

## CHAPTER 370—H.F.No. 1911

*An act relating to state lands; authorizing the private sale of certain land which was exchanged for tax-forfeited land; authorizing the commissioner of natural resources to sell certain land and related improvements located in Cass county to the United States of America; requiring the commissioner of natural resources to convey certain land to Hubbard county.*

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

Section 1. **PRIVATE SALE OF EXCHANGED LAND; HUBBARD COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, Hubbard county may convey by private sale, under the remaining provisions of Minnesota Statutes, chapter 282, the land described in paragraph (c).

(b) The land may be conveyed by private sale to Thomas Dent of Lake George, Minnesota. The conveyance must be in a form approved by the attorney general.

(c) The land that may be conveyed was previously exchanged for tax-forfeited land and is described as:

That part of Government Lot 4 of section 16, Township 143 North, Range 34 West of the 5th Principal Meridian, Hubbard County Minnesota, described as follows:

Beginning at the Northeast corner of said Government Lot 4 as established by MN DOT survey; thence West along the North line of Government Lot 4 on an assumed bearing of North 89 degrees 35 minutes 56 seconds West a distance of 274.73 feet to an iron pipe which is also the point of beginning; thence continuing West along the North line of Government Lot 4 the same bearing of North 89 degrees 35 minutes 56 seconds West a distance of 148.21 feet to an iron pipe which is also the easterly right of way line of U.S. Highway 71; thence South 54 degrees 08 minutes 03 seconds West along said right of way line a distance of 49.69 feet to an iron pipe; thence South 33 degrees 43 minutes 58 seconds East a distance of 110.83 feet to an iron pipe; thence North 63 degrees 54 minutes 10 seconds East a distance of 82.17 feet to an iron pipe; thence North 32 degrees 17 minutes 10 seconds East a distance of 99.47 feet to the point of beginning. Above described tract contains 0.32 acres.

(d) Mr. Dent is the purchaser under a contract for deed of an adjoining tract containing a house and garage that encroach upon the tract to be sold.

Sec. 2. **LAKE WINNIBOGOSHISH FISH HATCHERY; SALE TO THE**

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**UNITED STATES OF AMERICA, IN TRUST FOR THE MINNESOTA CHIPPEWA TRIBE.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 94.09 to 94.16, the commissioner of natural resources may sell, at private sale, land and related improvements located in Cass county and described in this section to the United States of America, in trust for the Minnesota Chippewa Tribe, for use for fish propagation purposes.

(b) The conveyance must be in a form approved by the attorney general. The consideration may be for less than the appraised value of the land and improvements thereon, as determined by the commissioner of natural resources. The proceeds from the sale must be credited to the game and fish fund. The state shall reserve minerals and mineral rights in the conveyance. A conservation easement need not be retained under Minnesota Statutes, section 103F.535.

(c) The land, including related improvements, which may be conveyed is land that the state acquired by eminent domain in 1949 for fish-rearing ponds, fish hatchery, and related purposes, and that included the former channel of the Mississippi river. The land and related improvements are no longer used or needed for these purposes. The land is located in Cass county, in Sections 25 and 36 of Township 146 North, Range 27 West, and is described as:

(1) that portion of Section 25, that was formerly the bed of the Mississippi river, described as follows:

Beginning at meander corner No. 12 at the intersection of the government meander line on the right bank of the Mississippi river and the South line of said Section 25; thence northwesterly along said government meander line on the right bank of the Mississippi river to the intersection with a line running parallel to and 150 feet southerly of the center line of State Aid Road No. 9; thence northeasterly along last described line to the right bank of the Mississippi river as reconstructed and improved; thence in a southeasterly direction along the right bank of the Mississippi river as reconstructed and improved, to the intersection with the South line of Section 25; thence West along the South line of Section 25 to the point of beginning; containing 15.52 acres, more or less; and

(2) that portion of Section 36 that was the former bed of the Mississippi river, more fully described as follows:

Beginning at the meander corner on the North line of Section 36 and right bank of the Mississippi river; thence easterly along said section line to the right bank of the Mississippi river, as reconstructed and improved; thence in a southeasterly direction along the right bank of the said Mississippi river as reconstructed and improved, to the intersection with a line which is 2,000 feet South and parallel to the North line of Section 36; thence westerly along last described line to the intersection with the meander line of the right bank of the Mississippi river; thence westerly and northerly

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along the meander line of the right bank of the Mississippi river to point of beginning; containing 68.02 acres, more or less.

### Sec. 3. SALE OF LEASED LAND TO HUBBARD COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 84.027, subdivision 10, and 94.09 to 94.16, if the commissioner of natural resources declares the land described in paragraph (c) to be surplus land under Minnesota Statutes, section 84.027, subdivision 10, the commissioner shall convey the land described in paragraph (c) to Hubbard county for no consideration, except that the county must agree to allow the state to use the property, at no charge, in a manner not inconsistent with the county's use under paragraph (d).

(b) The conveyance must be in a form approved by the attorney general and must provide that the land reverts to the state if it is not used for the purpose described in paragraph (d) or for another public purpose.

(c) The land that may be conveyed is located in Hubbard county and is described as:

All that tract or parcel of land lying and commencing at the Quarter Section corner between Section 8 and Section 9 in Township 143 North, Range 33 West, thence run due West along the east and west quarter section line in said Section 8 a distance of 660 feet, thence South at right angles 330 feet, thence East at right angles 660 feet to the east line of said Section 8, thence North at right angles 330 feet along said east line of said Section 8 to the place of beginning at the Northeast corner of the NE 1/4 or the SE 1/4 of said Section 8, containing 5 acres, more or less.

(d) The land is a five-acre parcel that was purchased by the state in 1934 for use as a fire tower site. The county has leased the land since 1981 as a site for radio antennae and related equipment that are used for law enforcement and other public purposes and has erected fencing and a building to house the equipment.

### Sec. 4. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor March 23, 1992

Signed by the governor March 25, 1992, 9:42 a.m.

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