

CHAPTER 43—S.F.No. 779

An act relating to state lands; authorizing city of Red Wing to convey certain property; providing for conveyance of certain surplus state land; amending Laws 1976, chapter 50, section 1, subdivision 2.

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

Section 1. Laws 1976, chapter 50, section 1, subdivision 2, is amended to read:

Subd. 2. The commissioner of administration shall cause the above described land to be surveyed to be appraised by not less than three appraisers, at least two of whom shall be residents of the county in which the lands are situated. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised or the timber of improvements thereon or in the purchase thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of such appraisal.

The consideration to be paid for the conveyance provided for in this act shall be not less than the value certified by the commissioner of administration. The cost of any survey and the appraisals shall be added to and made a part of the appraised value of the lands to be sold.

The terms of payment for all land so sold shall be not less than ten percent of the purchase price thereof at the time of sale with the balance payable as hereinafter provided. The balance may be paid in not less than equal annual installments and not exceed five years at the option of the purchaser, with principal and interest payable annually in advance at the rate of not less than six percent per annum on the unpaid balance payable to the state treasury on or before June 1 each year.

In the event the terms and conditions of a contract for deed are completely fulfilled or if the purchaser makes a lump sum payment for the subject property in lieu of entering into a contract for deed, the governor, upon the recommendation of the commissioner of administration, shall sign and cause to be issued a quitclaim deed on behalf of the state. Said quitclaim deed shall be in a form prescribed by the attorney general.

The city of Red Wing may subsequently convey by public or private sale all or part of the land described in subdivision 1 to be used for public recreational purposes only.

EFFECTIVE DATE. This section is effective the day after the governing body of the city of Red Wing and its chief clerical officer timely complete their compliance with the provisions of Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 2. **CONVEYANCE OF SURPLUS STATE LAND; GOODHUE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, the commissioner of administration may convey to the city of Red Wing for no consideration the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and must provide that the land reverts to the state if the city of Red Wing stops using the land for the public purpose described in paragraph (d). The attorney general may make changes to the land description to correct errors and ensure accuracy.

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

That part of the Northwest Quarter of the Northwest Quarter of Section 34, that part of Government Lot 4 of Section 28, and that part of Government Lot 2 of Section 27, all in Township 113 North, Range 14 West, Goodhue County, Minnesota, described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 34; thence North, on a Minnesota State Plane Azimuth of 359 degrees 12 minutes 26 seconds, along the west line of said Northwest Quarter of Section 34, a distance of 1,744.52 feet to a point 430.00 feet North of the southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 34; thence East 89 degrees 12 minutes 26 seconds azimuth, a distance of 548.63 feet to the point of beginning of the land to be described; thence continue East 89 degrees 12 minutes 26 seconds azimuth, a distance of 131.37 feet; thence northeasterly 33 degrees 00 minutes 00 seconds azimuth, a distance of 845.12 feet to the southwesterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence northwesterly, a distance of 701.95 feet along said right-of-way line, being a curve not tangential with the last described line, said curve is concave to the northeast, has a radius of 2,914.92 feet, a central angle of 13 degrees 47 minutes 51 seconds, and the chord azimuth of said curve is 307 degrees 05 minutes 33 seconds; thence northwesterly, 313 degrees 59 minutes 28 seconds azimuth, along said southwesterly railroad right-of-way line and tangent to said curve, a distance of 252.21 feet to the southerly right-of-way line of State Highway Number 61; thence northwesterly 284 degrees 01 minute 27 seconds azimuth, along said southerly highway right-of-way line, a distance of 185.69 feet; thence northwesterly a distance of 351.52 feet along said southerly highway right-of-way line being a tangential curve concave to the northeast having a radius of 1,535.53 feet and a central angle of 13 degrees 06 minutes 59 seconds; thence southwesterly 205 degrees 38 minutes 49 seconds azimuth, not tangent to said curve, a distance of 15.83 feet; thence southerly and southeasterly, a distance of 218.34 feet along a tangential curve concave to the northeast having a radius of 133.85 feet and a central angle of 93 degrees 27 minutes 47 seconds; thence easterly, a distance of 165.34 feet along a compound curve concave to the North having a radius of 273.75 feet and a central angle of 34 degrees 36 minutes 22 seconds; thence easterly and southeasterly, a distance of 175.70 feet along a reverse curve concave to the South having a radius of 242.69 feet and a central angle of 41 degrees 28 minutes 46 seconds; thence southeasterly 119 degrees 03 minutes 26 seconds azimuth, tangent to said curve, a distance of 75.64 feet; thence southeasterly, a distance of 293.88 feet along a tangential curve concave to the southwest, having a radius of 1,249.88 feet and a central angle of 13 degrees 28 minutes 19 seconds; thence southeasterly, a distance of 423.59 feet along a reverse curve concave to the northeast having a radius of 2,980.92 feet and a central angle of 08 degrees 08 minutes 30 seconds; thence southeasterly, southerly, and southwesterly a distance of 279.82 feet along a reverse curve concave to the West having a radius of 167.00 feet and a central angle of 96 degrees 00 minutes 15 seconds; thence southwesterly 220 degrees 23 minutes 30 seconds azimuth tangent to said curve a distance of 150.00 feet; thence southwesterly, a distance of 257.68 feet along a tangential

curve concave to the southeast having a radius of 3,342.55 feet and a central angle of 04 degrees 25 minutes 01 second; thence southwesterly 215 degrees 58 minutes 29 seconds azimuth, a distance of 256.16 feet to the point of beginning.

(d) The city of Red Wing intends to use the land for a road providing public access to the recreational property described in Laws 1976, chapter 50.

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

Presented to the governor May 21, 2011

Signed by the governor May 24, 2011, 1:25 p.m.