state, may

2.1 sell surplus lands not needed for natural resource purposes at private sale to adjoining
 2.2 property owners and leaseholders. The conveyance must be by quitclaim in a form approved
 2.3 by the attorney general for a consideration not less than the value determined according to
 2.4 section 94.10, subdivision 1.

2.5 (c) Paragraph (b) applies to all state-owned lands managed by the commissioner of
 2.6 natural resources, except school trust land as defined in section 92.025. For acquired lands,
 2.7 the commissioner may sell the surplus lands as provided in paragraph (b) notwithstanding
 2.8 the offering to public entities, public sale, and related notice and publication requirements
 2.9 of sections 94.09 to 94.165. For consolidated conservation lands, the commissioner may
 2.10 sell the surplus lands as provided in paragraph (b) notwithstanding the classification and
 2.11 public sale provisions of chapters 84A and 282.

2.12 Sec. 2. Minnesota Statutes 2018, section 92.115, subdivision 1, is amended to read:

2.13 Subdivision 1. **Land valuation required.** Before offering any state land for sale under
 2.14 this chapter, the commissioner must establish the value of the land. The commissioner shall
 2.15 have the land appraised if the estimated market value is in excess of ~~\$50,000~~ \$100,000.

2.16 Sec. 3. Minnesota Statutes 2018, section 94.09, subdivision 3, is amended to read:

2.17 Subd. 3. **Notice to agencies; determination of surplus.** The commissioner of natural
 2.18 resources shall send written notice to ~~all state departments, agencies and the University of~~
 2.19 ~~Minnesota~~ the Departments of Administration and Transportation, the Board of Water and
 2.20 Soil Resources, the Office of School Trust Lands, the legal or land departments of the
 2.21 University of Minnesota and Minnesota State Colleges and Universities, the Minnesota
 2.22 Indian Affairs Council, and any other state department or agency that requests to receive
 2.23 notices describing any lands or tracts ~~which~~ that may be declared surplus. If a ~~department~~
 2.24 ~~or agency or the University of Minnesota~~ recipient of the notice desires custody of the lands
 2.25 or tracts, ~~it shall~~ the recipient must submit a written request to the commissioner; no later
 2.26 than four calendar weeks after mailing of the notice; setting forth in detail ~~its~~ the reasons
 2.27 for desiring to acquire; and ~~its~~ the intended use of; the land or tract. The commissioner shall
 2.28 then determine whether any of the lands ~~described in the certifications of the heads of the~~
 2.29 ~~departments or agencies~~ so requested should be declared surplus and offered for sale or
 2.30 otherwise disposed of by transferring custodial control to other requesting state departments
 2.31 or agencies or to the Board of Regents of the University of Minnesota for educational
 2.32 purposes, provided however that transfer to the Board of Regents ~~shall~~ is not be determinative
 2.33 of tax exemption or immunity. If the commissioner determines that any of the lands are no

3.1 longer needed for state purposes, the commissioner shall make findings of fact, describe
 3.2 the lands, declare the lands to be surplus state land, and state the reasons for the sale or
 3.3 disposition of the lands.

3.4 Sec. 4. Minnesota Statutes 2018, section 94.10, is amended to read:

3.5 **94.10 SURVEYS, APPRAISALS, AND SALE.**

3.6 Subdivision 1. **Appraisal; notice and offer to public bodies.** (a) Before offering any
 3.7 surplus state-owned lands for sale, the commissioner of natural resources must establish
 3.8 the value of the lands. The commissioner shall have the lands appraised if the estimated
 3.9 value is in excess of ~~\$50,000~~ \$100,000. No parcel of state-owned land shall be sold for less
 3.10 than \$1,000.

3.11 (b) The appraisals must be made by regularly appointed and qualified state appraisers.
 3.12 To be qualified, an appraiser must hold a state appraiser license issued by the Department
 3.13 of Commerce. The appraisal must be in conformity with the Uniform Standards of
 3.14 Professional Appraisal Practice of the Appraisal Foundation.

3.15 (c) Before offering surplus state-owned lands for public sale, the lands ~~shall~~ must first
 3.16 be offered to the city, county, town, school district, or other public body corporate or politic
 3.17 in which the lands are situated for public purposes and the lands may be sold for public
 3.18 purposes for not less than the appraised value of the lands. To determine whether a public
 3.19 body desires to purchase the surplus land, the commissioner of natural resources shall give
 3.20 a written notice to the governing body of each political subdivision whose jurisdictional
 3.21 boundaries include or are adjacent to the surplus land. If a public body desires to purchase
 3.22 the surplus land, ~~it shall~~ the public body must submit a written offer to the commissioner
 3.23 no later than two weeks after receipt of notice setting forth in detail ~~its~~ the reasons for
 3.24 desiring to acquire and ~~its~~ the intended use of the land. ~~In the event that~~ If more than one
 3.25 public body tenders an offer, the commissioner shall determine which party shall receive
 3.26 the property and shall submit written findings regarding the decision. If lands are offered
 3.27 for sale for public purposes and if a public body notifies the commissioner of its desire to
 3.28 acquire the lands, the public body may have up to two years from the date of the accepted
 3.29 offer to ~~commence payment~~ begin paying for the lands in the manner provided by law.

3.30 (d) Before offering surplus state-owned lands that are located within the reservation
 3.31 boundary of a federally recognized Indian tribe for public sale or before offering the lands
 3.32 to an entity specified in paragraph (c), the lands must first be offered to the federally
 3.33 recognized Indian tribe with governing authority over the reservation where the lands are
 3.34 located. If the lands are located within the reservation boundary of a federally recognized

4.1 tribe that is one of the six constituent tribes of the Minnesota Chippewa tribe, then the lands
4.2 must be offered to both the Minnesota Chippewa tribe and the constituent tribe where the
4.3 lands are located. The lands may be sold for not less than the appraised value of the lands.
4.4 To determine whether an Indian tribe desires to purchase the lands, the commissioner of
4.5 natural resources must give a written notice to the governing body of the Indian tribe, and,
4.6 when applicable, if the tribe is a member of the Minnesota Chippewa tribe, the Minnesota
4.7 Chippewa tribe. If the Indian tribe desires to purchase the lands, the Indian tribe must notify
4.8 the commissioner, in writing, of the intent to purchase the lands no later than two weeks
4.9 after receiving the notice. If the Indian tribe notifies the commissioner of its intent to acquire
4.10 the lands, the Indian tribe has up to two years from the date that the notice of intent to
4.11 purchase the lands was submitted to begin paying for the lands in the manner provided by
4.12 law.

4.13 Subd. 2. **Public sale requirements.** (a) After complying with subdivision 1 and before
4.14 any public sale of surplus state-owned land is made and at least 30 days before the sale, the
4.15 commissioner of natural resources shall publish a notice of the sale in a newspaper of general
4.16 distribution in the county in which the real property to be sold is situated. The notice shall
4.17 specify the time and place at which the sale will commence, a general description of the
4.18 lots or tracts to be offered, and a general statement of the terms of sale. The commissioner
4.19 shall ~~also~~ provide electronic notice of the sale.

4.20 (b) The minimum bid for a parcel of land must include the estimated value or appraised
4.21 value of the land and any improvements and, if any of the land is valuable for merchantable
4.22 timber, the value of the merchantable timber. The minimum bid may include expenses
4.23 incurred by the commissioner in rendering the property salable, including survey, appraisal,
4.24 legal, advertising, and other expenses.

4.25 (c) The purchaser of state land must pay recording fees and the state deed tax.

4.26 (d) Except as provided under paragraph (e), parcels remaining unsold after the offering
4.27 may be sold to anyone agreeing to pay at least 75 percent of the appraised value. The sale
4.28 ~~shall~~ must continue until all parcels are sold or until the commissioner orders a reappraisal
4.29 or withdraws the remaining parcels from sale.

4.30 (e) The commissioner may retain the services of a licensed real estate broker to find a
4.31 buyer for parcels remaining unsold after the offering. The sale price may be negotiated by
4.32 the broker, but must not be less than 90 percent of the appraised value as determined by the
4.33 commissioner. The broker's fee must be established by prior agreement between the

5.1 commissioner and the broker and must not exceed ten percent of the sale price for sales of
5.2 \$10,000 or more. The broker's fee must be paid to the broker from the proceeds of the sale.

5.3 (f) Public sales of surplus state-owned land may be conducted through online auctions.

5.4 Sec. 5. Minnesota Statutes 2018, section 282.01, subdivision 4, is amended to read:

5.5 Subd. 4. **Sale; method; requirements; effects.** (a) The sale authorized under subdivision
5.6 3 must be conducted by the county auditor at the county seat of the county in which the
5.7 parcels lie, except that in St. Louis and Koochiching Counties, the sale may be conducted
5.8 in any ~~county~~ designated facility within the county. The sale must not be for less than the
5.9 appraised value except as provided in subdivision 7a. The parcels must be sold for cash
5.10 only, unless the county board of the county has adopted a resolution providing for their sale
5.11 on terms, in which event the resolution controls with respect to the sale. When the sale is
5.12 made on terms other than for cash only (1) a payment of at least ten percent of the purchase
5.13 price must be made at the time of purchase, and the balance must be paid in no more than
5.14 ten equal annual installments, or (2) the payments must be made in accordance with county
5.15 board policy, but in no event may the board require more than 12 installments annually,
5.16 and the contract term must not be for more than ten years. Standing timber or timber products
5.17 must not be removed from these lands until an amount equal to the appraised value of all
5.18 standing timber or timber products on the lands at the time of purchase has been paid by
5.19 the purchaser. If a parcel of land bearing standing timber or timber products is sold at public
5.20 auction for more than the appraised value, the amount bid in excess of the appraised value
5.21 must be allocated between the land and the timber in proportion to their respective appraised
5.22 values. In that case, standing timber or timber products must not be removed from the land
5.23 until the amount of the excess bid allocated to timber or timber products has been paid in
5.24 addition to the appraised value of the land. The purchaser is entitled to immediate possession,
5.25 subject to the provisions of any existing valid lease made in behalf of the state.

5.26 (b) For sales occurring on or after July 1, 1982, the unpaid balance of the purchase price
5.27 is subject to interest at the rate determined pursuant to section 549.09. The unpaid balance
5.28 of the purchase price for sales occurring after December 31, 1990, is subject to interest at
5.29 the rate determined in section 279.03, subdivision 1a. The interest rate is subject to change
5.30 each year on the unpaid balance in the manner provided for rate changes in section 549.09
5.31 or 279.03, subdivision 1a, whichever, is applicable. Interest on the unpaid contract balance
5.32 on sales occurring before July 1, 1982, is payable at the rate applicable to the sale at the
5.33 time that the sale occurred.

6.1 (c) Notwithstanding subdivision 7, a county board may by resolution provide for the
6.2 listing and sale of individual parcels by other means, including through a real estate broker.
6.3 However, if the buyer under this paragraph could have repurchased a parcel of property
6.4 under section 282.012 or 282.241, that buyer may not purchase that same parcel of property
6.5 at the sale under this subdivision for a purchase price less than the sum of all taxes,
6.6 assessments, penalties, interest, and costs due at the time of forfeiture computed under
6.7 section 282.251, and any special assessments for improvements certified as of the date of
6.8 sale. This subdivision shall be liberally construed to encourage the sale and utilization of
6.9 tax-forfeited land in order to eliminate nuisances and dangerous conditions and to increase
6.10 compliance with land use ordinances.

6.11 Sec. 6. Laws 2012, chapter 236, section 28, subdivision 2, as amended by Laws 2016,
6.12 chapter 154, section 9, is amended to read:

6.13 Subd. 2. **Method of sale.** (a) The leaseholder of a leased parcel may purchase at private
6.14 sale the leased parcel and any other lands allocated to the parcel by the county under
6.15 subdivision 6 that is offered for sale under this section. The purchase price is the appraised
6.16 value of the land under subdivision 3 exclusive of improvements on it. To purchase a parcel,
6.17 a leaseholder must pay in cash to the county an amount equal to the appraised value of the
6.18 land within 180 days from the date of mailing to or service of notice of appraised value to
6.19 the leaseholder by the county. The 180-day period runs from the date of mailing of a copy
6.20 of the appraisal to the leaseholder at the address shown upon the most recent lease agreement
6.21 between the parties, exclusive of the date of mailing or service. The county may use any
6.22 alternative method of notice under the Minnesota Rules of Civil Procedure for the service
6.23 of a summons and complaint.

6.24 (b) If the leaseholder does not purchase the parcel so offered, the county may offer the
6.25 lands for sale under the provisions of Minnesota Statutes, section 282.01, subdivision 7. If
6.26 a person other than the leaseholder purchases the parcel, the purchaser must make payment
6.27 in full to the leaseholder in the manner provided in Minnesota Statutes, section 92.06,
6.28 subdivision 4, for the value of any improvements as determined under subdivision 3 or for
6.29 the value of any improvements as determined through negotiations.

6.30 (c) Failure of a purchaser to comply with the terms of payment voids the sale and the
6.31 property may be reoffered for sale.

7.1 Sec. 7. Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016,
7.2 chapter 154, section 11, is amended to read:

7.3 Subd. 9. **Sunset.** This section expires ~~seven~~ ten years after the effective date.

7.4 Sec. 8. **ADDITION TO STATE PARK.**

7.5 **[85.012] [Subd. 23a.] Glendalough State Park, Otter Tail County.**

7.6 The following areas are added to Glendalough State Park, Otter Tail County:

7.7 (1) Government Lot 2, Section 12, Township 133 North, Range 40 West, Otter Tail
7.8 County, Minnesota, subject to an existing conservation easement; and

7.9 (2) the West Half of the Southeast Quarter and Government Lots 2 and 3, Section 11,
7.10 Township 133 North, Range 40 West, Otter Tail County, Minnesota, except that part of
7.11 said Government Lot 2 platted as Walvatne Addition. Subject to an existing conservation
7.12 easement.

7.13 Sec. 9. **DELETION FROM STATE PARK.**

7.14 **[85.012] [Subd. 49.] St. Croix State Park, Pine County.** The following area is deleted
7.15 from St. Croix State Park, Pine County: that part of the North Half of the Northwest Quarter
7.16 of Section 29 and that part of the Northeast Quarter of the Northeast Quarter of Section 30,
7.17 Township 41 North, Range 17 West, Pine County, Minnesota, lying north of County Road
7.18 48.

7.19 Sec. 10. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
7.20 **WATER; CARLTON COUNTY.**

7.21 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
7.22 commissioner of natural resources may sell by private sale the surplus land bordering public
7.23 water that is described in paragraph (c).

7.24 (b) The commissioner may make necessary changes to the legal description to correct
7.25 errors and ensure accuracy.

7.26 (c) The land that may be sold is located in Carlton County and is described as:
7.27 Government Lot 6, Section 1, Township 48 North, Range 19 West.

7.28 (d) The land borders Perch Lake and is not contiguous to other state lands. The
7.29 Department of Natural Resources has determined that the land is not needed for natural

8.1 resource purposes and that the state's land management interests would be best served if
8.2 the land were sold to a federally recognized Indian tribe for land consolidation purposes.

8.3 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
8.4 **WATER; CASS COUNTY.**

8.5 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
8.6 resources may sell by public sale the surplus land bordering public water that is described
8.7 in paragraph (c).

8.8 (b) The commissioner may make necessary changes to the legal description to correct
8.9 errors and ensure accuracy.

8.10 (c) The land that may be sold is located in Cass County and is described as: Lot 7, Block
8.11 1, Dell's Sleepy Hollow, located in Section 22, Township 140 North, Range 29 West.

8.12 (d) The land borders Woman Lake and is not contiguous to other state lands. The
8.13 Department of Natural Resources has determined that the land is not needed for natural
8.14 resource purposes and that the state's land management interests would best be served if
8.15 the land was returned to private ownership.

8.16 **Sec. 12. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
8.17 **HUBBARD COUNTY.**

8.18 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
8.19 commissioner of natural resources may sell by private sale the surplus lands bordering
8.20 public water that is described in paragraph (c) to Hubbard County for no consideration.

8.21 (b) The commissioner may make necessary changes to the legal descriptions to correct
8.22 errors and ensure accuracy.

8.23 (c) The lands that may be conveyed are located in Hubbard County and are described
8.24 as:

8.25 (1) the East 285.00 feet of the West 660.00 feet of Government Lot 4 of Section 27,
8.26 Township 141 North, Range 34 West. Including all riparian rights to the contained 2.3 acres,
8.27 more or less; and

8.28 (2) that part of Government Lot 2 of Section 34, Township 141 North, Range 34 West,
8.29 described as follows:

8.30 Commencing at the northwest corner of said Government Lot 2; thence South 89 degrees
8.31 27 minutes 15 seconds East, bearing assumed, along the north line of said Section 34 a

9.1 distance of 375.18 feet to the point of beginning; thence continuing South 89 degrees
9.2 27 minutes 15 seconds East along said north line a distance of 285.13 feet; thence South
9.3 02 degrees 01 minutes 46 seconds East along a line parallel with and 660.00 feet from
9.4 the west line of said Government Lot 2 a distance of 77.98 feet; thence North 88 degrees
9.5 14 minutes 48 seconds East a distance of 65.77 feet along a line which if continued
9.6 550.00 feet would intersect an angle iron previously used as the northeast corner of said
9.7 Government Lot 2; thence South 01 degrees 45 minutes 12 seconds East along a line
9.8 parallel with and 550.00 feet west of a previously established survey line a distance of
9.9 650.18 feet to the boundary line as established by that certain agreement between Richard
9.10 Dusbabek and Jean Dusbabek, husband and wife, and Donald S. Olson and Betty Jane
9.11 Olson, husband and wife, and filed for record on May 10, 1982, in the office of the
9.12 county recorder in Book 146 of Deeds, page 806; thence South 88 degrees 12 minutes
9.13 12 seconds West along said boundary line a distance of 179.39 feet; thence North 12
9.14 degrees 07 minutes 46 seconds West a distance of 663.07 feet; thence North 32 degrees
9.15 35 minutes 05 seconds West a distance of 101.91 feet to the point of beginning; containing
9.16 4.1 acres.

9.17 (d) The lands border Big Sand Lake. The Department of Natural Resources has
9.18 determined that the lands are not needed for natural resource purposes and that the state's
9.19 land management interests would best be served if the lands were conveyed to Hubbard
9.20 County.

9.21 **Sec. 13. PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.**

9.22 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
9.23 other law to the contrary, Itasca County may sell by private sale the tax-forfeited land
9.24 described in paragraph (c).

9.25 (b) The conveyance must be in a form approved by the attorney general. The attorney
9.26 general may make changes to the land description to correct errors and ensure accuracy.

9.27 (c) The land to be sold is located in Itasca County and is described as: the East 660 feet
9.28 of the West 990 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter,
9.29 Section 7, Township 55 North, Range 24 West.

9.30 (d) The county has determined that the county's land management interests would best
9.31 be served if the lands were used for a new broadcast tower, transmitter, and transmission
9.32 building.

10.1 Sec. 14. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
10.2 **WATER; KANABEC COUNTY.**

10.3 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
10.4 resources may sell by public sale the surplus land bordering public water that is described
10.5 in paragraph (c).

10.6 (b) The commissioner may make necessary changes to the legal description to correct
10.7 errors and ensure accuracy.

10.8 (c) The land that may be sold is located in Kanabec County and is described as: that part
10.9 of the West 200 feet of the Northwest Quarter of Section 13, Township 42 North, Range
10.10 23 West, Kanabec County, Minnesota, lying northerly of the centerline of the Snake River.

10.11 (d) The land borders the Snake River and is not contiguous to other state lands. The
10.12 Department of Natural Resources has determined that the land is not needed for natural
10.13 resource purposes and that the state's land management interests would best be served if
10.14 the land was returned to private ownership.

10.15 Sec. 15. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
10.16 **WATER; OTTER TAIL COUNTY.**

10.17 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
10.18 resources may sell by public sale the surplus land bordering public water that is described
10.19 in paragraph (c).

10.20 (b) The commissioner may make necessary changes to the legal description to correct
10.21 errors and ensure accuracy.

10.22 (c) The land that may be sold is located in Otter Tail County and is described as:

10.23 Lots 25, 26, and 27 in Block 2 of Jackson and Mckee's Addition, according to the plat
10.24 thereof, on file and of record in the Office of the Recorder, Otter Tail County, Minnesota,
10.25 less and except that part of said Lot 27 in Block 2 of Jackson and Mckee's Addition, Otter
10.26 Tail County, Minnesota, South of the line between Government Lots 2 and 3, Section 14,
10.27 Township 136, Range 38.

10.28 (d) The land borders Big Pine Lake and is not contiguous to other state lands. The
10.29 Department of Natural Resources has determined that the land is not needed for natural
10.30 resource purposes and that the state's land management interests would best be served if
10.31 the land was returned to private ownership.

11.1 **Sec. 16. LEASE; TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

11.2 (a) Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary,
11.3 St. Louis County may enter into a lease for the tax-forfeited lands described in paragraph
11.4 (b) for consideration of more than \$12,000 per year.

11.5 (b) The lands to be leased are located in St. Louis County and are described as:

11.6 (1) a 10.0-acre site in the Southeast Quarter, Section 15, Township 56 North, Range 17
11.7 West, to be used for a telecommunications tower and a 33-foot-wide strip of land, 16.5 feet
11.8 on either side of the centerline in the Southeast Quarter, Section 15, and in the Southwest
11.9 Quarter, Section 14, Township 56 North, Range 17 West, to be used for an access road to
11.10 the tower site; and

11.11 (2) a 10.0-acre site in the West Half, Section 32, Township 60 North, Range 21 West,
11.12 to be used for a telecommunications tower and a 33-foot-wide strip of land, 16.5 feet on
11.13 either side of the centerline in the West Half, Section 32, Township 60 North, Range 21
11.14 West, to be used for an access road to the tower site.

11.15 **Sec. 17. ACCESS TO TIMBER ON TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

11.16 (a) Notwithstanding Minnesota Statutes, section 160.83, or other law to the contrary,
11.17 St. Louis County or its agents or assigns may operate vehicles used for timber harvesting
11.18 and hauling or for transporting equipment and appurtenances incidental to timber harvesting,
11.19 gravel, and other road-building materials for timber haul roads on designated rustic roads
11.20 to access tax-forfeited lands for sustainable forest management.

11.21 (b) The tax-forfeited lands to be accessed are located in St. Louis County in Sections
11.22 26, 27, and 35, Township 53 North, Range 12 West.

11.23 (c) The rustic roads used for forest management must be immediately repaired if damaged
11.24 and must be maintained in their preharvest condition.

11.25 (d) The county has determined that the county's sustainable forest management
11.26 responsibilities would best be served by using existing public roads to access tax-forfeited
11.27 land rather than building new roads.

11.28 **Sec. 18. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

11.29 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
11.30 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
11.31 described in paragraph (c).

12.1 (b) The conveyances must be in a form approved by the attorney general. The attorney
12.2 general may make changes to the land descriptions to correct errors and ensure accuracy.

12.3 (c) The lands to be sold are located in St. Louis County and are described as:

12.4 (1) that part of the Southwest Quarter of the Southwest Quarter lying North of Norton
12.5 Road and West of Howard Gnesen Road, except the easterly 95 feet of the westerly 890
12.6 feet and except the westerly 300 feet, Section 3, Township 50, Range 14 (parcel identification
12.7 number 010-2710-00549);

12.8 (2) Lot 5, except the northerly three feet and except the southerly ten feet, West Duluth
12.9 Fifth Division, Section 7, Township 49, Range 14 (parcel identification number
12.10 010-4510-06740);

12.11 (3) the Southeast Quarter of the Northeast Quarter, except 4.24 acres for the highway
12.12 and except the part platted as Clayton Acres and except the highway right-of-way and except
12.13 6.44 acres of the adjacent plat and except the part North of Highway 169, Section 28,
12.14 Township 57, Range 21 (parcel identification number 141-0050-05470);

12.15 (4) that part of the West 420 feet of the Southeast Quarter of the Northwest Quarter lying
12.16 South of the northerly line of Government Lot 6, except that part beginning at the southwest
12.17 corner; thence easterly along the southerly boundary 420 feet to a point; thence northerly
12.18 and parallel with the westerly boundary of said Southeast Quarter of the Northwest Quarter
12.19 177.95 feet to a point; thence North 67 degrees 38 minutes 35 seconds West to a point on
12.20 the westerly boundary of said Southeast Quarter of the Northwest Quarter; thence southerly
12.21 along said westerly boundary approximately 364.12 feet to the point of beginning, Section
12.22 26, Township 57, Range 18 (parcel identification number 295-0017-00326);

12.23 (5) the South Half of the Northwest Quarter, Section 15, Township 56, Range 18 (parcel
12.24 identification number 435-0010-02590);

12.25 (6) part of the East 400 feet of the Southeast Quarter, Section 14, Township 63, Range
12.26 12 (part of parcel identification number 465-0020-01965);

12.27 (7) part of the Northeast Quarter of the Southwest Quarter, Lots 2 and 3, Section 20,
12.28 Township 54, Range 13 (part of parcel identification number 620-0010-03130); and

12.29 (8) Lots 2, 3, 4, and 5, inclusive auditor's plat of Chandler Addition to Ely, Section 28,
12.30 Township 63, Range 12 (parcel identification number 030-0030-03530).

12.31 (d) The county has determined that the county's land management interests would best
12.32 be served if the lands were returned to private ownership.

13.1 Sec. 19. CONVEYANCE OF STATE LAND; STEARNS COUNTY.

13.2 (a) Notwithstanding Minnesota Statutes, section 222.63, or any other law to the contrary,
13.3 the commissioner of transportation may convey and quitclaim to a private party all right,
13.4 title, and interest of the state of Minnesota, in the land described in paragraph (e).

13.5 (b) The conveyance may take place only upon conditions determined by the commissioner
13.6 of transportation and is not subject to restrictions on disposition, sale, lease, or otherwise
13.7 contained in Minnesota Statutes, section 222.63.

13.8 (c) The consideration for a conveyance made under this section shall be the fair market
13.9 value of the land conveyed hereunder. Proceeds from the sale of real estate or buildings
13.10 under this section shall be deposited in the rail bank maintenance account established in
13.11 Minnesota Statutes, section 222.63, subdivision 8.

13.12 (d) The conveyance may reduce the width of the rail bank corridor to less than 100 feet,
13.13 provided the conveyance does not reduce the width of the rail bank corridor to less than ten
13.14 feet.

13.15 (e) The land to be conveyed is located in Stearns County and is described as:

13.16 That part of Tract A described below:

13.17 Tract A. Outlot "A," Railroad Ridge, according to the plat thereof on file and of record in
13.18 the Office of the County Recorder in and for Stearns County, Minnesota; which lies northerly
13.19 of a line run parallel with and distant 33 feet southerly of the northerly line of said Outlot
13.20 "A" and westerly of the southerly extension of westerly right of way line of 5th Street as
13.21 shown on said Railroad Ridge; together with that part of Tract A, herein before described,
13.22 adjoining and southerly of the above described strip which lies northerly of a line run parallel
13.23 with and distant 40 feet southerly of the northerly line of said Outlot "A" and westerly of
13.24 the following described line: beginning at a point on the southerly line of said Outlot "A,"
13.25 distant 436.36 feet easterly of the southwest corner thereof; thence northerly at right angles
13.26 from said southerly line for 50 feet and there terminating; containing 29,925 square feet,
13.27 more or less.

13.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

14.1 Sec. 20. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
14.2 **WATER; WABASHA COUNTY.**

14.3 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
14.4 resources may sell by public sale the surplus land bordering public water that is described
14.5 in paragraph (c).

14.6 (b) The commissioner may make necessary changes to the legal description to correct
14.7 errors and ensure accuracy.

14.8 (c) The land that may be sold is located in Wabasha County and is described as: Lot 4,
14.9 Section 8, Township 109, Range 12, lying and being in the county of Wabasha, State of
14.10 Minnesota.

14.11 (d) The land borders the Zumbro River and is not contiguous to other state lands. The
14.12 Department of Natural Resources has determined that the land is not needed for natural
14.13 resource purposes and that the state's land management interests would best be served if
14.14 the land was returned to private ownership.

14.15 Sec. 21. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
14.16 **WATER; YELLOW MEDICINE COUNTY.**

14.17 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
14.18 commissioner of natural resources may sell by private sale the surplus land bordering public
14.19 water that is described in paragraph (c) to the United States for no consideration.

14.20 (b) The commissioner may make necessary changes to the legal description to correct
14.21 errors and ensure accuracy.

14.22 (c) The land that may be sold is located in Yellow Medicine County and is described
14.23 as: the South 33.00 feet of the Northwest Quarter of the Northwest Quarter and that part of
14.24 Government Lot 1, Section 22, Township 114 North, Range 41 West, Yellow Medicine
14.25 County, Minnesota, described as follows:

14.26 Beginning at the southwest corner of said Government Lot 1; thence on an assumed
14.27 bearing of North 01 degrees 09 minutes 07 seconds West along the west line of said
14.28 Government Lot 1 a distance of 33.00 feet; thence North 89 degrees 42 minutes 02
14.29 seconds East parallel with the south line of said Government Lot 1 a distance of 150.00
14.30 feet; thence North 00 degrees 17 minutes 58 seconds West 267.00 feet; thence North 89
14.31 degrees 42 minutes 02 seconds East 754 feet more or less, to the water's edge of Spellman
14.32 Lake; thence southwesterly along said water's edge 760 feet, more or less, to the south
14.33 line of said Government Lot 1; thence South 89 degrees 42 minutes 02 seconds West

15.1 along the south line of said Government Lot 1 a distance of 288 feet, more or less, to
15.2 the point of beginning; including all riparian rights to the contained 4.1 acres, more or
15.3 less.

15.4 (d) The land borders Spellman Lake and is not contiguous to other state lands but is
15.5 adjacent to a waterfowl production area. The Department of Natural Resources has
15.6 determined that the land would best be managed by the United States Fish and Wildlife
15.7 Services as part of a waterfowl production area.