

not limited to, the servicing, maintaining and repairing of aircraft, the rental or charter of aircraft, the operation of flight or ground schools, the operation of aircraft for the application or distribution of chemicals or other substances, aerial photography and surveys, air shows or expositions, ~~parachute jumping~~, and the operation of aircraft for fishing. "Commercial operations" also mean brokering or selling of any of the aforesaid services but do not include any operations of aircraft as common carriers certificated (certified) by the federal government or the services incidental thereto.

Approved April 7, 1980

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**CHAPTER 489—H.F.No. 1451**

*An act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition and sales in relation thereto; discontinuing Traverse des Sioux state park; repealing Minnesota Statutes 1978, Section 85.012, Subdivision 56.*

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

**Section 1. NATURAL RESOURCES; ADDITIONS TO AND DELETIONS FROM CERTAIN STATE PARKS.** Subdivision 1. The lands described in this section are, as specified in this section, added to or deleted from the boundaries of the state parks designated in this section. The commissioner of administration for the commissioner of natural resources is authorized to acquire by gift, purchase, or, if authorized by law, by condemnation proceedings the lands as described which are added. Any land which now is or hereafter becomes tax-forfeited land and is located within the described park boundaries is withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state for such purposes and transmit the same to the county auditor of the county for record as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes. Any lands within the herein described boundaries which may be owned by the United States and managed by any of its agents may be acquired by land exchange, direct transfer, or purchase as federal laws may prescribe. The lands acquired pursuant to this section shall be administered in the same manner as provided for other state parks and shall be perpetually dedicated for such use.

**[85.012] [Subd. 10.] Subd. 2. CAMDEN STATE PARK.** (a) The following areas are added to Camden State Park:

The North Half of the Southeast Quarter and the North Half of the South Half of the Southeast Quarter of Section 7; all in Township 110, North, Range 42 West.

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(b) The following areas are deleted from Camden State Park:

The Southwest Quarter of Section 33 lying northeasterly of the township road and northwesterly of Minnesota Highway 23:

The East Half of the Southeast Quarter of Section 32 lying easterly of the township road and County State Aid Highway 25; all in Township 111 North, Range 42 West.

The Northwest Quarter of the Northwest Quarter of Section 4 lying northeasterly of the township road and northwesterly of Minnesota Highway 23; Township 111 North, Range 42 West.

The North Half of Section 17 lying southerly of the township road and East of the unimproved road and the unimproved road extended; the Southeast Quarter and the East Half of the Southeast Quarter of Section 17, excepting that portion of the Southwest Quarter of the Southeast Quarter lying easterly of the westerly right-of-way line of Minnesota Highway 23; the North 1500 feet more or less of Section 20 bounded by the easterly line of the Burlington Northern Inc. Railroad right-of-way and the westerly right-of-way line of Minnesota Highway 23; all in Township 110 North, Range 42 West.

[85.012] [Subd. 18.] Subd. 3. **FORT SNELLING STATE PARK.** (a) The following areas are added to Fort Snelling State Park and, to the extent any of such lands were previously included in the Minnesota Valley Trail pursuant to Laws 1971, Chapter 859, Section 7, and acts amendatory thereof, they are withdrawn from the Minnesota Valley Trail:

All that part of Section 7 lying easterly of the original Minnesota River; All that part of Section 8 lying easterly of the Minnesota River and northwesterly of the Chicago and Northwestern Railroad; All that part of Section 9 lying northwesterly of the Chicago and Northwestern Railroad; All that part of Section 17 lying northwesterly of the Chicago and Northwestern Railroad; All that part of Section 18 lying easterly of the original channel of the Minnesota River, northwesterly of the Chicago and Northwestern Railroad and northeasterly of Cedar Avenue; All in Township 27 North, Range 23 West. All that part of Section 13 lying easterly of the Minnesota River and northerly of Cedar Avenue; Township 27 North, Range 24 West, Dakota County.

Commencing at the southwest corner of Section 17, Township 28 North, Range 24 West of the fourth principal meridian, said corner being MCM 107 of the City of Minneapolis and State of Minnesota coordinate grid systems; thence South 39 degrees 54 minutes 57 seconds East a distance of 4015.45 feet to monument number 2 located on a western extension of the south line of the U.S. Bureau of Mines reservation heretofore established; thence east for a distance of 1192 feet more or less, along the south boundary and fence line of the Bureau of Mines to STA. H.H., the said station being a 1-inch diameter steel rod firmly imbedded in concrete, the center point of which being the point of beginning of the land to be described; thence continuing east for an indefinite distance to the center of the main channel of the Mississippi River, the boundary between Hennepin and

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Ramsey Counties; thence northwesterly and northeasterly along the center of the channel for a distance of 1950 feet, more or less; thence west for an indefinite distance to STA. A.A. the station being a 2-inch pipe cap, the exact point being a center punch mark; thence continuing west for a distance of 100 feet, more or less, to the westerly right-of-way of the former Chicago, Milwaukee, St. Paul, and Pacific Railroad; thence southerly along said westerly right-of-way line to the south line of the U.S. Bureau of Mines reservation; thence east for a distance of 290 feet, more or less, along the said south boundary to STA. H.H., and the point of beginning.

(b) The following areas are deleted from Fort Snelling State Park:

All that part of Section 22, Township 28 North, Range 23 West, lying southeasterly of the southeasterly right-of-way of the Chicago, Milwaukee, St. Paul, and Pacific Railroad, northwesterly of Minnesota Highway 13 and northeasterly of the following described line: Commencing at the intersection of the center line of Minnesota Highway No. 13 and the east line of Section 22, Township 28 North, Range 23 West, said point being 1855.0 feet North of the southeast corner of said Section 22; thence sight South along said section line and turn 64 degrees 37 minutes to the right 31.27 feet along the center line of Minnesota Highway No. 13 to the beginning of an 08 degrees 00 minutes curve to the left; thence along said curve 191.7 feet; thence on a tangent to said curve 559.23 feet; thence continuing along the last described line 267.84 feet to the beginning of a 04 degrees 00 minutes curve to the left; thence along said curve 227.9 feet; thence on a tangent to said curve 30.0 feet; thence northwesterly at right angle to the last described line 45.0 feet to a judicial land mark; thence southeasterly along the last described line a distance of 3.55 feet to the northwesterly right-of-way line of Minnesota Highway No. 13, said northwesterly right-of-way line being the northwesterly line of First Street in Beaudet's Addition; thence northeasterly 258.50 feet along the southeasterly line of Lots 67, 68, 69, and 70 of Beaudet's Addition to the most easterly corner of Lot 70 of Beaudet's Addition, said line being the northwesterly line of First Street and right-of-way line of Minnesota Highway No. 13; thence northeasterly along the northwesterly right-of-way line of Minnesota Highway No. 13 to the most southerly corner of Lot 71 of Beaudet's Addition; thence continuing northeasterly along the southeasterly line of Lots 71, 72, and 73 of Beaudet's Addition, said lot lines being the northwesterly line of First Street and right-of-way of Minnesota Highway No. 13 a distance of 155.17 feet to the point of beginning of line; thence deflecting to the left 98 degrees 42 minutes a distance of 80.0 feet to a Department of Natural Resources monument; thence continuing along the last described line to the southerly right-of-way line of the Chicago, Milwaukee, St. Paul, and Pacific Railroad, said railroad right-of-way line being 50 feet southerly and parallel with the center line of the tracks in place and there terminating.

All that part of Sections 29 and 32, Township 28 North, Range 23 West, bounded by the following described lines: Commencing at the northwest corner of said Section 29; thence South 00 degrees 16 minutes 33 seconds East, 771.38 feet along the west line of said Section 29; thence South 60 degrees 34 minutes 28 seconds East, 2326.03 feet; thence South 46 degrees 14 minutes 26 seconds East,

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166.37 feet; thence North 37 degrees 44 minutes 49 seconds East, 229.13 feet to an iron pipe; thence South 60 degrees 34 minutes 28 seconds East, to the southeasterly right-of-way old Minnesota Highway 5 and 100 and the point of beginning; thence southwesterly along the said southeasterly right-of-way of old Minnesota Highway 5 and 100 to a line which was the former common boundary between the Veteran's Administration and the Metropolitan Airports Commission property; thence southeasterly along the said former common boundary between the Veteran's Administration and the Metropolitan Airports Commission to the northerly right-of-way of Minnesota Highway 5; thence southwesterly along the northerly right-of-way of Minnesota Highway 5 and Interstate Highway 494 to the west line of Section 32; thence southerly along the said west line of Section 32 to the southerly right-of-way of Minnesota Highway 5 and Interstate Highway 494; thence northeasterly along the said southerly right-of-way of Minnesota Highway 5 and Interstate Highway 494 to a point which bears South 60 degrees 34 minutes 28 seconds East from the point of beginning; thence North 60 degrees 34 minutes 28 seconds West to the southeasterly right-of-way of old Minnesota Highway 5 and 100 and the point of beginning.

Lot 1 except the northerly 10 feet, Lots 2 and 3 except the northerly 20 feet, and Lots 4 and 5 except the railroad right-of-way, Block 2; the westerly 56 feet of Lot 6, Block 2; Lot 6 except the westerly 56 feet thereof, and the westerly 20 feet of vacated "E" Street adjacent thereto; Lot 7, Block 2; Lot 8, Block 2; Lot 9, Block 2; Lot 10 except the northerly 80 1/2 feet thereof, Block 2; northerly 80 1/2 feet of Lot 10, Block 2; East 50 feet of Lot 2 and all of Lots 3, 4, and 5, Block 3, including any portion of any street or alley adjacent thereto, vacated or to be vacated, but excepting railroad right-of-way, and subject to Minnesota Highway 13; Lot 1, and all of Lot 2 except the east 50 feet thereof, Block 3, including any portion of any street or alley adjacent thereto, vacated or to be vacated, but excepting railroad right-of-way, and subject to Minnesota Highway 13 and lying southerly of the center line of the former railroad running through Block 4 now abandoned; East Half of vacated "E" Street; All being a part of the original town of Mendota in Section 27, Township 28 North, Range 23 West.

[85.012] [Subd. 29.] Subd. 4. **ITASCA STATE PARK.** The following areas are added to Itasca State Park:

The South Half of the Northeast Quarter of Section 34, Township 144 North, Range 36 West.

[85.012] [Subd. 30.] Subd. 5. **JAY COOKE STATE PARK.** The following areas are deleted from Jay Cooke State Park:

That part of the Southeast Quarter of Section 3 lying northwesterly of the northwesterly right-of-way line of the Burlington Northern, Inc. Railway; all of Section 25; that part of the Northeast Quarter of the Southeast Quarter and the East Half of the Northeast Quarter of Section 26 lying easterly of the Burlington Northern, Inc. Railway; that part of the Southeast Quarter of the Southeast Quarter of Section 23 lying southeasterly of Minnesota Highway 23 and northeasterly of the

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Burlington Northern, Inc. Railway; that part of Section 24 lying southeasterly of Minnesota Highway 23; that part of the Northeast Quarter, the Southwest Quarter and the Southeast Quarter of Section 13 lying southeasterly of Minnesota Highway 23; all being in Township 48 North, Range 16 West.

All of Sections 19 and 30; that part of the South Half of the South Half of Section 7 lying southeasterly of Minnesota Highway 23; that part of Section 18 lying southeasterly of Minnesota Highway 23; all in Township 48 North, Range 15 West.

**[85.012] [Subd. 37.] Subd. 6. LAKE MARIA STATE PARK.** The following areas are added to Lake Maria State Park:

The South Half of the Southwest Quarter; that part of the Northwest Quarter lying easterly of the township road; and that part of the North Half of the Southwest Quarter lying easterly of the township road except: Commencing at the West Quarter corner, Section 4, Township 121 North, Range 26 West; thence Southerly along the west side of said Section 4, distant 1039.8 feet; thence deflect left 90 degrees 00 minutes, distant 66.0 feet to the point of beginning; thence continue on last described course, distant 247.4 feet; thence deflect 107 degrees 56 minutes left, distant 323.4 feet; thence deflect 31 degrees 44 minutes left, distant 72.6 feet to the center of Township Road; thence deflect left 103 degrees 55 minutes 30 seconds, being along center line of Township Road, distant 207.4 feet; thence deflect 26 degrees 15 minutes left, distant 169.3 feet, more or less, to the point of beginning; All in Section 4, Township 121 North, Range 26 West.

**[85.012] [Subd. 42.] Subd. 7. MILLE LACS KATHIO STATE PARK.** (a) The following areas are added to Mille Lacs Kathio State Park:

The westerly 200 feet of Government Lot 3 in Section 2 lying southerly of U.S. Highway No. 169; all in Township 42 North, Range 27 West.

(b) The following areas are deleted from Mille Lacs Kathio State Park:

That part of Government Lots 1 and 2 and the Southeast Quarter of the Southeast Quarter in Section 12 lying northerly of the northerly right-of-way line of U.S. Highway No. 169.

That part of Government Lot 4 in Section 12 lying west of northerly extension of the west line of Government Lot 3 of said Section 12.

That part of the Southeast Quarter of the Northeast Quarter and Government Lot 1 in Section 11 lying northerly of the following described lines:

Commencing at the iron monument at the east quarter corner of said Section 11; thence North 0 degrees 44 minutes 43 seconds East, assumed bearing of 1246.00 feet along the east line of said Section 11 to point "A"; thence South 0 degrees 44 minutes 43 seconds West, 600.00 feet along the east line of said Section 11; thence West, 1495.01 feet; thence North 00 degrees 44 minutes 43 seconds East, 799.00 feet to the point of beginning of the line to be described; thence East, 793.34 feet to the westerly line of a 66 foot wide road easement; thence South 6 degrees 26 minutes 55 seconds East, 28.87 feet along the westerly

line of said road easement; thence southerly 138.27 feet along a tangential curve concave to the west having a radius of 179.04 feet and a central angle of 44 degrees 14 minutes 52 seconds continuing along the westerly line of said road easement; thence South 52 degrees 12 minutes 03 seconds East, 66 feet radially to said road easement to the east line of said road easement; thence East, 680.12 feet to point "A" on the east line of said Section 11 and there terminating.

That part of Government Lots 1, 2, 3 and 4 and the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter in Section 3 lying northerly of the northerly right-of-way of U.S. Highway No. 169.

That part of Government Lot 1 in Section 4 lying northerly of the northerly right-of-way line of U.S. Highway No. 169 and easterly of the following described line:

Commencing at the intersection of the east line of said Government Lot 1 and the southerly right-of-way line of County State Aid Highway No. 35, formerly U.S. Highway No. 169, which point is 72.6 feet south of the meander corner on said east line; thence in a northwesterly direction along said southerly right-of-way line at an angle measured from said east line of 75 degrees 10 minutes a distance of 267.0 feet to point "A"; thence deflect 90 degrees 05 minutes to the left in a southwesterly direction to intersect the northerly right-of-way of U.S. Highway No. 169 a distance of 144.15 feet, more or less; thence northwesterly along the said right-of-way 98.5 feet to the point of beginning; thence northeasterly a distance of 128.75 feet, more or less, to intersect said southerly right-of-way line of County State Aid Highway No. 35 a distance of 98.5 feet northwesterly of point "A"; thence southeasterly a distance of 31.0 feet along said southerly right-of-way line towards point "A"; thence northeasterly at right angles to the shore line of Mille Lacs Lake and there terminating.

All in Township 42 North, Range 27 West.

All of Government Lots 1 and 2 in Section 33, Township 43 North, Range 27 West.

**[85.012] [Subd. 49a.] Subd. 8. ST. CROIX WILD RIVER STATE PARK.**  
The following areas are added to St. Croix Wild River State Park:

All of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter in Section 36, Township 36 North, Range 20 West.

That part of the Northwest Quarter of the Southeast Quarter in Section 36, Township 36 North, Range 20 West, lying southerly of the following described line: Beginning at a point on the north line of the said Northwest Quarter of the Southeast Quarter, 176 feet West of the northeast corner of the said Northwest Quarter of the Southeast Quarter; thence southwesterly in a straight line to a point on the west line of said Northwest Quarter of the Southeast Quarter, 564 feet North of the southwest corner of the said Northwest Quarter of the Southeast Quarter and there terminating.

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That part of the Southwest Quarter of the Southwest Quarter in Section 36, Township 36 North, Range 20 West, lying southerly of the following described lines: Beginning at a point of the east line of the Southwest Quarter of the Southwest Quarter, a distance of 86 feet South of the northeast corner thereof; thence South 59 degrees 34 minutes West, 370 feet; then South 76 degrees 28 minutes West, 555 feet; thence South 59 degrees 45 minutes West, 540 feet to a point on the west line of said Southwest Quarter of the Southwest Quarter, a distance of 587 feet north of the southwest corner thereof and there terminating.

The Northwest Quarter of the Northwest Quarter in Section 3, Township 35 North, Range 20 West.

**[85.012] [Subd. 52.] Subd. 9. SCENIC STATE PARK.** The following areas are added to Scenic State Park:

The South Half of the Southwest Quarter of Section 28;

The South Half of the Southeast Quarter and the South Half of the Southwest Quarter of Section 29;

The South Half of the Southeast Quarter of Section 30;

The Northeast Quarter and the Southeast Quarter of Section 31;

The Northwest Quarter and the Southwest Quarter of Section 33; All in Township 61 North, Range 25 West.

Government Lots 1, 2, 7, 8, 9, 10, 15, 16, and 17 of Section 1; All in Township 60 North, Range 26 West.

Any land which now is tax-forfeited land and is located within the adjusted boundaries of Scenic State Park is hereby withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The transfer of such tax-forfeited land is effective only after an amount equal to the fair market value of the land is paid by the commissioner to the county. Any money appropriated for state park land acquisition may be expended for this payment related to tax-forfeited land. The county auditor shall apportion this money in the manner provided in Minnesota Statutes, Section 282.08 for the apportionment of proceeds from the sale of tax-forfeited lands. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state and shall transmit the same to the county auditor of the county for record as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes.

**[85.012] [Subd. 53.] Subd. 10. SIBLEY STATE PARK.** The following areas are deleted from Sibley State Park:

The land included in the Plat of Ekeberg Beach in Government Lot 1 and the Northeast Quarter of the Northwest Quarter of Section 12; Township 121 North, Range 35 West. Lot 2 and the East 150 feet of Lot 3 of the Subdivision of Government Lot 7 in Section 3 lying southerly of a line 150 feet southerly of the water's edge of Henchien Lake; Township 121 North, Range 35 West.

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All of Blocks 1 and 2 of the Plat of part of Government Lot 5 in Section 3, except Lot 9 and that part of Lot 8 lying westerly of the northerly extension of the west line of Lot 7 in Block 1; That part of Government Lot 5 in Section 3 lying easterly of County State Aid Highway 38 and southerly of the south line of Block 2 of the Plat of part of Government Lot 5; That part of Lot 1 of the Subdivision of Government Lot 4 in Section 3 described as follows:

Beginning at the northeast corner of said Government Lot 4; thence West 11.68 chains along the north line of said Government Lot 4 to the northwest corner of Lot 1 of the Subdivision of Government Lot 4; thence South 2 rods along the west line of said Lot 1; thence East 17 rods 18 links parallel with the south line of said Section 3; thence South 38 rods along the west side of a 2 rod wide alley for driveway west of shorelots; thence East 17 rods to the water's edge of Lake Andrew; thence northerly along the water's edge of Lake Andrew to the northeast corner of Government Lot 4 and the point of beginning; All in Township 121 North, Range 35 West.

Sec. 2. The commissioner of natural resources may convey to the county of Kandiyohi in a form of conveyance to be approved by the attorney general the following described property within the statutory boundaries of Sibley State Park:

That part of Subdivision Lots 1, 2, 15, and 16 of Subdivision of Government Lots 2, 3, and 4 of Section 4, Township 121 North, Range 35 West, described as follows:

Commencing at the northwest corner of said Government Lot 4; thence on an assumed bearing of South, 90.66 feet along the west of said Government Lot 4 to the point of beginning; thence East, 475.00 feet; thence South, 960.00 feet; thence West 365 feet, more or less, to the center line of C.S.A.H. 5; thence northwesterly along said centerline of C.S.A.H. 5 to the west line of said Government Lot 4; thence North along said west line of Government Lot 4 to the point of beginning; containing 10 acres, more or less.

The conveyance shall be made in exchange for the conveyance to the state by Kandiyohi county of the following described property within the statutory boundaries of Sibley State Park:

Lot 5 of Government Lots 1 and 6 and the Northwest Quarter of the Northeast Quarter of Section 3, Township 121 North, Range 35 West, containing 10 acres, more or less.

Sec. 3. **WHITewater STATE PARK; EXCLUSION OF LANDS.** Subdivision 1. Upon compliance with the requirements set forth in this section all privately owned lands within the boundaries of Whitewater State Park in Winona County are excluded from the park with the exception of the following described lands:

(1) The Southwest quarter of the Southwest quarter of the Southwest quarter of Section 16;

(2) The South half of the North half of the Northeast quarter of Section 19;

(3) The South half of the Northwest quarter of the Northwest quarter of Section 20;

(4) The West half of the Northwest quarter of the Northwest quarter of Section 21; and

(5) The West half of the Southwest quarter of the Southeast quarter of Section 29;

All in Township 107 North of Range 10 West of the 5th P.M. in the county of Winona.

Subd. 2. As a condition for the removal of any land from the statutory boundaries of the Whitewater State Park as defined in subdivision 1, the owner of the land must first grant a scenic easement, as defined by Minnesota Statutes, Section 104.37, Subdivision 1, on the property to the commissioner of natural resources, in a form prescribed by the commissioner. The commissioner shall prepare an easement agreement no later than 90 days following the written request of the landowner without charge to the landowner. No easement shall interfere with a landowner's right to maintain and modify existing structures or construct appurtenant structures, nor shall it prevent the landowner from continuing current agricultural use of the land, including the harvesting of timber for lumber or firewood as directed in a timber management plan prepared by a professional forester, nor shall it pertain to any tract or tracts which are more than 30 feet back from the top of the bluffs and which cannot be seen from any point on the current route of trunk highway 74 where the highway currently passes through the park. The commissioner shall have the authority to grant variances from any agreement made pursuant to this section.

Subd. 3. If any owner or owners of land excluded by subdivision 1 shall subsequently offer the land or any portion thereof for sale, the commissioner of natural resources may offer to purchase the land. If the owner sells the property to the commissioner, the park boundary shall be changed to include the land thus purchased.

Subd. 4. The commissioner of natural resources may acquire by negotiation, for a purchase price to be agreed upon, trail easements over the land excluded from Whitewater State Park pursuant to this section.

Sec. 4. The commissioner of natural resources, in the name of the state, may quitclaim and convey the following described state lands included in Traverse des Sioux state park to the city of St. Peter on the condition that the city agrees to operate and maintain the same as a public park. The lands shall be conveyed in such form as the attorney general shall prescribe and the conveyance shall contain a provision that the lands shall revert to the state in the event the city fails to maintain and operate the same as a public park:

All those parts and portion of Government Lot 6 in Section 10 and of Government Lot 4 in Section 15 lying westerly of the Minnesota River as the same now exists, all in Township 110 North, Range 26 West.

All those parts and portion of Government Lot 5 in Section 10 and the Northwest Quarter of the Northeast Quarter in Section 15, lying westerly of the Minnesota River as the same now exists, all in Township 110 North, Range 26 West.

All that part of the south 40.80 acres of Government Lot 7, Section 10, Township 110 North, Range 26 West, lying easterly of the easterly right-of-way line of U.S. 169.

Said south 40.80 acres being platted into Blocks 1 through 17, inclusive and Block A of McLeod's addition to Traverse.

All of Government Lot 9 and Government Lot 8, except the North 20 acres of Government Lot 8, Section 10, Township 110 North, Range 26.

All of Government Lots 10 and 11, the Southwest Quarter of the Northwest Quarter, the north 20 acres of Government Lot 7, and the North 20 acres of Government Lot 8, all in Section 10, Township 110 North, Range 26 West.

All of Lots 4, 5, 6 and 7 in Block 100 of the Town of Traverse des Sioux, South of Sibley Street, and that part of Lots 8, 9, 10 and 11 in Block 100 lying westerly of the west right-of-way line of Trunk Highway No. 169.

All that part of Lots 1 through 6, inclusive of Block 106, Fractional 107, and Lots 6 and 7 of Block 108 of Traverse des Sioux, south of Sibley Street, lying easterly of the easterly right-of-way of U.S. 169.

Also all that part of the following described land lying southerly of the northerly line of McCann Street:

Beginning at the southeasterly corner of Lot Six (6) of Block 116 on the north line of McCann Street in the town of Traverse des Sioux south of Sibley Street; thence southwesterly to a point where the west line of First or Main Street intersects the south line of McCann Street; thence westerly along said south line of McCann Street to the east line of Third Street; thence at right angles southerly along said east line of Third Street five hundred and ten (510) feet; thence at right angles easterly one hundred and fifty (150) feet to the north line of Rice Street; thence at right angles easterly along said north line of Rice Street five hundred and ten (510) feet; thence at right angles southerly to the east line of Section Nine (9), Township 110 North, Range 26 West; thence North along said section line to a point where the north line of McCann Street extended intersects the said Section line; thence westerly along the north line of McCann Street extended to the point of beginning; EXCEPTING the right-of-way of U.S. 169. Meaning hereby to convey part of the town plat of Traverse des Sioux vacated by the order of the District Court of said county on the 22nd day of May A.D. 1877.

Sec. 5. [138.027] **TRAVERSE DES SIOUX AS A HISTORIC SITE.** After the conveyance of lands described in section 4, the authority of the department of

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natural resources and its division of parks and recreation, or any successor thereto, to administer and control the following described historic site at Traverse des Sioux is hereby withdrawn, and is hereby conferred upon the Minnesota Historical Society. The society shall exercise the general administration and control of such sites, preserve its historic features, conduct archaeological investigations, establish necessary interpretive centers, and perform such additional duties and services at the site as may be deemed necessary and beneficial:

All of Blocks Numbered 11, 12, 13, 18, 19, 20, 25, 26, 27, all being in Traverse des Sioux, North of Sibley Street, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Nicollet County, Minnesota.

EXCEPTING THEREFROM: Part of Block 27, Traverse des Sioux, North of Sibley Street, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Nicollet County, Minnesota, described as follows:

Commencing at the southeast corner of Block No. 27 in Traverse des Sioux, North of Sibley Street; thence westerly 100 feet parallel with the southerly boundary line of said Block 27; thence northerly parallel with the easterly boundary line of said Block 27 a distance of 200 feet; thence easterly parallel with the northerly boundary line of said Block 27, a distance of 100 feet; thence southerly along the easterly boundary line of said Block 27, a distance of 200 feet to the place of beginning, all according to the map or plat thereof on file and of record in the office of the Register of Deeds within and for Nicollet County, Minnesota. Said premises lying immediately north of the land owned by one Melvin Changler, on October 13, 1953.

All that part of Government Lot 8, Section 4, Township 110 North, Range 26 West, lying westerly of the Minnesota River as it now exists and easterly of the easterly right-of-way of U.S. Highway 169. Blocks 29, 30, 31, 32, 36, 37, 38, 39, 45, and 46, together with all vacated streets and alleys contiguous to or apart thereof as shown and vacated by those certain Orders and Decrees of the District Court of said Nicollet County dated October 20, 1914, October 11, 1927, and June 23, 1969, and recorded in the office of the Register of Deeds in and for said Nicollet County on January 4, 1915, in Book "34" of Deeds, on page 576, October 18, 1927, in Book "45" of Deeds, pages 558-559, and June 24, 1969, in Book "123" of Deeds, pages 199-200, respectively, all in Traverse des Sioux, North of Sibley Street, according to the plat thereof, on file in the office of the Register of Deeds in and for said Nicollet County,

EXCEPTING THEREFROM: The right-of-way of U.S. Highway 169. Also, that part of the following described lands lying easterly of U.S. 169:

Commencing on the west bank of the Minnesota River, at a point where an easterly extension of the south line of Ash Street in the town of Traverse des Sioux would intersect said river; thence running westerly along said south line of Ash Street to the east line of Third Street; thence at right angles southerly along said east line of Third Street to the north line of Thomson Street; thence at right

angles easterly along said north line of Thomson Street. 940 feet; thence southerly to and along the east line of Blocks 115 and 116 to an existing east-west fence located in Lot 8, Block 116; thence southerly along the east line of Block 116 to the southeasterly corner of Lot 6 in said Block 116 being on the north line of McCann Street; thence easterly along the northerly line of McCann Street extended to the east line of Section 9; thence north along said section line to the Minnesota River; thence along the west bank of said river to the place of beginning; meaning hereby to convey that part of the town plat of Traverse des Sioux vacated by the order of the District Court of said county on the 22nd day of May A.D., 1877. Excepting therefrom the existing U.S. Highway 169 right-of-way, in fee, to the State of Minnesota. Also all of Block 115 and that part of Block 112 lying east of the existing east right-of-way line of Trunk Highway 169, that part of Block 116 lying north of an existing east-west fence located in Lots 2 and 8 of said block, that part of Block 111 lying east of existing east right-of-way of Trunk Highway 169 and north of an existing east-west fence located in Lot 12 of said block. All in the town of Traverse des Sioux, according to the plat thereof.

Also, all of Lots 3, 4, 5, 6 and 7 in Block 116, and that part of Lot 2 and 8 in Block 116 lying southerly of the existing east-west fence. All of Lots 8, 9, 10, 11 in Block 111, and that part of Lot 12 in Block 111 lying southerly of the existing east-west fence. All the aforesaid Lots and Blocks in the town of Traverse des Sioux according to the plat thereof on file in the Office of the Register of Deeds in and for said County of Nicollet.

Sec. 6. After the conveyance of lands described in section 4, and in the manner provided in Minnesota Statutes 1978, Section 15.16, and other applicable law, the commissioners of natural resources shall transfer custodial control of lands in Traverse des Sioux state park, other than those described in sections 4 and 5 of this act, to the Minnesota department of transportation.

Sec. 7. Upon completion of the conveyance and transfers authorized by this act, Minnesota Statutes 1978, Section 85.012, Subdivision 56 is repealed.

Sec. 8. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved April 7, 1980

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#### CHAPTER 490—H.F.No. 1655

*An act relating to pollution; recognizing the extent and severity of the problem of acid precipitation; appropriating funds and designating state agencies and departments to conduct activities designed to identify, control and abate acid precipitation.*

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

Changes or additions indicated by underline deletions by ~~strikeout~~