

(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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the property of another shall be endangered, or who shall negligently suffer any fire upon one's own lands to extend beyond the limits thereof; every person who shall use other than incombustible wads for firearms, or carry a naked torch, firebrand, or exposed light in or near forest land, or who, upon any such land or in the vicinity thereof, or on or along any public or private road, trail, path, railroad right-of-way or roadbed, or other public or private way of any kind running over or along or in the vicinity of any such land, shall throw or drop any burning match, ashes of pipe, lighted cigar, or cigarette, or any other burning substance, and who fails to extinguish the same immediately; every person who drives upon or over forest lands in a motor vehicle with an open cutout or without a muffler on the exhaust pipe; and every person who operates a tractor, chainsaw, steam or internal combustion engine in forested areas not equipped to prevent fires, shall be guilty of a misdemeanor; ~~and, on conviction thereof, punished by a fine of not less than \$25 and not exceeding \$100 and costs of prosecution, or by imprisonment in the county jail for not less than ten and not exceeding 90 days.~~

Sec. 2. Minnesota Statutes 1986, section 89.01, subdivision 5, is amended to read:

Subd. 5. When any tract or tracts of land that are included in areas set apart as state forests are found to be more valuable for agriculture than for forestry or other conservation purposes, or when any tract or tracts of land used as a forestry administrative site are found to be no longer needed for administrative purposes, the commissioner by written order may eliminate such lands from state forests whereupon such lands shall be subject to sale the same as other lands not reserved. When any tract or tracts of land that are included in areas set apart as state forests are found to be more valuable for the construction of industrial plants or for purposes including forestry essential to the establishment of or expansion of substantial commercial developments, the commissioner, by written order, with the unanimous approval of the land exchange board may eliminate such lands from state forests whereupon such lands shall be subject to sale the same as other lands not reserved.

Sec. 3. Minnesota Statutes 1986, section 89.17, is amended to read:

89.17 LEASES AND PERMITS.

The commissioner shall have power to grant and execute, in the name of the state, leases and permits for the use of any state forest lands under the authority of the commissioner for any purpose which in the commissioner's opinion is not inconsistent with the maintenance and management of the state forest ~~in which the land is situated~~ lands, on forestry principles for timber production. Every such lease or permit shall be revocable at the discretion of the commissioner at any time subject to such conditions as may be agreed on in the lease. The approval of the commissioner of administration shall not be required upon any such lease or permit. No such lease or permit for a period exceeding ten years shall be granted except with the approval of the executive council.

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Hunting of wild game is prohibited on any land which has been posted by the lessee to prohibit hunting. Such prohibition shall apply to all persons including the lessee.

Sec. 4. Minnesota Statutes 1986, section 89.19, is amended to read:

89.19 RULES.

The commissioner shall have power to prescribe such rules governing the use of ~~state~~ forest lands under the authority of the commissioner, or any part thereof, by the public or governing the exercising by holders of leases or permits upon ~~state~~ forest lands of all their rights under such leases or permits as may be necessary to carry out the purposes of this chapter.

Sec. 5. Minnesota Statutes 1986, section 90.041, is amended by adding a subdivision to read:

Subd. 5. The commissioner may contract as part of the timber sale with the purchaser of state timber at either informal or auction sale for the following forest improvement work to be done on the land included within the sale area: preparation of the site for seeding or planting of seedlings or trees, seeding or planting of seedlings or trees, and other activities relating to forest regeneration.

Sec. 6. ELIMINATION OF ADMINISTRATIVE SITE FROM GEORGE WASHINGTON STATE FOREST; SALE OF SITE.

The following described area is eliminated from George Washington State Forest and may be sold by the commissioner of natural resources in the same manner that state school trust land is sold, notwithstanding any provisions of Minnesota Statutes, section 92.45, to the contrary:

That part of Government Lot 7 of Section 28, Township 60 North, Range 24 West, Itasca County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 7; thence on a bearing based on Minnesota Coordinate System of 1927, North Zone, of South 880 53' 36" West along the south line of said Government Lot 7 a distance of 1034.60 feet to the Government Meander Line of Link Lake and the point of beginning; thence North 880 53' 36" East along the south line of said Government Lot 7 a distance of 580.10 feet, more or less, to the center line of County State Aid Highway No. 52; thence northwesterly along the center line of said County State Aid Highway No. 52 a distance of 110 feet, more or less, to the center line of County Road No. 340; thence continuing northwesterly along the center line of said County Road No. 340 a distance of 950 feet, more or less, to the west line of said Government Lot 7; thence South 010 06' 02" West along the west line of said Government Lot 7 a distance of 310.11 feet to the Government Meander Line of said Link Lake and a point that bears North 480 46' 13" West 388.92 feet from the point of beginning; thence South 640 05' 00" West along the boundary between said Government Lot 7 and Government Lot 8 a distance of 78 feet.

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more or less, to the water's edge of Link Lake; thence southeasterly along the water's edge of Link Lake to a point that bears South 640 05' 00" West from the point of beginning; thence North 640 05' 00" East 59 feet, more or less, to the point of beginning. Including all riparian rights to the contained 5.9 acres, more or less.

Sec. 7. EFFECTIVE DATE.

Section 1 is effective August 1, 1988, and applies to crimes committed on or after that date.

Approved April 6, 1988

CHAPTER 463—H.F.No. 2312

An act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county.

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

Section 1. CONVEYANCE OF STATE LAND; ITASCA COUNTY.

Subdivision 1. AUTHORIZATION. Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may offer for sale and sell, in the manner provided for the sale of other trust fund lands, the land described in subdivision 3, except that the value of the improvements on the land must be appraised separately. The conveyance must be in a form approved by the attorney general.

Subd. 2. CONDITIONS OF SALE. (a) If at the sale of the land Bruce R. Olsen and Donna K. Olsen or their successors in interest are the purchasers, they are not required to pay for the improvements on furnishing an affidavit showing that the improvements were paid by either or both of them.

(b) If a person other than Bruce R. Olsen and Donna K. Olsen purchases the land, the purchaser shall make payment in full to Bruce R. Olsen and Donna K. Olsen at the time of the sale for the appraised value of the improvements. Failure of a successful bidder to comply with this provision voids the sale and the property must be rebid.

Subd. 3. LAND DESCRIPTION. The commissioner may offer for sale and sell the land consisting of 0.14 acre more or less, described as: that part of government lot 6 of section 18, township 58 north, range 25 west of the fourth principal meridian described as follows: commencing at the southeast corner of said lot 6; thence north, assumed bearing along the east line of said lot 6, a distance of 159.74 feet to a one-half inch iron pipe monument with plastic cap stamped RLS13310, the point of beginning of the tract to be described; thence continue north 156.85 feet along said east line; thence north 89 degrees 21

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