

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor May 21, 1991

Signed by the governor May 24, 1991, 5:01 p.m.

CHAPTER 185—H.F.No. 425

An act relating to state lands; requiring the sale of two tracts of state-owned land in St. Louis county; authorizing the conveyance of state land to the city of Anoka; authorizing the sale of certain tax-forfeited lands that border public water in Cass county; authorizing the conveyance of and easement across certain Southwest State University land; authorizing a land exchange between the city of St. Cloud and the state university board; authorizing the sale of certain land in Fairbault county.

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

Section 1. SALE OF STATE LANDS IN ST. LOUIS COUNTY.

The commissioner of natural resources shall sell two tracts of state-owned land, described in leases #144-43-1501 and #144-43-1502, situated in the Northeast Quarter of the Northeast Quarter of Section 2, Township 57 North, Range 18 West, St. Louis county, and leased under Minnesota Statutes, section 92.50. The lands must be sold before December 31, 1991. The sales are governed by Minnesota Statutes, section 92.67, to the extent consistent with this section.

Sec. 2. CONVEYANCE OF LAND TO CITY OF ANOKA.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, 94.10, and 103F.335, subdivision 3, after the commissioner of human services has certified under section 94.09, subdivision 2, that the land bordering public waters described in paragraph (d) is no longer needed, the commissioner of administration may convey the land to the city of Anoka for a public works facility.

(b) The conveyance must be in a form approved by the attorney general and must provide that the land, and any buildings and other improvements on the land, revert to the state if the property ceases to be used by the city of Anoka for a public works facility.

(c) As consideration for the conveyance, the city of Anoka shall:

(1) agree to provide snow removal services for the Anoka-metro regional

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treatment center under a contract with the commissioner of administration, the terms of which must be negotiated by the commissioner and the city; and

(2) convey to the commissioner of natural resources a scenic easement, as defined in Minnesota Statutes, section 103F.311, subdivision 6, on that portion of the conveyed land that has been designated for inclusion in the wild and scenic rivers system under Minnesota Statutes, section 103F.325.

The scenic easement must allow construction of a stormwater retention pond within the area covered by the easement in accordance with construction plans approved by the commissioner of natural resources.

(d) The land that may be conveyed is a parcel of approximately six acres located on the campus of the Anoka-metro regional treatment center in Anoka county and is described as:

That part of Government Lots 1 and 2, Section 6, Township 31, Range 24, Anoka County, Minnesota, lying northerly of the northerly right-of-way line of Burlington Northern Railroad Company, southerly of the westerly extension of the south line of Block 6, Woodbury's Addition to Anoka, and westerly of the west line of Fourth Avenue.

Sec. 3. SALE OF TAX-FORFEITED LANDS; CASS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 282.018, subdivision 1, Cass county may sell tax-forfeited lands that border public water and, as of February 1, 1990, that were under lease agreements with the county pursuant to Minnesota Statutes, section 282.04, subdivision 1a. The lands must be conveyed under the remaining provisions of Minnesota Statutes, chapter 282.

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

(c) The lands are located in Cass county and consist of:

(1) four lots bordering Stevens Lake in Government Lots 3 and 4, Section 22, Township 140, Range 27;

(2) nine lots bordering Long Lake in the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter, Section 15, Township 134, Range 30; and

(3) 17 lots bordering Lake Louise in the Northwest Quarter of the Northwest Quarter of Section 29, Township 139, Range 28 and the Northeast Quarter of the Northeast Quarter of Section 30, Township 139, Range 28.

(d) The improvements on the lands that are owned by the lessee must be appraised separately from the lands. If a person other than the lessee purchases the lands, the purchaser must make payment in full to the lessee for the appraised value of any improvements. Failure of a successful bidder to comply with this provision voids the sale and the property may be reoffered for sale.

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(e) For the purpose of local zoning ordinances, lands sold under this section must be treated as if purchased at the time the county first leased the lands under Minnesota Statutes, section 282.04, subdivision 1a.

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

Sec. 4. CONVEYANCE OF STATE LANDS; SOUTHWEST STATE UNIVERSITY.

(a) Notwithstanding Minnesota Statutes, chapter 94, the commissioner of administration may convey the land described in paragraph (c) to John McLaughlin of Marshall, Minnesota, for a consideration of not less than the appraised value. Mr. McLaughlin shall pay the cost of appraisal.

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

(c) The land to be conveyed is located in the city of Marshall, Lyon county, and described as: That portion of the Northwest Quarter of Section 3, Township 111 North, Range 41 West, described as follows:

Beginning at the southeasterly corner of Lot 1, Block 1, College Foundation Addition, city of Marshall, Minnesota, and running thence northerly along the easterly line of said Lot 1 a distance of 276.26 feet; thence easterly a distance of 51.27 feet; thence southerly and parallel with the easterly line of said Lot 1 a distance of 276.26 feet; thence westerly 51.27 feet to the true point of beginning.

(d) Mr. McLaughlin sold the land in 1964 and now wishes to repurchase it for use in connection with development of student housing. The land is no longer needed by Southwest State University.

Sec. 5. EASEMENT ACROSS STATE LANDS; SOUTHWEST STATE UNIVERSITY.

(a) Notwithstanding any other law, the commissioner of administration may convey to John McLaughlin of Marshall, Minnesota, an easement as described in paragraph (c) for no consideration.

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

(c) The easement to be granted is on that portion of the Northwest Quarter of Section 3, Township 111 North, Range 41 West, described as follows:

Beginning at the intersection of State Street and the northerly line of McLaughlin Drive, College Foundation Addition, city of Marshall, Minnesota, and running thence westerly as an extension of the northerly line of said McLaughlin Drive a distance of 70 feet to the westerly line of State Street, the true point of beginning; thence southerly along the westerly line of State Street a distance of 50 feet; thence, westerly a distance of 25 feet; thence northerly and parallel with the westerly line of State Street a distance of 50 feet; thence easterly a distance of 25 feet to the true point of beginning.

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(d) The easement is necessary to provide access to the property described in section 4.

Sec. 6. LAND EXCHANGE.

Notwithstanding Minnesota Statutes, chapter 94, the state university board may enter into an agreement with the city of St. Cloud to exchange parcels of land. The conveyances must be made for no monetary consideration and by quitclaim deed in a form approved by the attorney general. Before the conveyances, the state university board and the city of St. Cloud shall enter an agreement on temporary easements on the parcels of land to be exchanged.

Sec. 7. SALE OF CERTAIN LAND IN FARIBAULT COUNTY.

Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell certain land to Eugene L. and Marilyn E. Stalkamp of Bricelyn, Minnesota, in accordance with this section before December 31, 1991.

The land described in this section may be sold by private sale for a consideration not less than its appraised value plus the cost of an appraisal. The conveyance must be in a form approved by the attorney general.

The land that may be sold is a tract of state land of about 2.8 acres located in Faribault county described as: That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 30, Township 102, North, Range 24 West, described as follows: from a point on the East and West Quarter lines of said Section 30, distant 863.9 feet West of the Center of said Section 30, run Southerly at right angles to said Quarter line for a distance of 1003.00 feet to the point of beginning of tract to be described; thence deflect to the left at an angle of 90 degrees for a distance of 440 feet; thence deflect to the right at an angle of 90 degrees for a distance of 230 feet; thence deflect to the right at an angle of 90 degrees for a distance of 620 feet; thence run Northeasterly to the point of beginning; containing 2.80 acres, more or less.

The tract of land, formerly owned by the department of transportation and used as a gravel pit, was conveyed to the department of natural resources in 1972 when no longer needed and is completely surrounded by land owned by the Stalkamps. The land is no longer used for any purpose and is surplus land for the department.

Sec. 8. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor May 21, 1991

Became law without the governor's signature May 25, 1991

[Revisor's Note: While the governor attempted to veto this chapter, the Ramsey County District Court found the attempted veto to be invalid.]

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