

**CHAPTER 236—S.F.No. 2851**

*An act relating to state lands; modifying state park permit provisions; providing for easements for cartways; adding to and deleting from state parks, forests, and recreation areas; providing for public and private sales, conveyances, and exchanges of certain state lands; providing a certain conservation easement for wetlands restoration; regulating the sale, lease, or contracting of certain historic publicly owned buildings; providing for a Grand Mound State Historic site study; providing for the classification of certain waters; authorizing removal of certain land from, and modifying certain provisions of, the sustainable forest incentive program; providing for disposition of certain proceeds from tax-forfeited land sales in Itasca County; modifying prior sale provisions; amending Minnesota Statutes 2004, sections 85.053, by adding a subdivision; 290C.02, subdivisions 3, 7, 8; 290C.04; Laws 1999, chapter 161, section 31, subdivision 5, as amended; Laws 2005, chapter 161, section 19; proposing coding for new law in Minnesota Statutes, chapters 15; 435.*

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

**ARTICLE 1  
STATE LANDS**

**Section 1. [15.995] HISTORIC PUBLICLY OWNED BUILDINGS.**

A city located within 150 miles of the Minnesota State Capitol that has a population, according to the 2000 census, of more than 7,000 and less than 8,000 and is located in a county that has a population according to that census of more than 31,000 and less than 32,000 must not sell, lease, or contract property it owns that is listed on the National Register of Historic Places, unless the political subdivision first:

(1) notifies the Minnesota Historical Society and waits at least two years, during which the political subdivision must request of and receive from the Historical Society a study of the best use of the property in order to ascertain and preserve the historical value of the property and ensure public use; and

(2) requests of and receives from the Department of Administration an inventory and appraisal of the affected real and personal property to determine its value.

The Department of Administration and the Minnesota Historical Society must jointly report their findings to the chairs and ranking minority members of legislative committees with jurisdiction over state government finance. The requesting political subdivision must pay the Minnesota Historical Society and the Department of Administration for services provided under this section.

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

Sec. 2. Minnesota Statutes 2004, section 85.053, is amended by adding a subdivision to read:

**Subd. 8. Military personnel on leave; exemption.** (a) A one-day permit, under subdivision 4, shall be issued without a fee for a motor vehicle being used by a person who is serving in active military service in any branch or unit of the United States armed forces and who is stationed outside Minnesota, during the

period of active service and for 90 days immediately thereafter, if the person presents the person's current military orders to the park attendant on duty or other designee of the commissioner.

(b) For purposes of this section, "active service" has the meaning given under section 190.05, subdivision 5c, when performed outside Minnesota.

Sec. 3. **[435.37] EASEMENT FOR CARTWAY.**

Subdivision 1. **Mandatory establishment; conditions.** (a) Upon petition presented to the city council by the owner of a tract of land containing at least five acres, who has no access thereto except over a navigable waterway or over the lands of others, or whose access thereto is less than two rods in width, the city council by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road.

(b) The city council may select an alternative route other than that petitioned for if the alternative is deemed by the city council to be less disruptive and damaging to the affected landowners and in the public's best interest.

(c) The amount of damages must be paid by the petitioner to the city before the cartway is opened. For the purposes of this subdivision, damages means the compensation, if any, awarded to the owner of the land upon which the cartway is established together with the cost of professional and other services, hearing costs, administrative costs, recording costs, and other costs and expenses that the city may incur in connection with the proceedings for the establishment of the cartway. The city council may by resolution require the petitioner to post a bond or other security acceptable to the city council for the total estimated damages before the city council takes action on the petition.

(d) The city may not expend street or bridge funds on the cartway unless the city council, by resolution, determines that an expenditure is in the public interest. If no resolution is adopted to that effect, the grading or other construction work and the maintenance of the cartway is the responsibility of the petitioner.

(e) After the cartway has been constructed, the city council may by resolution designate the cartway as a private driveway with the written consent of the affected landowner, in which case from the effective date of the resolution no town road and bridge funds may be expended for maintenance of the driveway.

Subd. 2. **Maintenance costs.** When a cartway is not maintained by the city, one or more of the private property owners who own land adjacent to a cartway, or one or more of the private property owners who has no access to the owner's land except by way of the cartway, may maintain the cartway. The cost of maintenance must be equitably divided among all of the private property owners who own land adjacent to the cartway and all of the private property owners who have no access to their land except by way of the cartway. The following factors may be taken into consideration when determining an equitable share of maintenance expenses: the frequency of use, the type and weight of the vehicles or equipment, and the distance traveled on the cartway to the individual's property. The city council may determine the maintenance costs to be apportioned to each private property owner if the private property owners cannot agree on the division of the costs. The city council's decision may be appealed within 30 days to the district court of the county in which the cartway is located. Private property owners who pay the cost of maintenance have a civil cause of action against any of the private property owners who refuse to pay their share of the maintenance cost.

Subd. 3. **City defined.** For purposes of this section, "city" includes statutory and home rule charter cities.

Sec. 4. Laws 1999, chapter 161, section 31, subdivision 5, as amended by Laws 2004, chapter 262, article 3, section 2, is amended to read:

Subd. 5. **Survey.** (a) Itasca county shall cause each lot to be surveyed by a licensed surveyor, except that a survey is not required for Lots 11 and 12, Plat of Third River, according to the plat of record in the Office of the Recorder for Itasca County.

(b) The costs of survey shall be allocated by the county to the lots offered for sale and the successful purchaser on each lot shall reimburse the county for the survey costs allocated to the lot purchased. If no one purchases the lot, the county is responsible for the survey costs. All surveying must be conducted by a licensed surveyor.

Sec. 5. Laws 2005, chapter 161, section 19, is amended to read:

**Sec. 19. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited lands bordering public water that are described in paragraphs (c) to (g), under the remaining provisions of Minnesota Statutes, chapter 282.

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

(c) The land to be sold is located in St. Louis County and is described as:

(1) the westerly 400 feet of the easterly 800 feet of Lot 4, Section 13, Township 54 North, Range 17 West; and

(2) the West Half of the Northwest Quarter of the Southwest Quarter, Section 33, Township 51 North, Range 16 West.

(d) Except as provided in clause (6), the conveyances of land under this paragraph must retain for the state a 150-foot trout stream easement lying 75 feet on each side of the centerline of the stream. The land to be sold is located in St. Louis County and is described as:

(1) the Northeast Quarter of the Northeast Quarter, Section 7, Township 50 North, Range 18 West;

(2) the North Half of the Northeast Quarter and the North Half of the Northwest Quarter, Section 8, Township 50 North, Range 18 West;

(3) the Northwest Quarter of the Northeast Quarter, except the North Half, and that part of the West 10 acres of the Northeast Quarter of the Northeast Quarter lying south of Lester River and the West 10 acres of the Northeast Quarter of the Northeast Quarter lying north of Lester River, except the North 5 acres, Section 17, Township 51 North, Range 13 West;

(4) the Northwest Quarter of the Southeast Quarter, except the West Half, and the East 165 feet of the West Half of the Northwest Quarter of the Southeast Quarter, Section 5, Township 51 North, Range 13 West;

(5) the East Half of the Southeast Quarter of the Southeast Quarter, Section 34, Township 58 North, Range 20 West; and

(6) Government Lot 2, Section 17, Township 51 North, Range 12 West, Wonderland 1st Addition to the town of Duluth, Lot 22, Block 1 subject to a trout stream easement 75 feet in width on the southwest side from the centerline of the stream.

(e) The conveyance of land under this paragraph must contain a deed restriction that is 75 feet in width along the shoreline, excluding a 15-foot access strip. The land to be sold is located in St. Louis County and is described as: Lot 6, Lot 7, and Lot 8, except the easterly 50 feet, Erickson's Beach, town of Fayal, Section 27, Township 57 North, Range 17 West.

(f) The conveyance of land under this paragraph must contain a deed restriction that is 75 feet in width along the shoreline. The land to be sold is located in St. Louis County and is described as: Lots 64 and 65, Vermilion Dells, 1st Addition Greenwood, Section 2, Township 62 North, Range 16 West.

(g) The conveyances of land under this paragraph must retain for the state a 150-foot conservation easement lying 75 feet on each side of the centerline of the stream. The land to be sold is located in St. Louis County and is described as:

(1) the Northeast Quarter of the Southeast Quarter, Section 31, Township 52 North, Range 14 West;

(2) the Northeast Quarter of the Southwest Quarter, Section 31, Township 52 North, Range 14 West;  
and

(3) the South Half of the Southwest Quarter of the Southwest Quarter, except the westerly 15 acres, Section 31, Township 52 North, Range 14 West.

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

#### Sec. 6. **ADDITIONS TO STATE PARKS.**

Subdivision 1. [85.012] [Subd. 14.] **Crow Wing State Park, Crow Wing, Cass, and Morrison Counties.** The following areas are added to Crow Wing State Park, Cass County:

(1) Government Lots 3, 4, and 5, the Southeast Quarter of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter, all in Section 24, Township 133 North, Range 30 West;

(2) that part of Government Lot 4 lying southerly of Cass County State-Aid Highway 36 and that part of the Southeast Quarter of the Southwest Quarter lying southerly and westerly of Cass County State-Aid Highway 36 and also lying westerly of the Gull River, all in Section 19, Township 133 North, Range 29 West; and

(3) that part of Government Lot 2 lying westerly of the Gull River, Section 30, Township 133 North, Range 29 West.

Subd. 2. [85.012] [Subd. 21.] **Frontenac State Park, Goodhue County.** The following areas are added to Frontenac State Park, Goodhue County:

(1) beginning at the corners of Sections 11, 12, 13, and 14, in Township 112 North, Range 13 West; thence running South along the east line of said Section 14, 660 feet; thence at right angles East 2,220 feet; thence at right angles North 1,522 feet; thence West 900 feet to the center of the Lake City and Frontenac public highway; thence South 860 feet, more or less, along the centerline of said public highway to the north line of said Section 12; thence West 1,320 feet, more or less, along said north line to the point of beginning;

(2) that part of Government Lot 3 of Section 12 and Government Lot 1 and the Northeast Quarter of the Northwest Quarter of Section 13, all in Township 112 North, Range 13 West, described as follows: Beginning at a point 600 feet North of the southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 13; thence run due North 60 feet, more or less, to south line of Convent property; thence due East 900 feet to the southeast corner of Convent property; thence due North 1,062 feet to a point which is 460 feet due South of a stone monument at corner of Convent property; thence due East 150 feet; thence South 16 degrees East 1,104 feet, more or less, to a point which is 450 feet due East of the southeast corner of Convent property above described; thence due East 407 feet; thence due South 660 feet, more or less, to south line of Government Lot 1 of said Section 13, which point is 1,757 feet East of southwest corner of Northeast Quarter of the Northwest Quarter of said Section 13; thence West along said south line of Government Lot 1, 1,167 feet, more or less, to center of Wells Creek; thence northwesterly along center

of Wells Creek 800 feet, more or less, to a point which is due East of the place of beginning; thence due West 100 feet to place of beginning. Also right-of-way 60 feet wide adjoining on the North of this tract is given, which runs East and West 150 feet; and

(3) commencing at the northeast corner of the Ursuline Convent Lands (where a stone is set) in the Southwest Quarter of Section 12, Township 112 North, Range 13 West; thence East on the line of continuation of the north line, which runs East and West of said "Convent Lands," a distance of 20 feet for a place of beginning; thence South and parallel with the east line of said "Convent Lands," a distance of 400 feet; thence East to the line of low water mark of Lake Pepin a distance of 750 feet, be the same more or less; thence in a northwesterly direction and following said line of low water mark of said Lake Pepin to a point where the same intersects the said continuation of said north line of said "Ursuline Convent Lands" if continued to said line of low water mark of said Lake Pepin; thence West and on said continued north line to the place of beginning, said premises being a part of Lot 3, Section 12.

Subd. 3. [85.012] [Subd. 27a.] **Grand Portage State Park, Cook County.** The following area is added to Grand Portage State Park, all in Section 30, Township 64 North, Range 7 East, Cook County: All of the Southwest Quarter of the Northeast Quarter lying northerly of the center line of Minnesota Trunk Highway 61.

Subd. 4. [85.012] [Subd. 42.] **Mille Lacs Kathio State Park, Mille Lacs County.** The following area is added to Mille Lacs Kathio State Park, Mille Lacs County: That part of Government Lot 1, Section 26, Township 42 North, Range 27 West, described as follows: Beginning at the northeast corner of said Government Lot 1; thence North 89 degrees 09 minutes 54 seconds West, bearing based on Mille Lacs County Coordinate System, along the north line of said Government Lot 1 a distance of 665.82 feet to a 3/4-inch iron rod with survey cap stamped "MN DNR LS 16098" (DNR monument); thence South 00 degrees 00 minutes 00 seconds West a distance of 241.73 feet to a DNR monument, thence continuing South 00 degrees 00 minutes 00 seconds West a distance of 42.18 feet to a P.K. nail in the centerline of County Road 26; thence southeasterly along the centerline of County Road 26 a distance of 860 feet, more or less, to the east line of said Government Lot 1; thence North 00 degrees 22 minutes 38 seconds East along the east line of said Government Lot 1 a distance of 763 feet, more or less, to the point of beginning.

Subd. 5. [85.012] [Subd. 53b.] **Split Rock Creek State Park, Pipestone County.** The following areas are added to Split Rock Creek State Park, all in Township 105 North, Range 46 West, Pipestone County:

(1) the Northeast Quarter; the Southwest Quarter; and the Southeast Quarter, except that part beginning at a point on the east line of said Southeast Quarter, 1,112 feet North of the southeast corner of said Southeast Quarter; thence West 561 feet to a point; thence North 529 feet to a point; thence East 561 feet to a point on the east line of said Southeast Quarter; thence South along the east line of said Southeast Quarter 528 feet to the point of beginning, all in Section 22; and

(2) the North 105 acres, more or less, of the North Half of Section 27, lying North and West of the southeasterly right-of-way line of the former Chicago, Rock Island and Pacific Railway Company, now abandoned, as it was originally located on and across said Section 27 and that part of the North Half of Section 27 beginning at the northeast corner of said Section 27; thence South 89 degrees 40 minutes 00 seconds West, a distance of 1,608.29 feet; thence South 46 degrees 05 minutes 00 seconds West, a distance of 155.63 feet; thence deflect left along a curve having a delta angle of 11 degrees 46 minutes, a radius of 844.28 feet, for a distance of 173.39 feet; thence South 34 degrees 18 minutes 00 seconds West, a distance of 909.30 feet; thence South 89 degrees 57 minutes 00 seconds East, a distance of 1,718.36 feet; thence North 01 degree 03 minutes 00 seconds East, a distance of 120.70 feet; thence South 89 degrees 44 minutes 00 seconds East, a distance of 623.70 feet to the east line of said Section 27; thence North 00 degrees 00 minutes 00 seconds East, along said east line, a distance of 882.95 feet, to the point of beginning.

Subd. 6. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.** The following areas are added to William O'Brien State Park, all in Township 32 North, Range 20 West, Washington County:

(1) the South 165.0 feet of the North 495.0 feet of the West Half of the Southeast Quarter of Section 36;

(2) the South 165.0 feet of the North 660.0 feet of the West Half of the Southeast Quarter of Section 36; and

(3) that part of the Northwest Quarter of the Southeast Quarter of Section 36 lying South of the North 660 feet thereof and lying North of the South 200 feet of the North 1,326.20 feet of the West Half of the Southeast Quarter of said Section 36, except that part thereof conveyed to the Minneapolis, St. Paul and Sault Ste. Marie Railway Company by deed recorded in Book 74 of Deeds, page 491 in the Office of the Washington County Recorder.

#### Sec. 7. **DELETIONS FROM STATE PARKS.**

Subdivision 1. [85.012] [Subd. 2.] **Banning State Park, Pine County.** The following area is deleted from Banning State Park, Pine County: the West Half of the Northwest Quarter, Section 26, Township 43 North, Range 20 West.

Subd. 2. [85.012] [Subd. 52a.] **Schoolcraft State Park, Cass and Itasca Counties.** The following areas are deleted from Schoolcraft State Park, Itasca County, all in Township 143 North, Range 25 West:

(1) Government Lots 5, 6, 9, and 12 of Section 2; and

(2) Government Lot 4 of Section 11.

Subd. 3. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.** The following area is deleted from William O'Brien State Park, all in Section 26, Township 32 North, Range 20 West, Washington County: that part of the South Half of the Northeast Quarter lying east of Oxboro Avenue.

#### Sec. 8. **DELETIONS FROM STATE RECREATION AREAS.**

Subdivision 1. [85.013] [Subd. 12a.] **Iron Range Off-Highway Vehicle Recreation Area, St. Louis County.** The following areas are deleted from the Iron Range Off-Highway Vehicle Recreation Area, St. Louis County:

(1) the Southeast Quarter of the Southeast Quarter, Section 4, Township 58 North, Range 17 West;

(2) the East Half of the Northeast Quarter and the East Half of the Southeast Quarter, Section 8, Township 58 North, Range 17 West; and

(3) Section 9, Township 58 North, Range 17 West.

Subd. 2. [85.013] [Subd. 17a.] **Minnesota Valley State Recreation Area, Hennepin, Dakota, Scott, Carver, Sibley, and Le Sueur Counties.** The following area is deleted from the Minnesota Valley State Recreation Area, Sibley County: the Rush River Wayside.

#### Sec. 9. **ADDITIONS TO RUM RIVER STATE FOREST.**

[89.021] [Subd. 43.] **Rum River State Forest.** The following areas are added to Rum River State Forest:

(1) the South Half of the Southwest Quarter of Section 8, Township 39 North, Range 25 West, Kanabec County;

(2) the North Half of the Northeast Quarter of Section 25, Township 39 North, Range 26 West, Mille Lacs County;

(3) Sections 7, 8, 9, and 10; the West Half of Section 11; the Northwest Quarter, North Half of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter of Section 14; the North Half of the South Half and the North Half of Section 15; the Southwest Quarter of the Southwest Quarter, the North Half of the South Half, and the North Half of Section 16; the North Half of Section 17; the North Half of Section 18; the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 24; the West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 25; and the South Half of the Southeast Quarter of Section 26; all in Township 40 North, Range 27 West, Mille Lacs County;

(4) the East Half of the Southwest Quarter and the Southeast Quarter of Section 36, Township 41 North, Range 27 West, Mille Lacs County;

(5) the Southeast Quarter of the Southeast Quarter of Section 19, Township 42 North, Range 27 West, Mille Lacs County; and

(6) Section 36, Township 41 North, Range 28 West, Morrison County.

**Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; ANOKA COUNTY.**

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

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

(c) The land that may be sold is located in Anoka County and is described as follows:

That part of Government Lot 1 in Section 17, Township 33 North, Range 22 West, commencing at a point on the southeasterly right-of-way line of County Aid Road No. 4, as the road was laid out and constructed across said Government Lot 1 as of January 31, 1948, which is 99 feet northeasterly from the point of the intersection of said right-of-way line and the west line of said Section 17, running thence southwesterly a distance of 99 feet to the said intersection of the right-of-way line and the west line of Section 17; thence South along the west line of said Section 17 to the shoreline of Linwood Lake; thence northeasterly along the shoreline of Linwood Lake a distance of 126 feet; and thence northwesterly in a straight line to the point of beginning, all according to the United States government survey thereof.

(d) The land was formerly used as a water access site on Linwood Lake and is no longer needed for natural resource purposes.

**Sec. 11. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CHISAGO COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Chisago County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be sold is located in Chisago County and is described as:

(1) Lot 18 of Mauritz Shores, parcel number 2-1522; and

(2) Lot 19 of Mauritz Shores, parcel number 2-1523.

(d) The parcels shall be subject to a "no-impact zone" in which all vegetation is to be left in an unaltered state and in which no docks or permanent structures of any kind shall be placed. The "no-impact zone" shall extend from the ordinary high water level of Green Lake to the bluff impact zone as defined in the local shoreland ordinance.

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

**Sec. 12. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CLEARWATER COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale requirements in Minnesota Statutes, chapter 282, Clearwater County may sell the tax-forfeited land bordering public water described in paragraph (c) to the city of Bagley, under the remaining provisions of Minnesota Statutes, chapter 282. The conveyance must provide that the land described in paragraph (c) be used for the public, and revert to the state in trust for the taxing districts, if the city of Bagley fails to provide for public use or abandons the public use of the land.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Clearwater County and is described as:

(1) all that part of the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), Section Thirty (30), Township One Hundred Forty-seven (147) North, Range Thirty-seven (37), West of the Fifth Principal Meridian, described as follows:

Commencing at the southwest corner of Lot One (1) of Block One (1) of Pleasant Addition of Bagley at its intersection with Highway #2 right-of-way as the point of beginning; thence North on the West boundary line of said Lot One to the northern boundary line of the alley North of and adjacent to Block One; thence westerly on said north boundary line if produced to the east boundary line of Block Eight; thence South on said east boundary line to the intersection with U.S. Highway #2 right-of-way; thence easterly and following the northern boundary line of the U.S. Highway #2 right-of-way to the point of beginning;

(2) Lot Eight (8), Block One (1), Lake Lamond Addition, according to the plat thereof on file and of record in the Office of the County Recorder, Clearwater County, Minnesota;

(3) Block Eight (8), Auditor's 2nd Subdivision of Bagley, according to the plat thereof on file and of record in the Office of the County Recorder, Clearwater County, Minnesota; and

(4) Lots One (1), Two (2), Three (3), and Four (4), Block Thirteen (13), Auditor's 2nd Subdivision of Bagley, according to the plat thereof on file and of record in the Office of the County Recorder, Clearwater County, Minnesota.

(d) The county has determined that the county's land management interests would be best served if the lands were sold to the city of Bagley.

**Sec. 13. PRIVATE SALE OF SURPLUS LAND; GOODHUE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 85.012, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is located within the boundaries of Frontenac State Park and described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The conveyance shall reserve an easement to ensure public access to Frontenac State Park. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Goodhue County and is described as follows: That part of the East Half of the East Half of the Northwest Quarter of Section 4, Township 112 North, Range 13 West, Goodhue County, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 4; thence on an assumed bearing of North, along the north-south quarter line of said Section 4, to the centerline of Hill Avenue, as now located and established; thence on a bearing of North, along said north-south quarter line of said Section 4, a distance of 450.00 feet; thence on a bearing of West, a distance of 500.00 feet to the POINT OF BEGINNING; thence continuing on a bearing of West, a distance of 61.00 feet; thence on a bearing of South, a distance of 548 feet, more or less, to the centerline of Hill Avenue; thence northeasterly along said centerline a distance of 65 feet, more or less, to a line which bears South from the point of beginning; thence on a bearing of North, a distance of 526 feet, more or less to the point of beginning. Said parcel contains 0.75 acres, more or less.

(d) The sale resolves an unintentional trespass that occurred when a pole barn was constructed on state park land.

**Sec. 14. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell to a governmental subdivision of the state the surplus land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and may be conveyed for less than the value of the land as determined by the commissioner. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The conveyance must provide that the land described in paragraph (c) be used for the public and reverts to the state if the governmental subdivision fails to provide for public use or abandons the public use of the land.

(c) The land that may be sold is located in Hennepin County and is described as follows:

A strip of land 130 feet wide in the S1/2-NW1/4 of Section 20, Township 117 North, Range 21 West, the center line of which strip has its beginning in the center of Minnehaha Creek on the southeasterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company across the SW1/4-NW1/4 of said Section 20, which point is distant 806 feet northeasterly along said railroad right-of-way line from the west line of said Section 20; thence South 50 degrees 5 minutes East a distance of 239 feet to a point which is 818.8 feet North of the south boundary line of the SW1/4-NW1/4 and 412 feet West from the east boundary line of said SW1/4-NW1/4, and thence continuing South 50 degrees 5 minutes East 100 feet; thence East on a line parallel with and 753.8 feet distant from the south boundary line of said SW1/4-NW1/4, to the east boundary line of said SW1/4-NW1/4. Excepting the bed of Minnehaha Creek.

(d) The sale to a local unit of government for management for public use would allow continued recreational use of the land while reducing cost to state government.

**Sec. 15. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR WETLANDS; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may sell or convey for no

consideration to the city of Brooklyn Park the tax-forfeited land bordering public water or wetlands that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Brooklyn Park stops using the land for the public purposes described in paragraph (d). The conveyance is subject to restrictions imposed by the commissioner of natural resources.

(c) The land to be conveyed is located in Hennepin County and is described as: Unplatted, Section 30, Township 119, Range 21, the East 187.1 feet of the West 1,182.6 feet of the South 597 feet of the Southwest 1/4 of the Northeast 1/4. Also that part of the Southwest 1/4 of the Northeast 1/4 lying East of the West 1,182.6 feet thereof and lying southwesterly of Registered Land Survey No. 304 (Hennepin County tax identification no. 30-119-21 13 0006).

(d) The county has determined that the land is needed by the city of Brooklyn Park for storm water retention and drainage, street and roadway, and bridge and utility improvement purposes.

**Sec. 16. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR WETLANDS; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may sell or convey for no consideration to the city of St. Bonifacius the tax-forfeited land bordering public water or wetlands that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of St. Bonifacius stops using the land for the public purpose described in paragraph (d). The conveyance is subject to restrictions imposed by the commissioner of natural resources.

(c) The land to be conveyed is located in Hennepin County and is described as: Outlot A, West Minnetonka Commercial and Industrial Park (Hennepin County tax identification no. 32-117-24 24 0011).

(d) The county has determined that the land is needed by the city of St. Bonifacius for a natural water drainage area.

**Sec. 17. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR WETLANDS; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, and 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may sell or convey to the city of Minnetrista the tax-forfeited land bordering public water or wetlands that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Minnetrista stops using the land for the public purpose described in paragraph (d). The conveyance is subject to restrictions imposed by the commissioner of natural resources.

(c) The land to be conveyed is located in Hennepin County and is described as:

(1) Block 10, "Minnetonka Centre" (Hennepin County tax identification no. 27-117-24 32 0032);

(2) Block 11, "Minnetonka Centre" (Hennepin County tax identification no. 27-117-24 32 0033);

(3) Block 12, "Minnetonka Centre" (Hennepin County tax identification no. 27-117-24 32 0034);

(4) Block 13, "Minnetrista Centre" (Hennepin County tax identification no. 27-117-24 32 0035);

(5) Block 14, "Minnetonka Centre" (Hennepin County tax identification no. 27-117-24 32 0036); and

(6) Block 15, "Minnetonka Centre" (Hennepin County tax identification no. 27-117-24 32 0037).

(d) The county has determined that the land is needed by the city of Minnetrista for wetland purposes.

**Sec. 18. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR WETLANDS; HENNEPIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may sell or convey to the city of Shorewood the tax-forfeited land bordering public water or wetlands that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Shorewood stops using the land for the public purpose described in paragraph (d). The conveyance is subject to restrictions imposed by the commissioner of natural resources.

(c) The land to be conveyed is located in Hennepin County and is described as:

(1) that part of the Southwest Quarter of the Southeast Quarter of Section 31, Township 117, Range 23, described as follows: beginning at the intersection of the east line of said Southwest Quarter of the Southeast Quarter and the north line of the South 789.36 feet of said Southwest Quarter of the Southeast Quarter; thence West along said north line to the center line of Smithtown Road; thence northerly and northeasterly along said center line to its intersection with the westerly extension of the south line of Lot 5, Auditors Subdivision No 247, Hennepin County, Minnesota; thence easterly along said extension and along the south line of said Lot 5 to the southeast corner of said Lot 5; thence South along the east line of said Southwest Quarter of the Southeast Quarter to the point of beginning, subject to road (Hennepin County tax identification no. 31-117-23-43 0001); and

(2) Lot 5, Auditor's Subdivision No. 247, Hennepin County, Minnesota (Hennepin County tax identification no. 31-117-23 43 0004).

(d) The county has determined that the land is needed by the city of Shorewood for drainage and wetland conservation purposes.

**Sec. 19. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Itasca County may sell the tax-forfeited land described in paragraph (c) by public sale, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value of the land.

(c) The land to be sold is located in Itasca County and is described as: Lot 8, Block 1, Anderson Addition, according to the plat on file and of record in the office of the recorder for Itasca County.

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

**Sec. 20. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale requirements in Minnesota Statutes, chapter 282, Itasca County may sell the tax-forfeited land described in paragraph (c) by private sale, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land.

(c) The land to be sold is located in Itasca County and is described as: Government Lot 3, Section 27, Township 55 North, Range 26 West.

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

**Sec. 21. EXCHANGE OF TAX-FORFEITED LAND; PRIVATE SALE; ITASCA COUNTY.**

(a) For the purpose of a land exchange for use in connection with a proposed steel mill in Itasca County referenced in Laws 1999, chapter 240, article 1, section 8, subdivision 3, title examination and approval of the land described in paragraph (b) shall be undertaken as a condition of exchange of the land for class B land, and shall be governed by Minnesota Statutes, section 94.344, subdivisions 9 and 10, and the provisions of this section. Notwithstanding the evidence of title requirements in Minnesota Statutes, section 94.344, subdivisions 9 and 10, the county attorney shall examine one or more title reports or title insurance commitments prepared or underwritten by a title insurer licensed to conduct title insurance business in this state, regardless of whether abstracts were created or updated in the preparation of the title reports or commitments. The opinion of the county attorney, and approval by the attorney general, shall be based on those title reports or commitments.

(b) The land subject to this section is located in Itasca County and is described as:

(1) Sections 3, 4, 7, 10, 14, 15, 16, 17, 18, 20, 21, 22, 23, 26, 28, and 29, Township 56 North, Range 22 West;

(2) Sections 3, 4, 9, 10, 13, and 14, Township 56 North, Range 23 West;

(3) Section 30, Township 57 North, Range 22 West; and

(4) Sections 25, 26, 34, 35, and 36, Township 57 North, Range 23 West.

(c) Riparian land given in exchange by Itasca County for the purpose of the steel mill referenced in paragraph (a), is exempt from the restrictions imposed by Minnesota Statutes, section 94.342, subdivision 3.

(d) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may sell, by private sale, any land received in exchange for the purpose of the steel mill referenced in paragraph (a), under the remaining provisions of Minnesota Statutes, chapter 282. The sale must be in a form approved by the attorney general.

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

**Sec. 22. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; LAKE OF THE WOODS COUNTY.**

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

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

(c) The land that may be sold is located in Lake of the Woods County and is described as follows:

That part of Government Lot 7, Section 23, Township 168 North, Range 35 West, described as follows:

Commencing at the northwest corner of said Government Lot 7, being a 3/4-inch by 24 rebar with plastic cap stamped "MN DNR LS 17005"; thence on a bearing based on the 1983 Lake of the Woods County Coordinate System (1996 Adjustment) of North 89 degrees 35 minutes 54 seconds East along the north line of said Government Lot 7 a distance of 640.21 feet to a 3/4-inch by 24 rebar with plastic cap stamped "MN DNR LS 17005," and the point of beginning of the land to be described; thence South 00 degrees 24 minutes 6 seconds East 40.00 feet to an in-place iron rod; thence North 89 degrees 35 minutes 54 seconds East, parallel with said north line of Government Lot 7, a distance of 142.59 feet to an in-place iron rod; thence North 46 degrees 18 minutes 16 seconds East 58.26 feet to an in-place iron rod on the north line of said Government Lot 7; thence South 89 degrees 35 minutes 54 seconds East, along the north line of said Government Lot 7, a distance of 184.99 feet to the point of beginning, containing 0.15 acres.

(d) The sale would resolve an unintentional trespass when a portion of a cabin and shed were constructed on state land.

**Sec. 23. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; MARSHALL COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale requirements of Minnesota Statutes, chapter 282, Marshall County may convey to the city of Warren for no consideration the tax-forfeited lands bordering public water that are described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Warren stops using the land for a public purpose.

(c) The lands to be conveyed are located in Marshall County and are described as:

(1) Parcel 59.0259.001;

(2) Parcel 59.0292.000;

(3) Parcel 59.0363.000;

(4) Parcel 59.0393.000; and

(5) Parcel 59.8408.007.

(d) The county has determined that the county's land management interests would best be served if the lands were conveyed to the city of Warren for a public purpose.

**Sec. 24. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; MARSHALL COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Marshall County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be sold is located in Marshall County and is described as:

Parcel 11.0019.001.

(d) The county has determined that the county's land management interests would best be served if the land was sold to the Department of Natural Resources.

**Sec. 25. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER; MILLE LACS COUNTY.**

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

(b) The conveyance must be in a form approved by the attorney general. The conveyance may include any personal property owned by the state and deposited in Mille Lacs Lake as part of the breakwater under water permits numbered P.A. 59-735 and P.A. 61-230. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Mille Lacs County and is described as follows: That part of Government Lot 1, Section 4, Township 42 North, Range 27 West, lying between the water's edge of Mille Lacs Lake and the following described lines:

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 35, formerly Highway 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 angle measured from said east line 75 degrees 10 minutes a distance of 267.0 feet to the actual point of beginning of the first line to be described and Point "A"; thence deflect 89 degrees 55 minutes to the right in a northeasterly direction a distance of 178 feet, more or less, to the water's edge of Mille Lacs Lake and there terminating.

The second line begins at Point "A"; thence continuing northwesterly on said southerly right-of-way line a distance of 17.5 feet; thence deflecting 90 degrees to the right in a northeasterly direction a distance of 90 feet, more or less, to the water's edge of Mille Lacs Lake and there terminating.

(d) The sale resolves an unintentional trespass that occurred when two docks were constructed on state land.

**Sec. 26. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER; MORRISON COUNTY.**

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

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

(c) The land to be sold is located in Morrison County and is described as follows: the Northwest Quarter of the Southwest Quarter, Section 30, Township 41 North, Range 28 West.

(d) The state has determined that the school trust land management interests would best be served if the land was sold, as the land has no access to a public road and minimal timber value.

**Sec. 27. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

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

That part of the E1/2-SW1/4 of Section 24, Township 136 North, Range 39 West, described as follows: Beginning at Right-of-Way Monument B12 as shown on State Highway Right-of-Way Plat No. 56-7 on file and of record in the Office of the Register of Deeds in and for said county; thence run North 40 degrees 42 minutes 47 seconds West (bearings oriented to Minnesota State Plane Grid, 00 degrees 00 minutes 00 seconds being grid north) for 651.92 feet to Right-of-Way Monument B13; thence South 82 degrees 38 minutes 47 seconds East for 304.14 feet; thence South 73 degrees 11 minutes 03 seconds East for 266.02 feet; thence South 16 degrees 18 minutes 57 seconds West for 67.63 feet; thence southerly along a tangential curve concave to East having a radius of 393.31 feet and a central angle of 78 degrees 00 minutes 00 seconds for 495.04 feet; thence North 64 degrees 11 minutes 28 seconds West for 335.11 feet to Right-of-Way Monument B12 and the point of beginning; containing 3.35 acres, more or less.

(d) The land was transferred by the Department of Transportation to the Department of Natural Resources upon completion of a road project in 1974 and the Department of Natural Resources has determined the land is no longer needed for natural resource purposes.

**Sec. 28. CONVEYANCE OF SURPLUS STATE LAND; OTTER TAIL COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may convey to Independent School District No. 544, Fergus Falls, the surplus land that is described in paragraph (c).

(b) The conveyance must be at market value and in a form approved by the attorney general. The conveyance must provide that the land reverts to the state if the school district does not use the land for a school facility.

(c) The land to be conveyed is located in Otter Tail County and is described as:

(1) the West Half of the Northeast Quarter of Section 27, Township 133 North, Range 43 West, excepting the area designated for the State Hospital Cemetery located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said section and that part of the Southwest Quarter of the Northeast Quarter previously conveyed to Donald Stevens pursuant to Minnesota Laws 1973, chapter 80, and described as follows:

That part of the SW1/4 of the NE1/4 of Section 27 described as follows: Beginning at the SE corner of said SW1/4 of the NE1/4; thence on an assumed bearing of North 00 degrees 00 minutes 36 seconds West on the easterly line thereof for a distance of 660.00 feet; thence North 89 degrees 40 minutes 12 seconds West parallel to the southerly line thereof for a distance of 7.90 feet; thence South 00 degrees 19 minutes 48 seconds West 660.00 feet to the southerly line of said SW1/4 of the NE1/4; thence South 89 degrees 40 minutes 12 seconds East on last said southerly line for a distance of 11.91 feet to point of beginning; also that part of the SW1/4 of the NE1/4 of Section 27 described as follows: Commencing at the SE corner of said SW1/4 of the NE1/4; thence on an assumed bearing of North 89 degrees 40 minutes 12 seconds West on the southerly line of the SW1/4 of the NE1/4 for a distance of 11.91 feet to point of beginning of tract to be described; thence North 00 degrees 19 minutes 48 seconds East 660.00 feet; thence North 89 degrees 40 minutes 12 seconds West parallel to the southerly line of the SW1/4 of the NE1/4 for a distance of 25.00 feet; thence South 00 degrees 21 minutes 50 seconds East 660.05 feet to the southerly line of the SW1/4 of said NE1/4; thence South 89 degrees 40 minutes 12 seconds East on said southerly line for a distance of 17.00 feet to point of beginning. Containing 73.5 acres, more or less; and

(2) the Southeast Quarter of the Northwest Quarter of Section 27, Township 133 North, Range 43 West. Containing 40 acres.

(d) The land is no longer needed for any natural resource purpose and the state's land management interests would best be served if the land was conveyed to Independent School District No. 544, Fergus Falls, for a new school facility.

**Sec. 29. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; PINE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Pine County may sell the tax-forfeited land described in paragraph (c) by public sale, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Pine County and is described as:

(1) Property ID Numbers 03.0074.000, 03.0075.000, and 03.0076.000, all in Section 9, Township 41 North, Range 20 West;

(2) Property ID Numbers 03.0089.000 and 03.0090.000, all in Section 10, Township 41 North, Range 20 West;

(3) Property ID Number 06.0086.000 in Section 14, Township 40 North, Range 22 West;

(4) Property ID Numbers 13.0053.000 and 13.0054.000, all in Section 4, Township 43 North, Range 20 West;

(5) Property ID Number 13.0059.000 in Section 5, Township 43 North, Range 20 West;

(6) Property ID Numbers 16.0198.000 and 16.0201.000, all in Section 19, Township 45 North, Range 18 West;

(7) Property ID Number 20.0164.000 in Section 23, Township 43 North, Range 16 West; and

(8) Property ID Number 45.5567.000 in Section 16, Township 42 North, Range 20 West.

(d) The conveyance of land described in paragraph (c), clauses (4) and (5), shall be combined and sold as a single parcel.

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

**Sec. 30. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; PINE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale requirements in Minnesota Statutes, chapter 282, Pine County may sell by private sale the tax-forfeited land bordering public water described in paragraph (c), under Minnesota Statutes, section 282.01, subdivision 7a.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Pine County and is described as:

(1) Property ID Number 28.1133.000 in Section 36, Township 39 North, Range 22 West;

(2) Property ID Number 12.0300.000 in Section 20, Township 42 North, Range 21 West;

(3) Property ID Number 25.0107.000 in Section 9, Township 43 North, Range 19 West;

(4) Property ID Number 16.0190.000 in Section 18, Township 45 North, Range 18 West;

(5) Property ID Number 31.0174.000 in Section 23, Township 45 North, Range 20 West; and

(6) Property ID Number 33.5487.000 in Section 16, Township 45 North, Range 19 West.

(d) The conveyance of land described in paragraph (c), clause (6), must contain a deed restriction on development that is 75 feet in width along the shoreline, excluding a 15-foot access strip.

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

**Sec. 31. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; PINE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Pine County may sell the tax-forfeited land bordering public water described in paragraph (c), by public sale or as provided in Minnesota Statutes, section 282.01, subdivision 7a, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Pine County and is described as:

Property ID Numbers 17.0225.000 and 17.0226.000 in Section 17, Township 44 North, Range 20 West.

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

**Sec. 32. EXCHANGE OF STATE LAND WITHIN NERSTRAND BIG WOODS STATE PARK; RICE COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 94.342, subdivision 4, the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.346, exchange the land located within state park boundaries that is described in paragraph (c).

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

(c) The state land that may be exchanged is located in Rice County and will be a portion of the southerly one acre of the following described land:

All that part of the East 10 acres of the Northwest Quarter of the Southwest Quarter, Section 3, Township 110 North, Range 19 West, lying South and West of County State-Aid Highway 29, except the South one-half acre thereof.

The exact area to be exchanged will be determined by completion of a further site analysis.

(d) The exchange would resolve an unintentional trespass of a driveway the location of which was not determined until after the state's acquisition of the land.

Sec. 33. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. Conveyances of the lands described in paragraph (c), clauses (4), (7), and (9), must retain for the state the easements indicated. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the North Half of the Northeast Quarter of the Southwest Quarter, Section 26, Township 60 North, Range 16 West;

(2) the northerly 400 feet of the southerly 600 feet of the Northeast Quarter of the Southeast Quarter, Section 21, Township 56 North, Range 18 West;

(3) Lot 3, except the North 900 feet and except the South 100 feet of the North 1,000 feet of the West 600 feet and except the West 633 feet of the South 80 feet of the North 1,080 feet and except that part lying southerly of the North 1,080 feet, Section 6, Township 56 North, Range 20 West;

(4) the northerly 330 feet of the Northwest Quarter of the Southwest Quarter, Section 12, Township 55 North, Range 20 West;

(5) the South Half of the South Half of the Southwest Quarter of the Southwest Quarter, Section 8, Township 55 North, Range 19 West;

(6) the Southeast Quarter and the Northeast Quarter, Section 28, Township 51 North, Range 15 West.

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

Sec. 34. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

(c) The land to be sold is located in St. Louis County and is described as:

(1) that part of the Southwest Quarter of the Northwest Quarter beginning 511 feet East of the northwest corner; running thence southwesterly to a point 511 feet South of the northwest corner; thence North to said northwest corner; thence East to the point of beginning and Lot 4 lying westerly of the county road, Section 3, Township 57 North, Range 15 West;

(2) Lot 14, Michael's Beach Town of Ellsburg, Section 6, Township 55 North, Range 17 West;

(3) an undivided 1/4 interest, Northeast Quarter of the Northeast Quarter, Section 22, Township 63 North, Range 12 West; and

(4) an undivided 1/4 interest, Northwest Quarter of the Northwest Quarter, Section 23, Township 63 North, Range 12 West.

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

Sec. 35. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

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

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

(c) The land to be sold is located in St. Louis County and is described as:

That part of the Southeast Quarter of the Northeast Quarter of Section 21, Township 56 North, Range 18 West, lying East of the East right-of-way line of Fermoy Road as located on this day of recording. This parcel contains 4.23 acres, more or less.

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

Sec. 36. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale requirements in Minnesota Statutes, chapter 282, St. Louis County may sell the tax-forfeited land bordering public water described in paragraph (c) to the city of Chisholm, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

The East Half (E1/2) of the Northwest Quarter (NW1/4) of Section 27, Township 58 North, Range 20 West.

(d) The county has determined that the county's land management interests would be best served if the lands were sold to the city of Chisholm.

Sec. 37. **CONSERVATION EASEMENTS FOR WETLAND RESTORATION; ST. LOUIS COUNTY.**

The commissioner of revenue, upon recommendation of the Board of County Commissioners for St. Louis County and the commissioner of natural resources, is authorized to convey a conservation easement on tax-forfeited lands for the purpose of restoration of wetlands to be utilized for mitigation of wetlands displaced by mining operations in St. Louis County. If the commissioner of revenue issues a conservation easement, it shall be held by the Board of Water and Soil Resources.

Sec. 38. **PUBLIC SALE OR EXCHANGE OF SURPLUS LAND CONTAINING PEAT; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.461, the commissioner of natural resources may sell by public sale or may exchange the surplus land containing commercial quantities of peat that is described in paragraph (c). A public sale shall be under the provisions of Minnesota Statutes, sections 92.03 to 92.16. A land exchange shall be under the provisions of Minnesota Statutes, sections 94.341 to 94.346.

(b) The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold or exchanged is located in St. Louis County and is described as follows: all of Section 36, Township 53 North, Range 20 West.

(d) If the adjoining tax-forfeited lands are made subject to a conservation easement to mitigate wetlands displaced by mining operations, the state has determined that the school trust land management interests would best be served if the land was sold or exchanged.

**Sec. 39. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land bordering the St. Louis River that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be sold is located in St. Louis County and is described as Government Lot 4, Section 27, T51N, R20W.

(d) Sale of the parcel shall be subject to the establishment of a permanent easement and associated land management plan approved by the St. Louis County Land Commissioner and the commissioner of natural resources, issued in accordance with Minnesota Statutes, section 282.37.

(e) The purpose and intent of the easement shall be to create and enhance fish habitat; to allow angling by the public from the shore, provided that access by the public to the shore is from the river only; and to prohibit the uncontrolled development of structures, including buildings, docks, and septic systems within an area near the shore.

(f) The area to be covered by the easement shall be the most restrictive of the following:

(1) the area between the ordinary high water (OHW) level of the east bank of the St. Louis River to a line running parallel to the river a distance of 450 feet in a landward direction from the east bank;

(2) the distance necessary to meet the setback and zoning requirements included in the "St. Louis River Management Plan" (produced by the St. Louis River Board, dated February 7, 1994); or

(3) the distance needed to meet any applicable county requirements.

(g) The county has determined that the county's land management interests would best be served if the land was sold.

**Sec. 40. PRIVATE SALE OF TAX-FORFEITED LAND; STEVENS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Stevens County may sell by private sale the tax-forfeited land described in paragraph (c) to one or more adjoining landowners.

(b) The conveyance must be in a form approved by the attorney general for the fair market value of the land. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Stevens County and is described as: a strip of land 66 feet wide, the center line of which follows the following measurements and directions: the point of beginning being a point which is on the east right-of-way line of T.H. 59 and 626 feet South of said north line of the Southwest

Quarter of Section 18, Township 125 North, Range 41 West; thence due East and parallel with the north line of said Southwest Quarter of Section 18, Township 125 North, Range 41 West, a distance of 1,310 feet, subject to easements.

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

**Sec. 41. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

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

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

(c) The lands that may be sold are located in Washington County and are described as follows:

(1) all that part of the NE1/4-SW1/4 of Section 3, Township 29 North, Range 20 West, described as follows: Beginning at a point on the north line of said tract 26 rods West of the center of said Section 3; and running thence West along the quarter section line to the northwest corner of said tract; thence South along the west line of said tract 80 rods to the southwest corner of the same; thence East along the south line of said tract to a point which is 26 rods West of the southeast corner thereof; thence North parallel with the east line of said tract 80 rods to the point of beginning;

(2) the W1/2-SW1/4 of Section 3, Township 29 North, Range 20 West, except that part lying westerly of the following described line: Beginning at a point on the south line of said Section 3, distant 430 feet West of the southeast corner of the SW1/4-SW1/4 of said Section 3; thence northeasterly to the northeast corner of the SW1/4-SW1/4 of Section 3; thence northwesterly to a point on the north line of the SW1/4 of Section 3, distance 430 feet West of the northeast corner of the NW1/4-SW1/4 of said Section 3; and

(3) all that part of the SE1/4-SW1/4 of Section 3, Township 29 North, Range 20 West, lying westerly of County State-Aid Highway 21.

(d) The Department of Corrections transferred the land to the Department of Natural Resources in 1973 and the Department of Natural Resources has determined that the land is no longer needed for natural resource purposes.

**Sec. 42. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; WRIGHT COUNTY.**

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

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

(c) The land that may be sold is located in Wright County and is described as follows:

All that part of the North 300 feet of Government Lot 2, Section 17, Township 120 North, Range 26 West, lying West of the following described line: Beginning at a point on the north line of said lot, 134.23 feet East of the center line of Wright County Aid Road No. 4, thence South 19 degrees, 1 minute West, 317.32 feet, and there terminating. Subject to existing road easements. Said parcel contains 1.2 acres, more or less.

(d) The land was formerly used as a water access site on Ramsey Lake and is no longer needed for natural resource purposes as the water access site has been relocated to other land.

**Sec. 43. LAND REPLACEMENT TRUST FUND; ITASCA COUNTY.**

Notwithstanding the provisions of Minnesota Statutes, chapter 282, and any other law relating to the apportionment of proceeds from the sale of tax-forfeited land, Itasca County must apportion the first \$1,000,000 received from the sale of tax-forfeited lands within Minnesota Steel Industries permit to mine area near Nashwauk, Minnesota, as provided in Laws 1965, chapter 326, section 1, as amended. Any remaining proceeds received from the sale must be deposited into a tax-forfeited land replacement trust fund established by Itasca County under this section. The principal and interest from this fund may be spent only on the purchase of lands to replace the tax-forfeited lands sold to Minnesota Steel Industries. Lands purchased with the land replacement fund must:

(1) become subject to trust in favor of the governmental subdivision wherein they lie and all laws related to tax-forfeited lands; and

(2) be for forest management purposes and dedicated as memorial forest under Minnesota Statutes, section 459.06, subdivision 2.

**EFFECTIVE DATE.** This section is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of Itasca County.

**Sec. 44. SUSTAINABLE FOREST INCENTIVE ACT; PARCEL REPLACEMENT; ITASCA COUNTY.**

(a) The commissioner of revenue shall allow a claimant participating in the Sustainable Forest Incentive Act, under Minnesota Statutes, chapter 290C, to remove parcels from the sustainable forest incentive program without penalty and enroll replacement parcels, if the claimant:

(1) has at least 50,000 acres of land currently enrolled in the program;

(2) agrees to have at least 5,000 acres of land but not more than 8,000 acres of land removed from the program for use in connection with a proposed steel mill in Itasca County referenced in Laws 1999, chapter 240, article 1, section 8, subdivision 3; and

(3) makes application on or before December 31, 2010, under the Sustainable Forest Incentive Act and this section to remove from the program and to simultaneously add to the program parcels of like value.

(b) The application must be accompanied by a cover letter that makes reference to this section, identifies the parcels to be removed, and identifies the parcels to be added. For purposes of incentive payments and subsequent removals from the program, the parcels added to the program under this section will be treated as if they were included on the claimant's original application for the parcels removed from the program under this section. Within 90 days of approving the application, the commissioner shall execute and mail to the claimant a document in recordable form that releases the removed parcels from the covenant required for parcels enrolled under the Sustainable Forest Incentive Act.

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

**Sec. 45. GRAND MOUND STATE HISTORIC SITE STUDY.**

Subdivision 1. **Study.** The Minnesota Historical Society, in consultation with Koochiching County, the Minnesota Indian Affairs Council, interested Indian tribes, and other interested groups and individuals, shall study the future of the Grand Mound State Historic Site.

Subd. 2. **Report to legislature.** The Minnesota Historical Society shall report its findings and recommendations to the appropriate legislative committees by January 30, 2007.

Sec. 46. **CONVEYANCE OF SURPLUS STATE LAND AT BRAINERD REGIONAL TREATMENT CENTER.**

(a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, or any other law, administrative rule, or commissioner's order to the contrary, the commissioner of administration may convey to a local unit of government for no consideration all or part of the real property at the Brainerd Regional Treatment Center for public purposes consistent with the master plan and reuse study. The conveyance must be in a form approved by the attorney general and subject to Minnesota Statutes, section 16A.695.

(b) The commissioner may require the local unit of government to reimburse the state for all or part of any campus redevelopment funded and completed by the state.

(c) Notwithstanding Minnesota Statutes, section 16C.23, the commissioner of administration may convey to one or more local units of government for no consideration all or part of the personal property determined by the commissioner of human services to be no longer needed for human services operations.

(d) If a local unit of government sells any property conveyed under this section to a private entity, the sale must be at fair market value, and the proceeds of the sale must be remitted to the state.

Sec. 47. **EFFECTIVE DATE.**

Unless otherwise specified, this article is effective the day following final enactment.

## ARTICLE 2

### SUSTAINABLE FOREST RESOURCE INCENTIVE PROGRAM

Section 1. Minnesota Statutes 2004, section 290C.02, subdivision 3, is amended to read:

Subd. 3. **Claimant.** (a) "Claimant" means a person, as that term is defined in section 290.01, subdivision 2, who owns forest land in Minnesota and files an application authorized by the Sustainable Forest Incentive Act. Claimant includes a purchaser or grantee if property enrolled in the program was sold or transferred after the original application was filed and prior to the annual incentive payment being made. The purchaser or grantee must notify the commissioner in writing of the sale or transfer of the property. For purposes of section 290C.11, claimant also includes any person bound by the covenant required in section 290C.04.

(b) No more than one claimant is entitled to a payment under this chapter with respect to any tract, parcel, or piece of land enrolled under this chapter that has been assigned the same parcel identification number. When enrolled forest land is owned by two or more persons, the owners must determine between them which person may claim is eligible to claim the payments provided under sections 290C.01 to 290C.11. In the case of property sold or transferred, the former owner and the purchaser or grantee must determine between them which person is eligible to claim the payments provided under sections 290C.01 to 290C.11. The owners, transferees, or grantees must notify the commissioner in writing which person is eligible to claim the payments.

Sec. 2. Minnesota Statutes 2004, section 290C.02, subdivision 7, is amended to read:

Subd. 7. **Forest management plan.** "Forest management plan" means a written document providing a framework for site-specific healthy, productive, and sustainable forest resources. A forest management plan must include at least the following: (i) ~~owner-specific~~ forest management goals for the land; (ii) a reliable field inventory of the individual forest cover types, their age, and density; (iii) a description of the soil type and quality; (iv) an aerial photo and/or map of the vegetation and other natural features of the land clearly indicating the boundaries of the land and of the forest land; (v) the proposed future conditions of

the land; (vi) prescriptions to meet proposed future conditions of the land; (vii) a recommended timetable for implementing the prescribed activities; and (viii) a legal description of the land encompassing the parcels included in the plan. All management activities prescribed in a plan must be in accordance with the recommended timber harvesting and forest management guidelines. The commissioner of natural resources shall provide a framework for plan content and updating and revising plans.

Sec. 3. Minnesota Statutes 2004, section 290C.02, subdivision 8, is amended to read:

Subd. 8. **Timber harvesting and forest management guidelines.** "Timber harvesting and forest management guidelines" means guidelines developed under section 89A.05 and adopted by the Minnesota Forest Resources Council in ~~1998~~ effect at the time the tract, parcel, or piece of land is enrolled in the sustainable forest incentive program.

Sec. 4. Minnesota Statutes 2004, section 290C.04, is amended to read:

#### **290C.04 APPLICATIONS.**

(a) A landowner may apply to enroll forest land for the sustainable forest incentive program under this chapter. The claimant must complete, sign, and submit an application to the commissioner by September 30 in order for the land to become eligible beginning in the next year. The application shall be on a form prescribed by the commissioner and must include the information the commissioner deems necessary. At a minimum, the application must show the following information for the land and the claimant: (i) the claimant's Social Security number or state or federal business tax registration number and date of birth, (ii) the claimant's address, (iii) the claimant's signature, (iv) the county's parcel identification numbers for the tax parcels that completely contain the claimant's forest land that is sought to be enrolled, (v) the number of acres eligible for enrollment in the program, (vi) the approved plan writer's signature and identification number, and (vii) proof, in a form specified by the commissioner, that the claimant has executed and acknowledged in the manner required by law for a deed, and recorded, a covenant that the land is not and shall not be developed in a manner inconsistent with the requirements and conditions of this chapter. The covenant shall state in writing that the covenant is binding on the claimant and the claimant's successor or assignee, and that it runs with the land for a period of not less than eight years. The commissioner shall specify the form of the covenant and provide copies upon request. The covenant must include a legal description that encompasses all the forest land that the claimant wishes to enroll under this section or the certificate of title number for that land if it is registered land.

(b) In all cases, the commissioner shall notify the claimant within 90 days after receipt of a completed application that either the land has or has not been approved for enrollment. A claimant whose application is denied may appeal the denial as provided in section 290C.11, paragraph (a).

(c) Within 90 days after the denial of an application, or within 90 days after the final resolution of any appeal related to the denial, the commissioner shall execute and acknowledge a document releasing the land from the covenant required under this chapter. The document must be mailed to the claimant and is entitled to be recorded.

(d) The Social Security numbers collected from individuals under this section are private data as provided in section 13.355. The ~~state or~~ federal business tax registration number and date of birth data collected under this section are also private data on individuals or nonpublic data, as defined in section 13.02, subdivisions 9 and 12, but may be shared with county assessors for purposes of tax administration and with county treasurers for purposes of the revenue recapture under chapter 270A.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

Presented to the governor May 22, 2006

Signed by the governor May 26, 2006, 5:10 p.m.