

CHAPTER 461—H.F.No. 2252

An act relating to state lands; conveying certain lands to the city of Brooklyn Center in Hennepin county.

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

Section 1. CONVEYANCE OF STATE INTEREST IN LAND; BROOKLYN CENTER.

Subdivision 1. AUTHORIZATION. Notwithstanding Minnesota Statutes, sections 94.09 to 94.16 or other law, the state of Minnesota, by and through its appropriate official, shall convey title, subject to restrictions and reservations under subdivision 4, to certain real property described in subdivision 3 to the city of Brooklyn Center.

Subd. 2. CONDITIONS OF CONVEYANCE. The conveyance shall be in a form approved by the attorney general, and shall be given in consideration of an assignment to the state of Minnesota, in a form approved by the attorney general, by the city of Brooklyn Center of any claims which the city may have with respect to the previous conveyance to the city of lands described in subdivision 3 against the vendors of said lands and against any party which provided an abstract of title covering said lands to the city or the city's attorneys. Should public use of said land cease, it shall revert to the state of Minnesota.

Subd. 3. LAND DESCRIPTION. The land to be conveyed is located in Hennepin county and described in clauses (a) to (d), excepting the land described in clause (e):

(a) All that part of the following described lot:

The South 130 feet of the North 254.8 feet of Lot 16, Auditor's Subdivision No. 218, Hennepin county, Minnesota, according to the plat thereof now on file and of record in the office of the Hennepin county recorder, lying Westerly of the Northerly extension of the West line of Lot 19, said Auditor's Subdivision No. 218;

which lies Southeasterly of a line run parallel with and distant 100 feet Southeasterly of the following described line:

Beginning at a point on the North and South Quarter line of Section 2, Township 118 North, Range 21 West, distant 127.1 feet South of the center of said Section 2; thence run Southwesterly at an angle of 52 degrees 32 minutes with said North and South Quarter line for 3,112 feet; thence deflect to the left on a ten chord spiral curve of decreasing radius (spiral angle 2 degrees) for 200 feet and there terminating; and

(b) All that part of the two following described lots:

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(1) The North 124.8 feet of Lot 16, Auditor's Subdivision No. 218, Hennepin county, Minnesota, according to the plat thereof now on file and of record in the Hennepin county recorder's office, lying Westerly of the Northerly extension of the West line of Lot 19, said Auditor's Subdivision No. 218; and

(2) Lot 15, Auditor's Subdivision No. 218, Hennepin county, Minnesota, according to the plat thereof now on file and of record in the office of the Hennepin county recorder, lying Westerly of the Northerly extension of the West line of Lot 19, said Auditor's Subdivision No. 218;

which lies Southeasterly of a line run parallel with and distant 100 feet Southeasterly of the following described line:

Beginning at a point on the North and South Quarter line of Section 2, Township 118 North, Range 21 West, distant 127.1 feet South of the center of said Section 2; thence run Southwesterly at an angle of 52 degrees 32 minutes with said North and South Quarter line for 3,000 feet and there terminating; and

(c) All that part of the two following described lots:

(1) That part of Lot 57, Auditor's Subdivision No. 216, Hennepin county, Minnesota, according to the plat thereof now on file and of record in the Hennepin county recorder's office, lying South of the North 384.8 feet thereof; and

(2) Lot 16, Auditor's Subdivision No. 218, Hennepin county, Minnesota, according to the plat thereof on file and of record in the Hennepin county recorder's office, lying South of the North 384.8 feet thereof, and West of the Northerly extension of the West line of Lot 19, said Auditor's Subdivision No. 218;

which lies Southeasterly of a line run parallel with and distant 100 feet Southeasterly of the following described line:

Beginning at a point on the North and South Quarter line of Section 2, Township 118 North, Range 21 West, distant 127.1 feet South of the center of said Section 2; thence run Southwesterly at an angle of 52 degrees 32 minutes with said North and South Quarter line for 3,112 feet; thence deflect to the Left on a ten chord spiral curve of decreasing radius (spiral angle 2 degrees) for 200 feet; thence deflect to the left on a 2 degree circular curve (delta angle 16 degrees 04 minutes) for 500 feet and there terminating; and

(d) All that part of the following described land:

The South 130 feet of the North 384.8 feet of Lot 16, Auditor's Subdivision No. 218, Hennepin county, Minnesota, according to the plat thereof now on file and of record in the Hennepin county recorder's office, lying Westerly of the Northerly extension of the West line of Lot 19, said Auditor's Subdivision No. 218;

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which lies Southeasterly of a line run parallel with and distant 100 feet Southeasterly of the following described line:

Beginning at a point on the North and South Quarter line of Section 2, Township 118 North, Range 21 West, Distant 127.1 feet South of the center of said Section 2; thence run Southwesterly at an angle of 52 degrees 32 minutes with said North and South Quarter line for 3,112 feet; thence deflect to the left on a ten chord spiral curve of decreasing radius (spiral angle 2 degrees) for 200 feet; thence deflect to the left on a 2 degree circular curve (delta angle 16 degrees 04 minutes) for 150 feet and there terminating.

(e) The lands described in clauses (a) to (d) do not include all that part of the real property described as follows:

All that part of the following described tract:

That part of Lots 15 and 16, Auditor's Subdivision No. 218, Hennepin county, Minnesota, according to the plat thereof now on file and of record in the Hennepin county recorder's office, lying Westerly of the Northerly extension of the West line of Lot 19 of said Auditor's Subdivision No. 218;

which lies Northerly of a line run parallel with and distant 165 feet Southerly of the North line of said Lot 16, Southeasterly of a line run parallel with and distant 100 feet Southeasterly of the first following described line and Northeasterly of the second following described line:

Line 1. Beginning at a point on the North and South Quarter line of Section 2, Township 118 North, Range 21 West, distant 127.10 feet South of the Center of said Section 2; thence run Southwesterly at an angle of 52 degrees 32 minutes with said North and South Quarter line for 2,790.30 feet, and there terminating;

Line 2. Beginning at the point of termination of said Line 1, described above; thence run Southeasterly at right angles with said line 1 for 300 feet and there terminating.

(f) The lands described in this subdivision are subject to the restrictions and reservations in subdivision 4.

Subd. 4. RESTRICTIONS AND RESERVATIONS. (a) No access shall be permitted to Trunk Highway No. 212, renumbered 100, from the lands described in subdivision 3, except that access shall be permitted between points distant 2,855.3 feet and 2,915.3 feet Southwesterly of the following Beginning Point:

Beginning at a point ("Beginning Point") on the North and South Quarter line of Section 2, Township 118 North, Range 21 West, distant 127.10 feet South of the center of said Section 2.

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(b) The state of Minnesota reserves a permanent storm sewer easement over that part of the lands described in subdivision 3, lying within a distance of 30 feet on each side of the following described line:

Beginning at a point on the East line of said Lot 16, distant 184 feet North of the Southeast corner thereof; thence run Westerly to a point on the Northerly extension of the West line of Lot 19, said Auditor's Subdivision No. 218, distant 184 feet North of the Northwest corner of said Lot 19; thence deflect to the left at an angle 02 degrees 55 minutes 00 seconds for 729.6 feet, more or less, to a point on the West line of Lot 16, said Auditor's Subdivision No. 218, distant 147 feet North of the Southwest corner thereof and there terminating.

Subd. 5. REASON FOR THE CONVEYANCE. The subject property has been owned in fee by the city of Brooklyn Center, a Minnesota municipal corporation, or its predecessors in interest subject to a fee simple determinable, in the state of Minnesota, that has expired in fact but which remains to appear of record. This conveyance will cure the record defect to the title to the subject property.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Approved April 6, 1988

CHAPTER 462—H.F.No. 2272

An act relating to natural resources; making changes in certain laws relating to forestry; amending Minnesota Statutes 1986, sections 88.19; 89.01, subdivision 5; 89.17; 89.19; and 90.041, by adding a subdivision.

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

Section 1. Minnesota Statutes 1986, section 88.19, is amended to read:

88.19 NEGLECT OR REFUSAL TO PERFORM DUTY.

Every forestry employee of the state who shall unjustifiably refuse or neglect to perform a duty; every person who shall kindle a fire on or near forest, brush, or prairie land and leave it unquenched, or be a party thereto, or who shall set fire to brush, stumps, dry grass, field stubble, leaves, peat, rubbish, garbage, branches and slashings, or other material, and fail to extinguish the same before it has endangered the property of another; every person who shall negligently or carelessly set on fire, or cause to be set on fire, any woods, prairie, or other combustible material, whether on the person's own land or not, by means whereof

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