

Sec. 27. Minnesota Statutes 2002, section 238.43, subdivision 1, is amended to read:

Subdivision 1. **DEFINITION REGIONAL CHANNEL ENTITY.** ~~For the purposes of this section~~ “Regional channel entity” or “entity” means an independent, nonprofit corporation to govern the operation of the regional channel.

Sec. 28. **REVISOR INSTRUCTIONS.**

(a) The revisor of statutes shall delete the words “shall mean” and insert “means” where found in Minnesota Statutes, section 238.02.

(b) The revisor of statutes shall change the term “cable communications company” to “cable communications system” where found in Minnesota Statutes, chapter 238.

(c) In Minnesota Statutes, section 238.18, subdivision 1, the revisor of statutes shall delete paragraph (a) and renumber paragraph (b) as section 238.02, subdivision 1b, and renumber paragraph (c) as section 238.02, subdivision 34.

(d) In Minnesota Statutes, section 238.22, the revisor of statutes shall renumber subdivision 6 as section 238.02, subdivision 1a; subdivision 7 as section 238.02, subdivision 1c; subdivision 8 as section 238.02, subdivision 1d; subdivision 10 as section 238.02, subdivision 21a; subdivision 11 as section 238.02, subdivision 28a; subdivision 12 as section 238.02, subdivision 29a; subdivision 13 as section 238.02, subdivision 31a; and subdivision 14 as section 238.02, subdivision 31d.

(e) In Minnesota Statutes, section 238.36, the revisor of statutes shall renumber subdivision 2 as section 238.02, subdivision 3a; subdivision 3 as section 238.02, subdivision 20a; and subdivision 4 as section 238.02, subdivision 31b.

(f) The revisor of statutes shall renumber Minnesota Statutes, section 238.43, subdivision 1, as section 238.02, subdivision 31c.

Sec. 29. **REPEALER.**

Minnesota Statutes 2002, sections 238.01; 238.02, subdivisions 2, 17, 18, 19, and 25; 238.082; 238.083, subdivisions 3 and 5; 238.084, subdivisions 2, 3, and 5; 238.12, subdivision 1a; and 238.36, subdivision 1, are repealed.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 2:00 p.m.

CHAPTER 262—H.F.No. 2334

An act relating to natural resources; modifying provisions for the sale and disposition of surplus state lands; modifying certain state land management provisions; authorizing and describing certain state land sales; modifying certain water level controls; adding to and deleting

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from state parks, forests, and wildlife management areas; establishing Greenleaf Lake State Park; appropriating money; amending Minnesota Statutes 2002, sections 15.054; 84.0272, by adding subdivisions; 84.033; 85.015, subdivision 1; 86A.05, subdivision 14; 89.01, by adding a subdivision; 92.02; 92.03; 92.04; 92.06, subdivisions 1, 2, 4, 5, by adding a subdivision; 92.08; 92.10, subdivision 2; 92.12, subdivisions 1, 2, 4, 5; 92.121; 92.14, subdivision 1; 92.16, by adding a subdivision; 92.28; 92.29; 92.321, subdivision 1; 94.09, subdivisions 1, 3; 94.10; 94.11; 94.12; 94.13; 94.16, subdivision 2; 164.08, subdivision 2; 282.01, subdivision 3; Minnesota Statutes 2003 Supplement, sections 525.161; 525.841; Laws 1997, chapter 216, section 151; Laws 1999, chapter 161, section 31, subdivision 3; Laws 1999, chapter 161, section 31, subdivision 5; Laws 1999, chapter 161, section 31, subdivision 8; Laws 2003, First Special Session chapter 13, section 6; Laws 2003, First Special Session chapter 13, section 16; proposing coding for new law in Minnesota Statutes, chapters 16B; 92; 103G; repealing Minnesota Statutes 2002, sections 92.09; 92.11; 94.09, subdivisions 2, 4, 5, 6.

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

ARTICLE 1

SALE AND DISPOSITION OF SURPLUS LANDS

Section 1. Minnesota Statutes 2002, section 15.054, is amended to read:

15.054 PUBLIC EMPLOYEES NOT TO PURCHASE MERCHANDISE FROM GOVERNMENTAL AGENCIES; EXCEPTIONS; PENALTY.

No officer or employee of the state or any of its political subdivisions shall sell or procure for sale or possess or control for sale to any other officer or employee of the state or subdivision, as appropriate, any property or materials owned by the state or subdivision except pursuant to conditions provided in this section. Property or materials owned by the state or a subdivision, ~~except real property,~~ and not needed for public purposes, may be sold to an employee of the state or subdivision after reasonable public notice at a public auction or by sealed response, if the employee is not directly involved in the auction or process pertaining to the administration and collection of sealed responses. Requirements for reasonable public notice may be prescribed by other law or ordinance so long as at least one week's published notice is specified. An employee of the state or a political subdivision may purchase no more than one motor vehicle from the state in any 12-month period. A person violating the provisions of this section is guilty of a misdemeanor. This section shall not apply to the sale of property or materials acquired or produced by the state or subdivision for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of the state or a political subdivision from selling or possessing for sale public property if the sale or possession for sale is in the ordinary course of business or normal course of the employee's duties.

Sec. 2. [16B.281] SALE AND DISPOSITION OF SURPLUS STATE-OWNED LAND.

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Subdivision 1. **APPLICABILITY.** All tracts or lots of real property belonging to the state or that may hereafter accrue to the state, including tracts or lots that have escheated to the state, may be disposed of according to sections 16B.281 to 16B.287. Sections 16B.281 to 16B.287 do not apply to school or other trust fund lands belonging to the state, or that may hereafter accrue to the state, under and by virtue of any act of Congress or to any other state-owned lands the sale or disposition of which is provided for under sections 94.09 to 94.16 or other law.

Subd. 2. **CERTIFICATION REQUIRED.** On or before July 1 of each year, the head of each department or agency having control and supervision over any state-owned land, the sale or disposition of which is not otherwise provided for by law, shall certify in writing to the commissioner whether there is any state-owned land under control and supervision of that department or agency that is no longer needed. If the certification discloses lands no longer needed for a department or agency, the head of the department or agency shall include in the certification a description of the lands and the reasons why the lands are no longer needed.

Subd. 3. **NOTICE TO AGENCIES; DETERMINATION OF SURPLUS.** On or before October 1 of each year, the commissioner shall review the certifications of heads of each department or agency provided for in this section. The commissioner shall send written notice to all state departments, agencies, and the University of Minnesota describing any lands or tracts that may be declared surplus. If a department or agency or the University of Minnesota desires custody of the lands or tracts, it shall submit a written request to the commissioner, no later than four calendar weeks after mailing of the notice, setting forth in detail its reasons for desiring to acquire and its intended use of the land or tract. The commissioner shall then determine whether any of the lands described in the certifications of the heads of the departments or agencies should be declared surplus and offered for sale or otherwise disposed of by transferring custodial control to other requesting state departments or agencies or to the Board of Regents of the University of Minnesota for educational purposes, provided however that transfer to the Board of Regents shall not be determinative of tax exemption or immunity. If the commissioner determines that any of the lands are no longer needed for state purposes, the commissioner shall make findings of fact, describe the lands, declare the lands to be surplus state land, state the reasons for the sale or disposition of the lands, and notify the Executive Council of the determination.

Subd. 4. **EXECUTIVE COUNCIL APPROVAL.** Within 60 days after the receipt of the notification from the commissioner, the Executive Council shall approve or disapprove the commissioner's determinations. If the determinations are approved, the lands shall be offered for sale or otherwise disposed of as provided for in sections 16B.281 to 16B.287. If the Executive Council disapproves the determinations, the same determinations regarding the surplus lands may not be resubmitted to the Executive Council until at least six months after the date of the disapproval.

Subd. 5. **REPORT REQUIRED.** On or before November 15 of each even-numbered year, the commissioner shall report to the governor and the legislature the following information for the two-year period immediately preceding:

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(1) the lands that state departments and agencies have certified as no longer needed;

(2) the lands that have been determined to be no longer needed for state purposes, regarding which the Executive Council has been formally notified; and

(3) the lands that have been publicly sold.

Subd. 6. MAINTENANCE OF LAND BEFORE SALE: The state department or agency holding custodial control shall maintain the state-owned lands until the lands are sold or otherwise disposed of as provided for in sections 16B.281 to 16B.287.

Sec. 3. [16B.282] SURVEYS, APPRAISALS, AND SALE:

Subdivision 1. APPRAISAL; NOTICE AND OFFER TO PUBLIC BODIES.

(a) Before offering any surplus state-owned lands for sale, the commissioner may survey the lands and, if the value of the lands is estimated to be \$40,000 or less, may have the lands appraised. The commissioner shall have the lands appraised if the estimated value is in excess of \$40,000.

(b) The appraiser shall, before entering upon the duties of the office, take and subscribe an oath that the appraiser will faithfully and impartially discharge the duties of appraiser according to the best of the appraiser's ability and that the appraiser is not interested, directly or indirectly, in any of the lands to be appraised or the timber or improvements on the lands or in the purchase of the lands, timber, or improvements and has entered into no agreement or combination to purchase any of the lands, timber, or improvements. The oath shall be attached to the appraisal report.

(c) Before offering surplus state-owned lands for public sale, the lands shall first be offered to the city, county, town, school district, or other public body corporate or politic in which the lands are situated for public purposes and the lands may be sold for public purposes for not less than the appraised value of the lands. To determine whether a public body desires to purchase the surplus land, the commissioner shall give a written notice to the governing body of each political subdivision whose jurisdictional boundaries include or are adjacent to the surplus land. If a public body desires to purchase the surplus land, it shall submit a written offer to the commissioner no later than two weeks after receipt of notice setting forth in detail its reasons for desiring to acquire and its intended use of the land. In the event that more than one public body tenders an offer, the commissioner shall determine which party shall receive the property and shall submit written findings regarding the decision. If lands are offered for sale for public purposes and if a public body notifies the commissioner of its desire to acquire the lands, the public body may have up to two years from the date of the accepted offer to commence payment for the lands in the manner provided by law.

Subd. 2. PUBLIC SALE REQUIREMENTS. (a) Lands certified as surplus by the head of a department or agency under section 16B.281 shall be offered for public sale by the commissioner as provided in this subdivision. After complying with subdivision 1 and before any public sale of surplus state-owned land is made, the commissioner shall publish a notice of the sale at least once each week for four successive weeks in a legal newspaper and also in a newspaper of general distribution

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in the city or county in which the real property to be sold is situated. The notice shall specify the time and place at which the sale will commence, a general description of the lots or tracts to be offered, and a general statement of the terms of sale. Each tract or lot shall be sold separately and shall be sold for no less than its appraised value.

(b) Parcels remaining unsold after the offering may be sold to anyone agreeing to pay the appraised value. The sale shall continue until all parcels are sold or until the commissioner orders a reappraisal or withdraws the remaining parcels from sale.

(c) Except as provided in section 16B.283, the cost of any survey or appraisal as provided in subdivision 1 shall be added to and made a part of the appraised value of the lands to be sold, whether to any political subdivision of the state or to a private purchaser as provided in this subdivision.

Sec. 4. [16B.283] TERMS OF PAYMENT.

No less than ten percent of the purchase price shall be paid at the time of sale with the balance payable according to this section. If the purchase price of any lot or parcel is \$5,000 or less, the balance shall be paid within 90 days of the date of sale. If the purchase price of any lot or parcel is in excess of \$5,000, the balance shall be paid in equal annual installments for no more than five years, at the option of the purchaser, with principal and interest payable annually in advance at a rate equal to the rate in effect at the time under section 549.09 on the unpaid balance, payable to the state treasury on or before June 1 each year. Any installment of principal or interest may be prepaid.

Sec. 5. [16B.284] CONTRACT FOR DEED AND QUITCLAIM DEED.

In the event a purchaser elects to purchase surplus real property on an installment basis, the commissioner shall enter into a contract for deed with the purchaser, in which shall be set forth the description of the real property sold and the price of the property, the consideration paid and to be paid for the property, the rate of interest, and time and terms of payment. The contract for deed shall be made assignable and shall further set forth that in case of the nonpayment of the annual principal or interest payment due by the purchaser, or any person claiming under the purchaser, then the contract for deed, from the time of the failure, is entirely void and of no effect and the state may be repossessed of the lot or tract and may resell the lot or tract as provided in sections 16B.281 to 16B.287. In the event the terms and conditions of a contract for deed are completely fulfilled or if a purchaser makes a lump-sum payment for the subject property in lieu of entering into a contract for deed, the commissioner shall sign and cause to be issued a quitclaim deed on behalf of the state. The quitclaim deed shall be in a form prescribed by the attorney general and shall vest in the purchaser all of the state's interest in the subject property except as provided in section 16B.286.

Sec. 6. [16B.285] RECORD OF CONTRACTS FOR DEED AND ASSIGNMENTS; EFFECT.

(a) A contract for deed issued for land sold according to sections 16B.281 to 16B.287, or any assignment thereof, executed and acknowledged as provided by law for the execution and acknowledgment of deeds, may be recorded in the office of the

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county recorder of any county in the state in the same manner and with like effect as deeds are therein recorded. The contract for deed entitles the purchaser, or the heirs and assigns of the purchaser, to the exclusive possession of the land therein described, provided its terms have been in all respects complied with, and the contract for deed and the record thereof is conclusive evidence of title in the purchaser, or the heirs and assigns of the purchaser, for all purposes and against all persons, except the state of Minnesota in case of forfeiture.

(b) When a contract for deed or partial interest in a contract for deed is assigned, the assignment must be made on a form provided by the commissioner, executed by the assignor and assignee, and consented to by the commissioner. An assignment of a partial interest must state that payment to date has been made to the commissioner.

(c) When the assignee satisfies the terms of the assignment and corresponding terms of the contract for deed, the commissioner shall issue a deed to the assignee.

Sec. 7. **[16B.286] RESERVATION OF MINERALS.**

The state reserves for its own use all the iron, coal, copper, and other valuable minerals in or upon all lands that may be sold under sections 16B.281 to 16B.287 and any contract for deed or quitclaim deed shall contain a clause reserving all such minerals for the use of the state.

Sec. 8. **[16B.287] DISPOSITION OF PROCEEDS FROM SURPLUS STATE-OWNED LAND.**

Subdivision 1. PAYMENT OF EXPENSES. Money received from the sale of surplus state-owned land according to sections 16B.281 to 16B.287 shall be credited to the general fund except as provided in this section.

Subd. 2. PAYMENT OF EXPENSES. A portion of the proceeds from the sale equal in amount to the survey, appraisal, legal, advertising, and other expenses incurred by the commissioner or other state official in rendering the property salable shall be remitted to the account from which the expenses were paid and are appropriated and immediately available for expenditure in the same manner as other money in the account.

Sec. 9. Minnesota Statutes 2002, section 85.015, subdivision 1, is amended to read:

Subdivision 1. **ACQUISITION.** (a) The commissioner of natural resources shall establish, develop, maintain, and operate the trails designated in this section. Each trail shall have the purposes assigned to it in this section. The commissioner of natural resources may acquire lands by gift or purchase, in fee or easement, for the trail and facilities related to the trail.

(b) Notwithstanding the offering to public entities, ~~referral to Executive Council,~~ public sale, and related notice and publication requirements of sections 94.09 to 94.165, the commissioner of natural resources, in the name of the state, may sell surplus lands not needed for trail purposes at private sale to adjoining property owners and leaseholders. The conveyance must be by quitclaim in a form approved by the

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attorney general for a consideration not less than the appraised value.

Sec. 10. Minnesota Statutes 2002, section 89.01, is amended by adding a subdivision to read:

Subd. 5a. SALE OF STATE FOREST LAND. Any state lands included in areas set apart as state forests are eliminated from the state forest upon sale under the provisions of sections 92.06 to 92.09 or 94.09 to 94.16.

Sec. 11. Minnesota Statutes 2002, section 92.02, is amended to read:

92.02 AUTHORITY.

Sales under this chapter must be conducted by the commissioner, a deputy of the commissioner, or a competent person employed by the commissioner ~~and bonded in a sum of at least \$10,000.~~

Sec. 12. Minnesota Statutes 2002, section 92.03, is amended to read:

92.03 MINIMUM PRICE OF LANDS.

Subdivision 1. **SCHOOL LANDS.** The price of school lands must be at least \$5 an acre, including the value of timber reproduction. ~~Sales of school lands must be held within the county containing the lands or an adjacent county.~~ No more than 100,000 acres of school lands may be sold in one year. If a patent has been issued by the federal government to school land before 1864 and the taxes on it have been paid for at least 35 years, the commissioner of finance may reduce the minimum price of \$5 an acre by the taxes paid to make the land salable.

Subd. 2. **UNIVERSITY LANDS.** The price of lands donated to the state by the United States by act of Congress entitled "An act donating to the states of Minnesota and Oregon certain lands reserved by Congress for the territories of Minnesota and Oregon, for university purposes," approved March 2, 1861, and by an act of Congress entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts," approved July 2, 1862, must be at least \$5 an acre, including the value of timber reproduction. ~~The director commissioner shall appraise these lands or any part of them and sell them in accordance with this chapter.~~

Subd. 4. **INTERNAL IMPROVEMENT LANDS.** Lands donated to the state under the eighth section of an act of Congress entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant preemption rights," approved September 4, 1841, must be appraised and sold and the money derived from its sale invested, as provided by the Minnesota Constitution, article XI, section 8.

Sec. 13. Minnesota Statutes 2002, section 92.04, is amended to read:

92.04 MINIMUM PRICE OF CERTAIN STATE LANDS.

Lands selected for state institutions under an act of the legislature entitled "An act to appropriate swamp lands to certain educational and charitable institutions and for the purpose of creating a state prison," approved February 13, 1865, and lands known

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as state capitol lands, must be appraised and sold as school lands are sold. The price of lands belonging to the state by virtue of the Congressional acts in this section and section 92.03 must be at least \$5 an acre, including the value of timber reproduction. The terms of payment and conditions of sale must be the same as now provided by law. When state lands have been benefited by and assessments paid for drainage, the drainage improvements must be considered by the state land examiner in making appraisals. When the drained lands are sold, the principal and interest paid on it must be credited by the ~~director~~ commissioner to the proper fund to which the land belongs.

Sec. 14. Minnesota Statutes 2002, section 92.06, subdivision 1, is amended to read:

Subdivision 1. TERMS FOR LAND SALES HELD BEFORE JULY 1, 2004.

(a) The terms of payment on the sale of state public lands held before July 1, 2004, must be as follows: The purchaser shall pay in cash at the time of sale the appraised value of all timber and costs determined by the commissioner to be associated with the sale including survey, appraisal, publication, deed tax, filing fee, and similar costs. At least 15 percent of the purchase price of the land exclusive of timber and associated costs must be paid in cash at the time of sale. The balance of the purchase price must be paid in no more than 20 equal annual installments. Payments must be made by June 1 each year following the year in which the purchase was made, with interest at the rate in effect at the time of sale, calculated under this subdivision, on the unpaid balances. Any installment of principal or interest may be paid in advance, but part payment of an installment will not be accepted. For the purpose of computing interest, any installment of principal not paid on June 1 shall be credited on the following June 1. The purchaser may pay the balance due on a sale within 30 days of the sale with no interest due.

(b) Interest on unpaid balances must be computed as annual simple interest. The rate of interest must be based on average effective interest rates on mortgage loans as provided in paragraph (c).

(c) On or before December 31 of each year, the commissioner of natural resources shall determine the rate from the average effective interest rate on loans closed using the Office of Thrift Supervision series, formerly the Federal Home Loan Bank Board series, or its successor agency, for the most recent calendar month, reported on a monthly basis in the latest statistical release of the Board of Governors of the Federal Reserve System. This yield, rounded to the nearest quarter of one percent, is the annual interest rate for sales of state land during the succeeding calendar year.

(d) For state land sales in calendar year 1993 after July 1, 1993, the rate is eight percent, which is the September 1992 average from the Office of Thrift Supervision series, rounded to the nearest quarter of one percent.

Sec. 15. Minnesota Statutes 2002, section 92.06, is amended by adding a subdivision to read:

Subd. 1a. TERMS FOR LAND SALES AFTER JULY 1, 2004. Notwithstanding subdivision 1, for state land sales on or after July 1, 2004, the purchaser must pay

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at the time of sale ten percent of the total amount bid and the remainder of the payment is due within 90 days of the sale date. A person who fails to make final payment within 90 days of the sale date is in default. On default, all right, title, and interest of the purchaser or heirs, representatives, or assigns of the purchaser in the premises shall terminate without the state doing any act or thing. A record of the default must be made in the state land records of the commissioner.

Sec. 16. Minnesota Statutes 2002, section 92.06, subdivision 2, is amended to read:

Subd. 2. **BUILDINGS OR IMPROVEMENTS.** If there are buildings or other improvements upon the land, their value must be appraised determined separately and included in the purchase price. A person must not remove, injure, or destroy a building or other improvement until an amount equal to its appraised determined value has been paid on the purchase price of the premises, in addition to any payment required for timber. Violation of this provision is a gross misdemeanor.

Sec. 17. Minnesota Statutes 2002, section 92.06, subdivision 4, is amended to read:

Subd. 4. **IMPROVEMENTS, WHEN PAYMENT NOT NECESSARY.** (a) If a person has made improvements to the land and if: (1) the commissioner believes that person settled the land in good faith as homestead land under the laws of the United States before it was certified to the state, (2) the improvements were lawfully made by that person as a lessee of the state, or (3) the commissioner determines, based on clear and convincing evidence provided by the person, that the improvements were made by the person as an inadvertent trespasser, then the value of the improvements must be separately appraised determined and, if the settler, lessee, or inadvertent trespasser purchases the land, the settler, lessee, or inadvertent trespasser is not required to pay for the improvements. If another person purchases the land, that person must pay the owner of the improvements, in addition to all other required payments, the appraised determined amount for the improvements.

(b) Payment for improvements must be made within 15 days of the auction sale, either in cash or upon terms and conditions agreeable to the owner of the improvements. If payment for improvements is not made in cash, and if there is no agreement between the parties within 15 days of the auction sale, the commissioner may:

(1) sell the property to the second highest qualified bidder if that bidder submitted to the commissioner's representative, at the auction sale, a written request to buy the property at a specified price; or

(2) void the sale and reoffer the property at a subsequent sale.

(c) This subdivision does not apply unless the owner of the improvements makes a verified application to the commissioner showing entitlement to the improvements before the first state public sale at which the land is offered for sale. The applicant must appear at the sale and offer to purchase the land for at least its appraised determined value including all timber on it, and make the purchase if no higher bid is received.

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Actions or other proceedings involving the land in question begun before the sale must have been completed.

Sec. 18. Minnesota Statutes 2002, section 92.06, subdivision 5, is amended to read:

Subd. 5. **FURTHER SECURITY.** The ~~director~~ commissioner may require of the purchaser security for the payment of the deferred installments. ~~The director commissioner~~ may recover the money and enforce any security by action brought in the director's name.

Sec. 19. Minnesota Statutes 2002, section 92.08, is amended to read:

92.08 SURVEYS AND RESURVEYS.

(a) The commissioner may have surveys made to determine the correct boundaries or description of the land or to dispose of it in convenient parcels. When the commissioner determines that the interest of the state will be promoted, the commissioner may subdivide land controlled by the commissioner into smaller parcels or city lots.

(b) When the commissioner believes that an injustice has been done the purchaser because of an incorrect United States survey, the commissioner may have a resurvey made by a competent surveyor. The surveyor shall prepare a plat showing the correct acreage of each subdivision resurveyed and file it with the commissioner and with the county recorder of the proper county. The commissioner may call in the land certificates affected by the resurvey and issue new ones. The certificates must show the correct acreage and give full credit for all payments of principal and interest made.

Sec. 20. Minnesota Statutes 2002, section 92.10, subdivision 2, is amended to read:

Subd. 2. **PREPARATION.** The commissioner shall prepare suitable maps or plats designating school or other state lands owned by the state ~~which have been appraised and that are subject to sale.~~ The maps or plats must be printed and distributed with other printed matter in sufficient quantities to properly advertise the sales provided by this chapter.

Sec. 21. [92.115] VALUATION OF STATE LANDS; MINIMUM BID.

Subdivision 1. LAND VALUATION REQUIRED. Before offering any state land for sale under this chapter, the commissioner must establish the value of the land. The commissioner shall have the land appraised if the estimated market value is in excess of \$50,000.

Subd. 2. MINIMUM BID. The minimum bid for a parcel of land must include the estimated value or appraised value of the land and any improvements and, if any of the land is valuable for merchantable timber, the value of the merchantable timber. The minimum bid may include expenses incurred by the commissioner in rendering the property salable, including survey, appraisal, legal, advertising, and other expenses.

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Sec. 22. Minnesota Statutes 2002, section 92.12, subdivision 1, is amended to read:

Subdivision 1. **APPRAISERS.** The commissioner may have any school trust or other state lands appraised. The appraisals must be made by regularly appointed and qualified state appraisers. Each appraiser shall take and sign an oath to faithfully and impartially discharge the duties of appraiser as best able and that the appraiser is not interested directly or indirectly in the state lands to be appraised, or the timber or improvements on them or in their purchase. The oath must be attached to the appraisal report. To be qualified, an appraiser must hold a state appraiser license issued by the Department of Commerce. The appraisal must be in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.

Sec. 23. Minnesota Statutes 2002, section 92.12, subdivision 2, is amended to read:

Subd. 2. **VALUATION AND APPRAISAL.** The appraiser shall view and appraise the lands, including the merchantable timber and improvements on them, and make a report to the commissioner. The valuation of the lands and the merchantable timber and improvements on them must each be made and stated separately in the appraisal. The minimum price established by the appraisal is the minimum price for the lands until changed by later appraisal. ~~No school or other state lands may be sold until appraised. The price may not be less than \$5 an acre. In the appraisal the value of the land before the addition of the value of merchantable timber and improvements must include the value of timber reproduction.~~

Sec. 24. Minnesota Statutes 2002, section 92.12, subdivision 4, is amended to read:

Subd. 4. **SALES.** The commissioner shall hold frequent sales of school trust and other state lands. ~~The time and place of the sales must be publicly posted in the courthouse in the county where the lands are located and in the courthouse in the county where the sale is to take place at least 30 days in advance, in addition to the regular notice of sale provided by law. At this sale The commissioner shall sell lands the commissioner considers best for the public interest.~~

Sec. 25. Minnesota Statutes 2002, section 92.12, subdivision 5, is amended to read:

Subd. 5. **SALE OF LAND AND TIMBER.** When the appraisal and or other reports show that the land is mainly valuable for agricultural purposes and contains only small quantities of timber, the commissioner may either sell the timber separately as provided by law for state timber sales or sell the land as agricultural land. If the land is sold as agricultural land the purchaser must pay down as first payment an amount equal to the value of the timber, in addition to the first payment required on the land. If the appraisal and other reports show land should be sold for continuous forest production or other conservation purpose, the commissioner may require that the full appraised value of land and timber must be paid by the purchaser at the time of purchase.

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Sec. 26. Minnesota Statutes 2002, section 92.14, subdivision 1, is amended to read:

Subdivision 1. **TIME.** At least 30 days before a sale, the commissioner shall give four weeks' published notice of the sale at St. Paul, in each county containing land to be sold, and in the county where the sale will be held. If there is no newspaper published in the county, four weeks' posted notice in the county courthouse must be given. The commissioner shall also provide electronic notice of sale. On or before the day of sale, the commissioner may withdraw any lands.

Sec. 27. **[92.145] UNSOLD LANDS.**

Except for school trust lands, parcels remaining unsold after the public sale offering may be sold to anyone agreeing to pay the minimum bid established for the public sale. The sale shall continue until all eligible parcels have been sold or the commissioner withdraws the remaining parcels from sale.

Sec. 28. Minnesota Statutes 2002, section 92.16, is amended by adding a subdivision to read:

Subd. 5. LANDS SALES AFTER JULY 1, 2004. Notwithstanding subdivisions 1 to 4, no certificate of sale shall be issued for land sold on or after July 1, 2004. The terms of payment for land sales on or after July 1, 2004, are as provided in section 92.06, subdivision 1a.

Sec. 29. Minnesota Statutes 2002, section 92.28, is amended to read:

92.28 PROCEEDS OF SALES; DISTRIBUTION.

(a) A portion of the proceeds from the sale, equal in amount to the survey, appraisal, legal, advertising, and other expenses incurred by the commissioner in rendering the property salable and included in the minimum bid amount, shall be remitted to the account from which the expenses were paid and are appropriated and immediately available for expenditure in the same manner as other money in the account.

(b) The principal sums remainder of the proceeds accruing from all sales by the commissioner of school, university, internal improvement, or other state lands, or of pine timber upon state lands must be deposited in the several permanent funds to which they, respectively, belong. The sums may not be reduced by any costs or charges of officers, by fees, or any other means.

(c) Money received as interest on the funds, as penalties, or as rents of the lands, must be deposited in the current or general funds to which they belong. Interest and penalties on the internal improvement land fund, and rents of the land, must be compounded with the permanent fund.

Sec. 30. Minnesota Statutes 2002, section 92.29, is amended to read:

92.29 LAND PATENTS.

The commissioner of natural resources shall sign and issue in the name of the state and under the seal of the state a patent for the land described in any certificate of

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sale when the principal and interest specified in the certificate of sale and all delinquent taxes due on the land have been paid. The patent shall be issued to the purchaser named in the certificate of sale, or the purchaser's successor in interest by execution, judicial, mortgage or tax sale, or the assignee, vendee, heir or devisee of the purchaser, as shown by a properly certified abstract of title or other evidence if the purchaser's successor is a person other than the purchaser named in the certificate of sale. If the certificate of sale has become lost or destroyed, an affidavit stating that fact or a certified copy of the certificate must be submitted by the applicant for a patent. When total payment is made within 90 days of the sale, the commissioner shall sign and issue, in the name of the state and under the seal of the state, a patent for the land sold.

Sec. 31. Minnesota Statutes 2002, section 92.321, subdivision 1, is amended to read:

Subdivision 1. **COMMISSIONER MAY SELL LANDS.** The commissioner of natural resources may appraise and sell any unreserved state public land which in the commissioner's opinion is suitable for private forest management.

Sec. 32. Minnesota Statutes 2002, section 94.09, subdivision 1, is amended to read:

Subdivision 1. **APPLICABILITY.** ~~All tracts or lots of real property belonging to the state of Minnesota or that may hereafter accrue to the state, including tracts or lots which have escheated to the state, may be disposed of in accordance with sections 94.09 to 94.16; provided, sections 94.09 to 94.16 shall not apply to school or other trust fund lands, belonging to the state, or that may hereafter accrue to the state, under and by virtue of any act of Congress or to any other state-owned lands the sale or disposition of which is otherwise provided for by law. All tracts or lots of real property belonging to the state and under the control and supervision of the commissioner of natural resources shall be disposed of according to sections 94.09 to 94.16, unless otherwise provided by law.~~

Sec. 33. Minnesota Statutes 2002, section 94.09, subdivision 3, is amended to read:

Subd. 3. **NOTICE TO AGENCIES; DETERMINATION OF SURPLUS.** ~~On or before October 1 of each year, the commissioner of administration shall review the certifications of heads of each department or agency provided for in this section. The commissioner of natural resources shall send written notice to all state departments, agencies and the University of Minnesota describing any lands or tracts which may be declared surplus. If a department or agency or the University of Minnesota desires custody of the lands or tracts, it shall submit a written request to the commissioner, no later than four calendar weeks after mailing of the notice, setting forth in detail its reasons for desiring to acquire, and its intended use of, the land or tract. The commissioner of administration shall then determine whether any of the lands described in the certifications of the heads of the departments or agencies should be declared surplus and offered for sale or otherwise disposed of by transferring custodial control to other requesting state departments or agencies or to the Board of Regents of the University of Minnesota for educational purposes, provided however that transfer~~

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to the Board of Regents shall not be determinative of tax exemption or immunity. If the commissioner determines that any of ~~such~~ the lands are no longer needed for state purposes, the commissioner shall make findings of fact, describe the lands, declare ~~such~~ the lands to be surplus state land, and state the reasons for the sale or disposition thereof, and notify the state Executive Council of such determination of the lands.

Sec. 34. Minnesota Statutes 2002, section 94.10, is amended to read:

94.10 SURVEYS, APPRAISALS, AND SALE.

Subdivision 1. APPRAISAL; NOTICE AND OFFER TO PUBLIC BODIES.

(a) ~~Before offering any surplus state-owned lands for sale, the commissioner of administration may survey such natural resources must establish the value of the lands, and if the value thereof is estimated to be \$40,000 or less, may have such lands appraised. The commissioner shall have the lands appraised if the estimated value is in excess of \$40,000 \$50,000. The appraiser shall before entering upon the duties of the office take and subscribe an oath that the appraiser will faithfully and impartially discharge the duties as appraiser according to the best of the appraiser's ability and that the appraiser is not interested directly or indirectly in any of the lands to be appraised or the timber or 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. No parcel of state-owned land shall be sold for less than \$1,000.~~

(b) The appraisals must be made by regularly appointed and qualified state appraisers. To be qualified, an appraiser must hold a state appraiser license issued by the Department of Commerce. The appraisal must be in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.

~~(c) Before offering such surplus state-owned lands for public sale, such the lands shall first be offered to the city, county, town, school district, or other public body corporate or politic in which the lands are situated for public purposes and they the lands may be sold for such public purposes for not less than the appraised value thereof of the lands. To determine whether a public body desires to purchase the surplus land, the commissioner of administration natural resources shall give a written notice to the governing body of each political subdivision whose jurisdictional boundaries include or are adjacent to the surplus land. If a public body desires to purchase the surplus land, it shall submit a written offer to the commissioner not no later than two weeks after receipt of notice setting forth in detail its reasons for desiring to acquire and its intended use of the land. In the event that more than one public body tenders an offer, the commissioner shall determine which party shall receive the property, and shall submit written findings regarding the decision. If lands are offered for sale for such public purposes, and if a public body notifies the commissioner of administration of its desire to acquire such the lands, the public body may have not to exceed up to two years from the date of the accepted offer to commence payment for the lands in the manner provided by law.~~

Subd. 2. PUBLIC SALE REQUIREMENTS. (a) ~~Lands certified as surplus by the head of a department or agency other than the Department of Natural Resources~~

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shall be offered for public sale by the commissioner of administration as provided in this paragraph. After complying with subdivision 1 and before any public sale of surplus state-owned land is made and at least 30 days before the sale, the commissioner of administration natural resources shall publish a notice thereof at least once in each week for four successive weeks in a legal newspaper and also of the sale in a newspaper of general distribution in the city or county in which the real property to be sold is situated, which. The notice shall specify the time and place at which the sale will commence, a general description of the lots or tracts to be offered, and a general statement of the terms of sale. Each tract or lot shall be sold separately and shall be sold for not less than the appraised value thereof. The commissioner shall also provide electronic notice of sale.

(b) The minimum bid for a parcel of land must include the estimated value or appraised value of the land and any improvements and, if any of the land is valuable for merchantable timber, the value of the merchantable timber. The minimum bid may include expenses incurred by the commissioner in rendering the property salable, including survey, appraisal, legal, advertising, and other expenses.

(c) Parcels remaining unsold after the offering may be sold to anyone agreeing to pay the appraised value thereof. The sale shall continue until all parcels are sold or until the commissioner orders a reappraisal or withdraws the remaining parcels from sale.

(b) Lands certified as surplus by the commissioner of natural resources shall be offered for public sale by the commissioner of natural resources in the manner provided in paragraph (a) for sales by the commissioner of administration.

(e) Except as provided in section 94.11, the cost of any survey or appraisal as provided in subdivision 1 shall be added to and made a part of the appraised value of the lands to be sold, whether to any political subdivision of the state or to a private purchaser as provided in this subdivision.

Sec. 35. Minnesota Statutes 2002, section 94.11, is amended to read:

94.11 TERMS OF PAYMENT.

Not less than ten percent of the purchase price shall be paid at the time of sale with the balance payable as follows: If the purchase price of any lot or parcel is \$5,000 or less, the balance shall be paid within 90 days of the date of sale. If the purchase price of any lot or parcel is in excess of \$5,000, the balance shall be paid in equal annual installments for not more than five years, at the option of the purchaser, with principal and interest payable annually in advance at a rate equal to the rate in effect at the time under section 549.09 on the unpaid balance, payable to the state treasury on or before June 1 each year. Any installment of principal or interest may be prepaid. Terms of payment for lands sold by the commissioner of natural resources before July 1, 2004, are the same as those provided for state public lands by section 92.06, subdivision 1. For lands sold by the commissioner of natural resources on or after July 1, 2004, the terms of payment are the same as those provided for state public lands by section 92.06, subdivision 1a.

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Sec. 36. Minnesota Statutes 2002, section 94.12, is amended to read:

94.12 CONTRACT FOR DEED AND QUITCLAIM DEED.

Subdivision 1. LANDS SOLD BEFORE JULY 1, 2004. In the event a purchaser elects to purchase surplus real property on an installment basis, the commissioner of administration shall enter into a contract for deed with the purchaser thereof in which shall be set forth the description of the real property sold and the price thereof, the consideration paid and to be paid therefor, the rate of interest, and time and terms of payment. This contract for deed shall be made assignable and shall further set forth that in case of the nonpayment of the annual principal or interest payment due by the purchaser, or any person claiming under the purchaser, then the contract for deed, from the time of such failure, will be entirely void and of no effect and the state may be repossessed of the lot or tract and may resell the same as provided in sections 94.09 to 94.16. In the event the terms and conditions of a contract for deed for lands sold before July 1, 2004, are completely fulfilled or if a purchaser makes a lump sum payment for the subject property in lieu of entering into a contract for deed, 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 and shall vest in purchaser all of the state's interest in the subject property except as provided in section 94.14.

Subd. 2. LANDS SOLD AFTER JULY 1, 2004. On or after July 1, 2004, when total payment is made within 90 days of the sale, the commissioner of natural resources shall sign and cause to be issued a quitclaim deed on behalf of the state. The quitclaim deed shall be in a form prescribed by the attorney general and shall vest in the purchaser all of the state's interest in the subject property, except as provided in section 94.14.

Sec. 37. Minnesota Statutes 2002, section 94.13, is amended to read:

94.13 RECORD OF CONTRACTS FOR DEED AND ASSIGNMENTS; EFFECT.

(a) A contract for deed issued before July 1, 2004, pursuant to sections 94.09 to 94.16, or any assignment thereof, executed and acknowledged as provided by law for the execution and acknowledgment of deeds may be recorded in the office of the county recorder of any county in the state in the same manner and with like effect as deeds are therein recorded. This contract for deed shall entitle the purchaser thereof, or the heirs and assigns of the purchaser, to the exclusive possession of the land therein described, provided its terms have been in all respects complied with, and the contract for deed and the record thereof shall be conclusive evidence of title in the purchaser, or the heirs and assigns of the purchaser, for all purposes and against all persons, except the state of Minnesota in case of forfeiture.

(b) When a contract for deed or partial interest in a contract for deed is assigned, the assignment must be made on a form provided by the commissioner, executed by the assignor and assignee, and consented to by the commissioner. An assignment of a partial interest must state that payment to date has been made to the commissioner.

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(c) When the assignee satisfies the terms of the assignment and corresponding terms of the contract for deed, the commissioner shall issue a deed to the assignee.

Sec. 38. Minnesota Statutes 2002, section 94.16, subdivision 2, is amended to read:

Subd. 2. **PAYMENT OF EXPENSES.** A portion of the proceeds from the sale equal in amount to the survey, appraisal, legal, advertising, and other expenses incurred by the commissioner of administration or other state official natural resources in rendering the property salable shall be remitted to the account from which the expenses were paid, and are appropriated and immediately available for expenditure in the same manner as other money in the account.

Sec. 39. Minnesota Statutes 2003 Supplement, section 525.161, is amended to read:

525.161 NO SURVIVING SPOUSE OR KINDRED, NOTICES TO ATTORNEY GENERAL.

When it appears from the petition or application for administration of the estate, or otherwise, in a proceeding in the court that the intestate left surviving no spouse or kindred, the court shall give notice of such fact and notice of all subsequent proceedings in such estate to the attorney general forthwith; and the attorney general shall protect the interests of the state during the course of administration. The residue which escheats to the state shall be transmitted to the attorney general. All moneys, stocks, bonds, notes, mortgages and other securities, and all other personal property so escheated shall then be given into the custody of the commissioner of finance who shall immediately credit the moneys received to the general fund. The commissioner of finance shall hold such stocks, bonds, notes, mortgages and other securities, and all other personal property, subject to such investment, sale or other disposition as the State Board of Investment may direct pursuant to section 11A.04, clause (9). The attorney general shall immediately report to the State Executive Council all real property received in the individual escheat, and any sale or disposition of such real estate shall be made in accordance with sections ~~94.09 to 94.16~~ 16B.281 to 16B.287.

Sec. 40. Minnesota Statutes 2003 Supplement, section 525.841, is amended to read:

525.841 ESCHEAT RETURNED.

In all such cases the commissioner of finance shall be furnished with a certified copy of the court's order assigning the escheated property to the persons entitled thereto, and upon notification of payment of the estate tax, the commissioner of finance shall draw a warrant or execute a proper conveyance to the persons designated in such order. In the event any escheated property has been sold pursuant to sections 11A.04, clause (9), and 11A.10, subdivision 2, or ~~94.09 to 94.16~~ 16B.281 to 16B.287, then the warrant shall be for the appraised value as established during the administration of the decedent's estate. There is hereby annually appropriated from any moneys in the state treasury not otherwise appropriated an amount sufficient to make payment to all such designated persons. No interest shall be allowed on any amount paid to such persons.

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Sec. 41. **REPEALER.**

Minnesota Statutes 2002, sections 92.09; 92.11; and 94.09, subdivisions 2, 4, 5, and 6, are repealed.

Sec. 42. **EFFECTIVE DATE.**

Sections 1 to 41 are effective August 1, 2004.

ARTICLE 2

STATE LAND MANAGEMENT

Section 1. Minnesota Statutes 2002, section 84.0272, is amended by adding a subdivision to read:

Subd. 3. **MINIMAL VALUE ACQUISITION.** (a) Notwithstanding subdivision 1, if the commissioner determines that lands or interests in land have a value less than \$5,000, the commissioner may acquire the lands for the value determined by the commissioner without an appraisal. The commissioner shall make the determination based upon available information including, but not limited to:

(1) the most recent assessed market value of the land or interests in land as determined by the county assessor of the county in which the land or interests in land is located;

(2) a sale price of the land or interests in land, provided the sale occurred within the past year;

(3) the sale prices of comparable land or interests in land located in the vicinity and sold within the past year; or

(4) an appraisal of the land or interests in land conducted within the past year.

(b) In the event the value is minimal, the commissioner may add a transaction incentive, provided that the sum of the incentive plus the value of the land does not exceed \$1,000.

Sec. 2. Minnesota Statutes 2002, section 84.0272, is amended by adding a subdivision to read:

Subd. 4. **AGREEMENT BY LANDOWNER.** The commissioner shall utilize the valuation methods prescribed in subdivisions 2 and 3 only with prior consent of the landowner from whom the state proposes to purchase land or interests in land.

Sec. 3. Minnesota Statutes 2002, section 84.033, is amended to read:

84.033 SCIENTIFIC AND NATURAL AREAS.

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Subdivision 1. ACQUISITION; DESIGNATION. The commissioner of natural resources may acquire by gift, lease, easement, or purchase, in the manner prescribed under chapter 117, in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas. The commissioner shall designate any land so acquired as a scientific and natural area and shall administer any land so acquired and designated as provided by section 86A.05.

Subd. 2. DESIGNATION APPROVAL. No scientific and natural area may be designated unless the designation is approved by resolution of the board of the county in which the land is located.

EFFECTIVE DATE. This section is effective for designations after the date of enactment.

Sec. 4. Minnesota Statutes 2002, section 86A.05, subdivision 14, is amended to read:

Subd. 14. AQUATIC MANAGEMENT AREAS. (a) Aquatic management areas may be established to protect, develop, and manage lakes, rivers, streams, and adjacent wetlands and lands that are critical for fish and other aquatic life, for water quality, and for their intrinsic biological value, public fishing, or other compatible outdoor recreational uses.

(b) Aquatic management areas may be established to protect wetland areas under ten acres that are donated to the Department of Natural Resources.

(c) No unit may be authorized unless it meets one or more of the following criteria:

- (1) provides angler or management access;
- (2) protects fish spawning, rearing, or other unique habitat;
- (3) protects aquatic wildlife feeding and nesting areas;
- (4) protects critical shoreline habitat; or
- (5) provides a site for research on natural history.

(d) Aquatic management areas must be administered by the commissioner of natural resources in a manner consistent with the purposes of this subdivision to perpetuate and, if necessary, reestablish high quality aquatic habitat for production of fish, wildlife, and other aquatic species. Public fishing and other uses shall be consistent with the limitations of the resource, including the need to preserve adequate populations and prevent long-term habitat injury or excessive fish population reduction or increase. Public access to aquatic management areas may be closed during certain time periods.

(e) State-owned lands or waters, or any state-owned interests in lands or waters, acquired before August 1, 2000, that meet the criteria of this subdivision and that have been administered by the commissioner of natural resources as fish management areas or other areas of fishery interest are authorized as units of the outdoor recreation

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system upon designation by the commissioner of natural resources as aquatic management areas.

Sec. 5. Minnesota Statutes 2002, section 92.121, is amended to read:

92.121 PERMANENT SCHOOL FUND LANDS.

The commissioner of natural resources shall exchange permanent school fund land as defined in the Minnesota Constitution, article XI, section 8, located in state parks, state recreation areas, wildlife management areas, scientific and natural areas, or state waysides or on lands managed by the commissioner as old growth stands, for other lands as allowed by the Minnesota Constitution, article XI, section 10, and section 94.343, subdivision 1, that are compatible with the goal of the permanent school fund lands in section 127A.31 when, as a result of management practices applied to the permanent school fund lands and associated resources, revenue generation has been diminished or is prohibited and no alternative has been put into effect to compensate the permanent school fund for the income losses.

Sec. 6. [103G.407] WATER LEVEL CONTROLS FOR PUBLIC WATERS WITH AN OUTLET.

(a) The commissioner, upon due consideration of recommendations and objections as provided in paragraph (c), may issue a public waters work permit to establish a control elevation for a public water with an outlet that is different than any previously existing or established control level when:

(1) all of the property abutting the ordinary high water mark of the public water is in public ownership or the public entity has obtained permanent flowage easements; and

(2) the commissioner finds that the proposed change in the control level is in the public interest and causes minimal adverse environmental impact.

(b) In addition to the requirements in section 103G.301, subdivision 6, if the proposed control elevation differs from any historical control level, the permit applicant shall serve a copy of the application on each county and municipality within which any portion of the lake is located and on the lake improvement district, if one exists.

(c) A county, municipality, watershed district, watershed management organization, or lake improvement district required to be served under paragraph (b) or section 103G.301, subdivision 6, may file a written recommendation for the issuance of the permit or an objection to the issuance of the permit with the commissioner within 30 days after receiving a copy of the application.

Sec. 7. Minnesota Statutes 2002, section 164.08, subdivision 2, is amended to read:

Subd. 2. MANDATORY ESTABLISHMENT; CONDITIONS. (a) Upon petition presented to the town board 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

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of others, or whose access thereto is less than two rods in width, the town board by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road. A town board shall establish a cartway upon a petition of an owner of a tract of land that, as of January 1, 1998, was on record as a separate parcel, contained at least two but less than five acres, and has no access thereto except over a navigable waterway or over the lands of others. The town board may select an alternative route other than that petitioned for if the alternative is deemed by the town board to be less disruptive and damaging to the affected landowners and in the public's best interest.

(b) In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07.

(c) The amount of damages shall be paid by the petitioner to the town before such cartway is opened. For the purposes of this subdivision damages shall mean 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 which the town may incur in connection with the proceedings for the establishment of the cartway. The town board may by resolution require the petitioner to post a bond or other security acceptable to the board for the total estimated damages before the board takes action on the petition.

(d) Town road and bridge funds shall not be expended on the cartway unless the town board, or the county board acting as the town board in the case of a cartway established in an unorganized territory, 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, subject to the provisions of section 164.10.

(e) After the cartway has been constructed the town board, or the county board in the case of unorganized territory, 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 shall be expended for maintenance of the driveway; provided that the cartway shall not be vacated without following the vacation proceedings established under section 164.07.

Sec. 8. Minnesota Statutes 2002, section 282.01, subdivision 3, is amended to read:

Subd. 3. **NONCONSERVATION LANDS; APPRAISAL AND SALE.** All parcels of land classified as nonconservation, except those which may be reserved, shall be sold as provided, if it is determined, by the county board of the county in which the parcels lie, that it is advisable to do so, having in mind their accessibility, their proximity to existing public improvements, and the effect of their sale and occupancy on the public burdens. Any parcels of land proposed to be sold shall be first appraised by the county board of the county in which the parcels lie. The parcels may be reappraised whenever the county board deems it necessary to carry out the intent of

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sections 282.01 to 282.13. In an appraisal the value of the land and any standing timber on it shall be separately determined. No parcel of land containing any standing timber may be sold until the appraised value of the timber on it and the sale of the land have been approved by the commissioner of natural resources. The commissioner shall base review of a proposed sale on the policy and considerations specified in subdivision 1. The decision of the commissioner shall be in writing and shall state the reasons for it. The county may appeal the decision of the commissioner in accordance with chapter 14.

In any county in which a state forest or any part of it is located, the county auditor shall submit to the commissioner at least ~~30~~ 60 days before the first publication of the list of lands to be offered for sale a list of all lands included on the list which are situated outside of any incorporated municipality. If, at any time before the opening of the sale, the commissioner notifies the county auditor in writing that there is standing timber on any parcel of such land, the parcel shall not be sold unless the requirements of this section respecting the separate appraisal of the timber and the approval of the appraisal by the commissioner have been complied with. The commissioner may waive the requirement of the ~~30-day~~ 60-day notice as to any parcel of land which has been examined and the timber value approved as required by this section.

If any public improvement is made by a municipality after any parcel of land has been forfeited to the state for the nonpayment of taxes, and the improvement is assessed in whole or in part against the property benefited by it, the clerk of the municipality shall certify to the county auditor, immediately upon the determination of the assessments for the improvement, the total amount that would have been assessed against the parcel of land if it had been subject to assessment; or if the public improvement is made, petitioned for, ordered in or assessed, whether the improvement is completed in whole or in part, at any time between the appraisal and the sale of the parcel of land, the cost of the improvement shall be included as a separate item and added to the appraised value of the parcel of land at the time it is sold. No sale of a parcel of land shall discharge or free the parcel of land from lien for the special benefit conferred upon it by reason of the public improvement until the cost of it, including penalties, if any, is paid. The county board shall determine the amount, if any, by which the value of the parcel was enhanced by the improvement and include the amount as a separate item in fixing the appraised value for the purpose of sale. In classifying, appraising, and selling the lands, the county board may designate the tracts as assessed and acquired, or may by resolution provide for the subdivision of the tracts into smaller units or for the grouping of several tracts into one tract when the subdivision or grouping is deemed advantageous for the purpose of sale. Each such smaller tract or larger tract must be classified and appraised as such before being offered for sale. If any such lands have once been classified, the board of county commissioners, in its discretion, may, by resolution, authorize the sale of the smaller tract or larger tract without reclassification.

Sec. 9. Laws 1997, chapter 216, section 151, is amended to read:

Sec. 151. HORSESHOE BAY LEASES.

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Subdivision 1. **DEFINITIONS.** (a) "Lessee" means a lessee of lands leased under Minnesota Statutes, section 92.46, that are located in Section 16, Township 62 North, Range 4 East, Cook County, of record with the commissioner of natural resources as of May 14, 1993.

(b) "New lease" means a lease issued after the effective date of this act from May 31, 1997, to May 31, 2004, under the terms and conditions specified in Minnesota Statutes, section 92.46, subdivisions 1, 1a, and 3, except that the lease may be for a life term and is not assignable or transferable and may not be amended to include additional lessees.

(c) "Amended lease" means a lease issued after May 31, 2004, under the terms and conditions specified in Minnesota Statutes, section 92.46, subdivisions 1, 1a, and 3, except that:

(1) the term of the lease shall be for the lifetime of the party being issued the amended lease and, if transferred, for the lifetime of the party to whom the lease is transferred;

(2) the lease shall provide that the lease may be transferred only once and the transfer must be to a person within the second degree of kindred according to civil law;

(3) the commissioner shall limit the number of transferees per lease to no more than two persons who have attained legal age; and

(4) the lease rates shall be as provided in Laws 2003, First Special Session chapter 9, article 1, section 52.

Subd. 2. **OPTIONS FOR LESSEES.** (a) If requested in writing by a lessee before January 1, 1998, the commissioner shall, at the lessee's option:

(1) pay to the lessee the appraised value of the lessee's improvements on the land and terminate the existing lease as of the date of payment for improvements; or

(2) issue a new lease for the life of the lessee that provides that when the lease term expires, the commissioner shall pay to the lessee or a beneficiary that must be designated in writing by the lessee the appraised value of the lessee's improvements on the land. A lessee who elects this option may elect to terminate the lease at any time during the term of the lease in exchange for payment by the commissioner for the appraised value of the lessee's improvements on the land.

(b) If the commissioner has not received written notice of a lessee's election under paragraph (a) by January 1, 1998, the commissioner may proceed under paragraph (a), clause (1).

(c) If requested in writing by the lessee before January 1, 2005, the commissioner shall issue an amended lease to a lessee who holds a new lease issued under paragraph (a). When the amended lease term expires, the commissioner shall pay to the lessee, the transferee, or a beneficiary that must be designated in writing by the lessee or the transferee, the appraised value of the lessee's or transferee's improvements on the land. A lessee or transferee may elect to terminate the lease at any time during the term of

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the lease in exchange for payment by the commissioner for the appraised value of the lessee's or transferee's improvements on the land.

(d) ~~After the effective date of this section May 31, 1997,~~ no lessee under paragraph (a), clause (2), or (c), shall construct or remodel, other than necessary for maintenance and upkeep, a cabin or other structure during the lease.

(~~d~~) (e) The commissioner may use money appropriated from the land acquisition account under Minnesota Statutes, section 94.165, for payments under paragraph (a) or (c).

(~~e~~) (f) Notwithstanding Minnesota Statutes, section 92.46, subdivision 1a, the commissioner may elect whether to amend the leases in paragraph (a) or (c) to expand lot size to conform with current shoreline standards.

Sec. 10. Laws 2003, First Special Session chapter 13, section 6, is amended to read:

Sec. 6. **PROPOSED GREENLEAF LAKE STATE PARK.**

Subdivision 1. ~~[85.012] [Subd. 24b.]~~ **PROPOSED PARK GREENLEAF LAKE STATE PARK, MEEKER COUNTY.** Boundaries for a proposed Greenleaf Lake state park is established in Meeker county are established according to subdivision 2.

Subd. 2. **BOUNDARIES.** The following described lands are proposed for added to Greenleaf Lake state park, all in Township 118 North, Range 30 West, Meeker county:

(1) all of Government Lots 1 and 2, the East Half of the South 23.61 acres of Government Lot 3, and Government Lot 4, excepting that part described as follows: Beginning at a point 109 feet South of a point on the section line which is 4301.5 feet East of the northwest corner of Section 20; thence in a southwesterly direction South 14 degrees 36 seconds West 403.0 feet; thence in a southeasterly direction South 75 degrees 24 minutes East 402 feet, to a point on the meandered line of Sioux Lake; thence in a northeasterly direction along the meandered line North 14 degrees 36 minutes East 553 feet; thence in a southwesterly direction along the meandered line South 84 degrees 00 minutes West 431 feet, to the point of beginning, said exception containing 4.4 acres more or less; all in Section 20;

(2) all of Government Lot 2, the Southeast Quarter except that described as follows: Beginning at the northeast corner of said Southwest Quarter of the Southeast Quarter; thence on an assumed bearing of South 0 degrees 08 minutes 46 seconds West, along the east line of said Southwest Quarter of the Southeast Quarter, a distance of 306.24 feet; thence on a bearing of North 84 degrees 17 minutes 23 seconds West, 628.50 feet; thence on a bearing of North 0 degrees 08 minutes 46 seconds East, 338.05 feet; thence on a bearing of South 86 degrees 08 minutes East, 626.86 feet to the east line of the Northwest Quarter of the Southeast Quarter; thence on a bearing of South 0 degrees 08 minutes 46 seconds West, along last said line, 52.07 feet to the point of beginning. Containing 2.5 acres, more or less. Subject to the rights of the public in County Road No. 172; and excepting the north nine and eighty-four hundredths (9.84)

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acres of the Southeast Quarter of the Southeast Quarter described as follows: Beginning at the northeast corner of the Southeast Quarter of the Southeast Quarter and running; thence West nineteen and ninety-two hundredths chains (19.92) to the 1/16 section corner; thence South on the 1/16 section line four and sixty-four hundredths (4.64) chains; thence East nineteen and ninety-three hundredths (19.93) chains to the section line; thence North on section line five and twenty-four hundredths (5.24) chains to the place of beginning; all in Section 21;

(3) the Northeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northwest Quarter, all in Section 28;

(4) all of Section 29, except that part of Government Lot 4 bounded by the following described lines: Beginning at a point of intersection with the center line of County Road No. 169 and the north line of said Section 29; thence North 90 degrees 00 minutes East, 994.8 feet along the north line of said Section 29; thence South 00 degrees 00 minutes West, 17.9 feet; thence South 75 degrees 28 minutes West, 1051.4 feet, to the center line of County Road No. 169; thence North 04 degrees 39 minutes East, 282.7 feet along the center line of County Road No. 169 to the point of beginning; Including all riparian rights to the contained 3.4 acres more or less and subject to existing road easements; all in Section 29;

(5) the Southeast Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter, the Southeast Quarter of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter, all in Section 30; and

(6) the West 15 acres of the Northwest Quarter of the Northwest Quarter of Section 32.

Subd. 3. LAND PURCHASES. The commissioner may not use money in the land acquisition account under Minnesota Statutes, section 94.165, to purchase land for Greenleaf state park. The commissioner may only purchase land for Greenleaf state park with money appropriated specifically for that purpose.

Sec. 11. ADDITIONS TO STATE PARKS.

Subdivision 1. **[85.012] [Subd. 13.] CHARLES A. LINDBERGH STATE PARK, MORRISON COUNTY.** The following areas are added to Charles A. Lindbergh State Park, Morrison County:

(1) Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11, Block 1, Little Elk Meadows, according to the plat on file in the office of the registrar of titles, Morrison County, Minnesota, excepting one-half of all mineral and mineral rights; and

(2) that part of Government Lots 2 and 3, Section 5, Township 129, Range 29, Morrison County, Minnesota, described as follows: Commencing at the found 1/2" iron pipe which marks the position of the northwest corner of said Section 5, as perpetuated since 1936 by the Morrison County Highway Department; thence East on an assumed bearing along the north line of the Northwest Quarter of said Section 5, as determined by found monuments, a distance of 2423.44 feet to a found 1" iron pipe monument;

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thence South 36 degrees 16 minutes West along the approximate centerline of said County Road 213 a distance of 1479.77 feet; thence South 24 degrees 14 minutes West along said approximate centerline a distance of 278.26 feet; thence South 15 degrees 56 minutes 36 seconds West along said approximate centerline a distance of 86.47 feet to its intersection with said common line between Nelson and Schoessling; thence South 89 degrees 38 minutes 12 seconds East a distance of 34.26 feet to a found 5/8" diameter iron pin on the easterly right-of-way line of said County Road 213, the point of beginning; thence South 15 degrees 56 minutes 36 seconds West along said easterly right-of-way line a distance of 1246.81 feet to a 1/2" diameter iron pipe monument capped RLS 10832 which bears South 74 degrees 38 minutes 37 seconds East a distance of 33.00 feet from a found 1/2" iron pin set by Lehman in his 1948 survey at the approximate centerline of said County Road 213; thence South 14 degrees 52 minutes 10 seconds West along said easterly line of County Road 213 a distance of 338.93 feet to a 1/2" iron pipe monument capped RLS 10832 which bears South 41 degrees 39 minutes 13 seconds East a distance of 39.56 feet from a found 1/2" diameter iron pin set by Lehman in said survey at the approximate centerline of said County Road 213; thence continuing South 14 degrees 52 minutes 10 seconds West along said easterly right-of-way line a distance of 44 feet, more or less, to the northerly bank of the Little Elk River, said bank coinciding with the shoreline; thence southeasterly 963 feet, more or less, along said northerly bank of the Little Elk River to its confluence with the Mississippi River; thence northerly along the bank and shoreline of said Mississippi River a distance of 2807 feet, more or less, to its intersection with the said common line between Nelson and Schoessling; thence North 89 degrees 53 minutes 26 seconds West along said common line a distance of 7 feet, more or less, to a found 1/2" diameter iron pipe monument capped RLS 3091, one of four consecutive monuments set on said common line by Dean Anderson in his survey dated February 15, 1973; thence continuing North 89 degrees 53 minutes 26 seconds West on said common line a distance of 370.36 feet to a found 1/2" diameter iron pipe monument capped RLS 3091; thence continuing on said common line North 89 degrees 59 minutes 46 seconds West a distance of 242.55 feet to a found 1/2" diameter iron pipe monument capped RLS 3091; thence continuing on said common line North 89 degrees 59 minutes 51 seconds West a distance of 387.43 feet to a 1/2" diameter iron pipe monument capped RLS 3091; thence continuing on said common line North 89 degrees 38 minutes 12 seconds West a distance of 239.51 feet to a 5/8" diameter iron pin set by Lehman in his 1948 survey, the point of beginning, and there terminating, all in accordance with the survey of Ron Murphy, RLS 10832, dated January 20, 1983. Containing 67.80 acres, more or less, this description is intended to describe all real estate described in Certificates of Title Numbers 848 and 855.

Subd. 2. [85.012] [Subd. 14.] CROW WING STATE PARK, CROW WING, CASS, AND MORRISON COUNTIES. The following area is added to Crow Wing State Park, all in Section 18, Township 44, Range 31, Crow Wing County: the Northwest Quarter of the Northeast Quarter except the South 330 feet thereof, and the Northeast Quarter of the Northeast Quarter except the South 330 feet thereof; except that part of the Northeast Quarter of the Northeast Quarter described as follows: Commencing at the northeast corner of the said Northeast Quarter of the Northeast

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Quarter; thence West 660 feet on the north line of said Northeast Quarter of the Northeast Quarter; thence South 330 feet parallel to the east line of said Northeast Quarter of the Northeast Quarter; thence East 660 feet to the east line of said Northeast Quarter of the Northeast Quarter (said line being parallel to the north line to said Northeast Quarter of the Northeast Quarter); thence North on the east line of said Northeast Quarter of the Northeast Quarter 330 feet to the point of beginning.

Subd. 3. [85.012] [Subd. 19.] FORESTVILLE MYSTERY CAVE STATE PARK, FILLMORE COUNTY. (a) The following areas are added to Forestville State Park, all in Township 102 North, Range 12 West, Fillmore County:

(1) that part of the Southeast Quarter of the Northwest Quarter and that part of the Northeast Quarter of the Southwest Quarter of Section 25, described as follows: Beginning at the northeast corner of said Southeast Quarter of the Northwest Quarter; thence on a bearing, based on the 1983 Fillmore County Coordinate System (1986 Adjustment), of South 00 degrees 06 minutes 09 seconds West along the east line of said Southeast Quarter of the Northwest Quarter 1314.86 feet to the northeast corner of said Northeast Quarter of the Southwest Quarter; thence continuing South 00 degrees 06 minutes 09 seconds West along the east line of said Northeast Quarter of the Southwest Quarter 1306.56 feet to the southeast corner of said Northeast Quarter of the Southwest Quarter; thence South 89 degrees 26 minutes 26 seconds West along the south line of said Northeast Quarter of the Southwest Quarter 13.50 feet; thence North 00 degrees 54 minutes 48 seconds West 1441.34 feet; thence North 02 degrees 12 minutes 23 seconds West 298.58 feet; thence North 01 degree 21 minutes 29 seconds West 483.51 feet; thence North 00 degrees 04 minutes 31 seconds East 397.73 feet to the north line of said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 09 minutes 53 seconds East along said north line 63.60 feet to the point of beginning; and

(2) that part of the West Half of the Northeast Quarter and that part of the Northwest Quarter of the Southeast Quarter of Section 25, described as follows: Commencing at the northwest corner of said West Half of the Northeast Quarter being an in place Fillmore County cast iron monument; thence on a bearing, based on the 1983 Fillmore County Coordinate System (1986 Adjustment), of South 00 degrees 06 minutes 09 seconds West along the west line of said West Half of the Northeast Quarter 1169.24 feet to a 3/4" by 24" rebar with a plastic cap stamped "MN DNR LS 17003" (DNR MON) and the point of beginning; thence North 89 degrees 57 minutes 41 seconds East 1000.00 feet to a DNR MON; thence South 00 degrees 06 minutes 09 seconds West 1638.29 feet to a DNR MON; thence South 89 degrees 57 minutes 41 seconds West 1000.00 feet to the west line of said Northwest Quarter of the Southeast Quarter and a DNR MON; thence North 00 degrees 06 minutes 09 seconds East along the west line of said Northwest Quarter of the Southeast Quarter and along the west line of said West Half of the Northeast Quarter 1638.29 feet to the point of beginning.

(b) The commissioner shall manage this addition as a state park as provided in Minnesota Statutes, section 86A.05, subdivision 2, but in addition to other activities authorized in Forestville Mystery Cave State Park, the commissioner shall allow hunting.

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Subd. 4. **[85.012] [Subd. 22.] GEORGE H. CROSBY MANITOU STATE PARK, LAKE COUNTY.** The following area is added to George H. Crosby Manitou State Park, Lake County, all in Township 58 North, Range 6 West: the Southeast Quarter of the Northwest Quarter of Section 14; the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 15; the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 23; and the Southwest Quarter of the Northwest Quarter of Section 26.

Subd. 5. **[85.012] [Subd. 29.] ITASCA STATE PARK, HUBBARD, CLEARWATER, AND BECKER COUNTIES.** The following areas are added to Itasca State Park, all in Township 142, Range 36, Becker County:

(1) Bureau of Land Management Island County Control Number 7 within Twin Island Lake and located in that part of the Southwest Quarter of the Southwest Quarter of Section 5; that part of the Southeast Quarter of the Southeast Quarter of Section 6; that part of the Northeast Quarter of the Northeast Quarter of Section 7; and that part of the Northwest Quarter of the Northwest Quarter of Section 8; and

(2) Bureau of Land Management Island County Control Number 8 within Twin Island Lake and located in that part of the Northeast Quarter of the Northeast Quarter of Section 7.

Subd. 6. **[85.012] [Subd. 41.] MAPLEWOOD STATE PARK, OTTER TAIL COUNTY.** The following area is added to Maplewood State Park, Otter Tail County: Bureau of Land Management Island County Control Number 86 within South Arm Lida Lake and located in that part of the Northwest Quarter of the Southeast Quarter of Section 32, Township 136, Range 42.

Subd. 7. **[85.012] [Subd. 44.] MONSON LAKE STATE PARK, SWIFT COUNTY.** The following areas are added to Monson Lake State Park, Swift County:

(1) Bureau of Land Management Island County Control Number 001 within Monson Lake and located in that part of Government Lot 1, Section 2, Township 121, Range 37; and

(2) that part of Government Lot 1, Section 35, Township 122 North, Range 37 West, Swift County, Minnesota, described as follows: Commencing at Government Meander Corner No. 2 (being the meander corner common to Section 35 and Section 36, Township 122 North, Range 37 West); thence southwesterly a distance of 170 feet along the government meander line in said Section 35 to the POINT OF BEGINNING; thence continuing southwesterly, a distance of 445 feet along said meander line to the meander corner; thence West, a distance of 328 feet along the south line of said Government Lot 1 to the meander corner; thence northwesterly, a distance of 214 feet along the meander line in said Section 35; thence northeasterly, a distance of 620 feet to the point of beginning.

Subd. 8. **[85.012] [Subd. 55a.] TETTEGOUCHE STATE PARK, LAKE COUNTY.** The following areas are added to Tettegouche State Park, Lake County:

(1) the West Half of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter lying south and west of the Baptism River in Section 3; the East

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Half of the Southeast Quarter lying south and west of the Baptism River in Section 4; that part of the Northeast Quarter of the Northwest Quarter in Section 10, lying south of the centerline of State Highway No. 1, except that part thereof lying north of a line parallel to and 560 feet northerly distant from the south line of said Northeast Quarter of the Northwest Quarter, and between two lines parallel to and distant, respectively, 100 feet and 420 feet westerly distant from the east line of said Northeast Quarter of the Northwest Quarter; the West 450 feet of the Southeast Quarter of the Southwest Quarter of Section 11, excepting therefrom, the South 425 feet; all that part of Government Lot Two (2), Section Fifteen (15), Township Fifty-six (56), Range Seven (7) West, lying southeasterly of U.S. No. Highway 61, EXCEPT that part of Government Lot Two, described as follows: Commencing at the quarter corner between said Sections 15 and 22, 56-7, thence running East along section line between said Sections 15 and 22 to a point 503.0 feet East of said quarter corner, thence turning an angle of 75 degrees 00 minutes to the left and running 425.0 feet to a point designated by a 2-inch iron pipe, being the point of beginning, thence running in a northwesterly direction to a point on the west boundary line of Government Lot Two, which will be approximately 970.0 feet north of the quarter corner between said Sections 15 and 22, thence North along west boundary line of Government Lot Two to the northwest corner of Government Lot Two, thence East along north boundary line of Government Lot Two approximately 240.0 feet, thence in southeasterly direction to a point on east side of point of rocks projecting into Lake Superior marked with an X, thence in a southwesterly direction along the shore of Lake Superior to the point of beginning. (X mark on rock being in a line making a deflection angle of 45 degrees 51 minutes to the left with east and west section line from a point on the section line 503.0 feet East of the quarter corner between Sections 15 and 22 and being approximately 830 feet from said point on said section line.) Said parcel to contain ten (10) acres and to be subject to existing right-of-way easements and all mineral and gravel rights heretofore granted, AND EXCEPT that part of Government Lot Two, described as follows: Commencing at the northeast corner of Government Lot Two marked by an iron pipe, set in 1964 by Tofte, Lice #2888, thence South 89 degrees 49 minutes 00 seconds West, assumed bearing, along the north line of said Lot 2 a distance of 599.2 feet; thence southwesterly 105.69 feet along a non-tangential curve to the right, radius of 2864.79 feet, delta angle of 02 degrees 06 minutes 50 seconds, chord of 105.69 feet, chord bearing of South 32 degrees 14 minutes 35 seconds West; thence South 33 degrees 18 minutes 00 seconds West 193.70 feet to the Point of Beginning of the parcel herein described; thence returning North 33 degrees 18 minutes 00 seconds East 20.17 feet; thence South 70 degrees 21 minutes 14 seconds East 51.45 feet; thence South 62 degrees 07 minutes 40 seconds East 389.11 feet; thence South 81 degrees 45 minutes 44 seconds East 100.18 feet; thence South 72 degrees 51 minutes 58 seconds East 181 feet more or less to the shore of Lake Superior; thence southwesterly along said shore 265 feet more or less to the intersection with a line bearing South 47 degrees 37 minutes 00 seconds East from the point of beginning; thence North 47 degrees 37 minutes 00 seconds West 697 feet more or less to the point of beginning; all that part of the Southeast Quarter of the Southwest Quarter of Section Fifteen (15), Township Fifty-six (56), Range Seven (7) West, lying southeasterly of U.S. Highway No. 61; all

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that part of Government Lot 1 lying southeast of U.S.T.H. No. 61; the North Half of Government Lot 2; and that part of the Southwest Quarter of the Northwest Quarter lying south and east of Highway 61 in Section 22; all in Township 56 North, Range 7 West; and

(2) that part of the Northeast Quarter of the Southwest Quarter and that part of the Southeast Quarter of the Southwest Quarter lying east of County Road 4 in Section 31, Township 57 North, Range 7 West.

Sec. 12. **ADDITIONS TO CUYUNA COUNTRY STATE RECREATION AREA.**

[85.013] [Subd. 5c.] **CUYUNA COUNTRY STATE RECREATION AREA, CROW WING COUNTY.** The following areas are added to Cuyuna Country State Recreation Area, Crow Wing County:

The South Half of the Southwest Quarter of the Southwest Quarter of Section 2 and the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, all in Township 46 North, Range 29 West, EXCEPT that part of the South Half of the Southwest Quarter of the Southwest Quarter of Section 2 and that part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11 described as follows: Commencing at the southwest corner of said Section 2; thence North 88 degrees 57 minutes 16 seconds East, assumed bearing, 30.00 feet along the south line of said Section 2 to the easterly right-of-way line of County State-Aid Highway 30, the point of beginning; thence North 2 degrees 21 minutes 01 second West 123.00 feet along said easterly right-of-way line; thence North 83 degrees 57 minutes East 70.27 feet; thence easterly 48.57 feet along a tangential curve concave to the south having a radius of 270.63 feet and a central angle of 10 degrees 17 minutes; thence South 85 degrees 46 minutes East 145.77 feet; thence South 76 degrees 24 minutes East 191.00 feet; thence South 7 degrees 28 minutes 16 seconds West 385.13 feet; thence North 77 degrees 48 minutes West 43.50 feet; thence North 86 degrees 55 minutes 30 seconds West 360.00 feet to the easterly right-of-way line of County State-Aid Highway 30; thence North 1 degree 35 minutes 26 seconds East 278.06 feet along said easterly right-of-way line to the point of beginning; AND ALSO EXCEPT that part of the South Half of the Southwest Quarter of the Southwest Quarter of Section 2 and that part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, both in Township 46 North, Range 29 West, described as follows: Commencing at the southwest corner of said Section 2; thence North 88 degrees 57 minutes 16 seconds East, assumed bearing, 30.00 feet along the south line of said Section 2 to the easterly right-of-way line of County State-Aid Highway 30; thence North 2 degrees 21 minutes 01 second West 189.14 feet along said easterly right-of-way line to the point of beginning; thence North 83 degrees 57 minutes East 66.00 feet; thence easterly 60.42 feet along a tangential curve concave to the south having a radius of 336.63 feet and a central angle of 10 degrees 17 minutes; thence South 85 degrees 46 minutes East 151.18 feet; thence South 76 degrees 24 minutes East 363.20 feet; thence easterly 59.36 feet along a tangential curve concave to the north having a radius of 135.70 feet and a central angle of 25 degrees 03 minutes 46 seconds; thence South 13 degrees 51 minutes East 328.09 feet not tangent to the last described curve; thence South 87

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degrees 52 minutes 02 seconds East 159.65 feet; thence North 11 degrees 39 minutes East 297.32 feet; thence North 42 degrees 20 minutes East 156.65 feet; thence North 22 degrees 30 minutes East 340.27 feet to the east line of said South Half of the Southwest Quarter of the Southwest Quarter; thence North 1 degree 42 minutes 42 seconds West 189.62 feet along the east line of said South Half of the Southwest Quarter of the Southwest Quarter to the northeast corner of said South Half of the Southwest Quarter of the Southwest Quarter; thence South 88 degrees 46 minutes 22 seconds West 1236.37 feet along the north line of said South Half of the Southwest Quarter of the Southwest Quarter to the easterly right-of-way line of said County State-Aid Highway 30; thence South 2 degrees 21 minutes 01 second East 470.58 feet along said easterly right-of-way line to the point of beginning; AND ALSO EXCEPT that part of the South Half of the Southwest Quarter of the Southwest Quarter of Section 2 and that part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, both in Township 46, Range 29, Crow Wing County, Minnesota, described as follows: Commencing at the southwest corner of said Section 2; thence North 88 degrees 57 minutes 16 seconds East, assumed bearing 30.00 feet along the south line of said Section 2 to the easterly right-of-way line of County State-Aid Highway 30; thence North 2 degrees 21 minutes 01 second West 123.00 feet along said easterly right-of-way line; thence North 83 degrees 57 minutes East 70.27 feet; thence easterly 48.57 feet along a tangential curve concave to the south having a radius of 270.63 feet and a central angle of 10 degrees 17 minutes; thence South 85 degrees 46 minutes East 145.77 feet; thence South 76 degrees 24 minutes East 191.00 feet to the point of beginning; thence continuing South 76 degrees 24 minutes East 166.79 feet; thence easterly 90.97 feet along a tangential curve concave to the north having a radius of 201.70 feet and a central angle of 25 degrees 50 minutes 33 seconds; thence South 13 degrees 51 minutes East 262.06 feet not tangent to the last described curve; thence South 54 degrees 56 minutes West 221.00 feet; thence North 77 degrees 48 minutes West 188.50 feet; thence North 7 degrees 28 minutes 16 seconds East 385.13 feet to the point of beginning; AND ALSO EXCEPT that part of the South Half of the Southwest Quarter of the Southwest Quarter of Section 2 and that part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, both in Township 46, Range 29, Crow Wing County, Minnesota, described as follows: Commencing at the southwest corner of said Section 2; thence North 88 degrees 57 minutes 16 seconds East, assumed bearing 30.00 feet along the south line of said Section 2 to the easterly right-of-way line of County State-Aid Highway 30; thence North 2 degrees 21 minutes 01 second West 123.00 feet along said easterly right-of-way line to the point of beginning; thence North 83 degrees 57 minutes East 70.27 feet; thence easterly 48.57 feet along a tangential curve concave to the south having a radius of 270.63 feet and a central angle of 10 degrees 17 minutes; thence South 85 degrees 46 minutes East 145.77 feet; thence South 76 degrees 24 minutes East 357.79 feet; thence easterly 90.97 feet along a tangential curve concave to the north having a radius of 201.70 feet and a central angle of 25 degrees 50 minutes 33 seconds; thence North 13 degrees 51 minutes West 66.03 feet not tangent to the last described curve; thence westerly 59.36 feet along a non-tangential curve concave to the north having a radius of 135.70 feet and a central angle of 25 degrees 03 minutes 46

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seconds; thence North 76 degrees 24 minutes West 363.20 feet; thence North 85 degrees 46 minutes West 151.18 feet; thence westerly 60.42 feet along a tangential curve concave to the south having a radius of 336.63 feet and a central angle of 10 degrees 17 minutes; thence South 83 degrees 57 minutes West 66.00 feet to the easterly right-of-way line of said County State-Aid Highway 30; thence South 2 degrees 21 minutes 01 second East 66.14 feet along said easterly right-of-way line to the point of beginning.

Sec. 13. AITKIN DRAINAGE AND CONSERVANCY DISTRICT.

Notwithstanding Laws 1987, chapter 239, sections 137 and 140, the Aitkin Drainage and Conservancy District is reestablished pursuant to Minnesota Statutes 1986, chapter 111, for the purpose of maintaining the Mississippi River diversion channel.

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

Sec. 14. ADDITIONS TO BELTRAMI ISLAND STATE FOREST.

[89.021] [Subd. 5.] BELTRAMI ISLAND STATE FOREST. The following areas are added to Beltrami Island State Forest:

(1) the Southwest Quarter of the Southeast Quarter of Section 29, Township 156 North, Range 37 West, Beltrami County; and

(2) the North Half of the Northeast Quarter; the Southwest Quarter of the Northeast Quarter; and the North Half of the Northwest Quarter, all in Section 17, Township 156 North, Range 37 West, Beltrami County.

Sec. 15. ADDITIONS TO STATE WILDLIFE MANAGEMENT AREAS.

Subdivision 1. [97A.133] [Subd. 34.] LEE WILDLIFE MANAGEMENT AREA, BELTRAMI COUNTY. The following area is added to Lee Wildlife Management Area: the Southwest Quarter of the Northwest Quarter of Section 35, Township 155 North, Range 38 West, Beltrami County.

Subd. 2. [97A.133] [Subd. 44.] RED LAKE WILDLIFE MANAGEMENT AREA, BELTRAMI COUNTY. The following area is added to Red Lake Wildlife Management Area: the Northeast Quarter of Section 28, Township 155 North, Range 32 West, Beltrami County.

Subd. 3. [97A.133] [Subd. 50.] SAW-WHET WILDLIFE MANAGEMENT AREA, BELTRAMI COUNTY. The following area is added to Saw-Whet Wildlife Management Area: the Southwest Quarter of the Southwest Quarter; and the Southwest Quarter of the Southeast Quarter, all in Section 8, Township 155 North, Range 37 West, Beltrami County.

Sec. 16. EFFECTIVE DATE.

Sections 1 to 5, 7 to 12, 14, and 15 are effective July 1, 2004.

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ARTICLE 3

STATE LAND SALES

Section 1. Laws 1999, chapter 161, section 31, subdivision 3, is amended to read:

Subd. 3. **APPRAISAL.** (a) An appraisal shall be made in accordance with Minnesota Statutes, section 282.01, subdivision 3, except as modified by this subdivision. Improvements that are owned by the lessee shall be appraised separately.

(b) An appraiser shall be selected by the county. The appraiser selected shall meet the minimal appraisal standards established by the federal Farmers Home Administration or the federal Veterans Administration, and be licensed under Minnesota Statutes, section 82B.03, and be approved by the department of natural resources to appraise the property to be sold.

(c) The costs of appraisal 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 appraisal costs allocated to the lot purchased. If no one purchases a lot, the county is responsible for the appraisal cost.

(d) If a leaseholder disagrees with the appraised value of the land or leasehold improvements, the leaseholder may select an appraiser that meets the qualifications set forth herein to reappraise the land and improvements. The leaseholder must give notice of its intent to object to the appraised value of the land and buildings within ten days of the date of the mailing or service of notice under subdivision 2, paragraph (a). The reappraisal must be delivered by the leaseholder to the county auditor within 60 days of the date of mailing or service of notice of appraised value under subdivision 2, paragraph (a), or the initial appraisal shall be conclusive. The leaseholder is responsible for the costs of this reappraisal. If the parcel is reappraised within the time set forth herein and the county and the leaseholder fail to agree on the value of the land and improvements within 30 days of the date of delivery of the reappraisal by a date set by the county, each of the appraisers shall agree upon the selection of a third appraiser to conduct a third appraisal that shall be conclusive as to the value of the land and improvements. The cost of this appraisal shall be paid equally by the county and the leaseholder.

Sec. 2. Laws 1999, chapter 161, section 31, subdivision 5, is amended to read:

Subd. 5. **SURVEY.** (a) Itasca county shall cause each lot to be surveyed according to Minnesota Statutes, chapter 505, and the Itasca county platting and subdivision ordinance, each lot prior to offering it for sale by a licensed surveyor.

(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. 3. Laws 1999, chapter 161, section 31, subdivision 8, is amended to read:

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Subd. 8. **SUNSET.** This section expires five years after the day of final enactment on June 1, 2007.

Sec. 4. Laws 2003, First Special Session chapter 13, section 16, is amended to read:

Sec. 16. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND; BELTRAMI COUNTY.

(a) Notwithstanding the classification and public sale provisions of Minnesota Statutes, chapters 84A and 282, the commissioner of natural resources may sell to Waskish township the ~~consolidated conservation state's interest in~~ land that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapters 84A and 282.

(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 public airport purposes.~~ The conveyance must reserve an easement to ensure public access and state management access to the public and private lands to the west and south. The attorney general may make necessary changes in the legal description to correct errors and ensure accuracy. The consideration for the conveyance must not be less than the appraised value of the land and timber and any survey costs. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A. No payments made under State Lease Numbered 144-015-0558 will be refunded, but payments made may be credited against the payments due.

(c) The land and interests in land that may be conveyed is located in Beltrami county and is described as: the Southwest Quarter of the Northeast Quarter; the Northeast Quarter of the Southwest Quarter; the North 10 acres of the Southeast Quarter of the Southwest Quarter; and the West 10 acres of the Northwest Quarter of the Southeast Quarter, all in Section 20, Township 154 North, Range 30 West.

Sec. 5. DELETION FROM GEORGE WASHINGTON STATE FOREST.

[89.021] [Subd. 21.] GEORGE WASHINGTON STATE FOREST. The following area is deleted from George Washington State Forest, Itasca County: that part of the Northeast Quarter of the Southeast Quarter of Section 1, Township 59 North, Range 25 West, lying northeasterly of County State-Aid Highway 7, containing 1.20 acres more or less.

Sec. 6. DELETION FROM FOOT HILLS STATE FOREST.

[89.021] [Subd. 19.] FOOT HILLS STATE FOREST. The following area is deleted from Foot Hills State Forest, Cass County: Lot Four (4), Section 8, Township 140 North, Range 31 West, except that part of the E. 300 ft. thereof lying N. of the centerline of the Hiram Township road known as Mountain Maple Lane. A more exact legal description will not be known until a survey is completed to delineate the sale parcel from the water access site to be retained. The portion of the lot to be sold at public sale does not contain lakeshore. The lakeshore will be retained as part of the water access site.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 7. DELETION FROM PAUL BUNYAN STATE FOREST.

[89.021] [Subd. 38.] PAUL BUNYAN STATE FOREST. The following area is deleted from Paul Bunyan State Forest, Hubbard County: that part of the Southwest Quarter of the Northwest Quarter (SW1/4-NW1/4), Section 36, Township 142 North, Range 34 West, described as follows: Beginning at the W. quarter corner of Section 36, Township 142, Range 34, proceed N. on the section line 824.25 ft., thence S. 89 deg. 56 min. 44 sec. E. 100 ft., thence S. parallel to the section line 824.25 ft., thence N. 89 deg. 56 min. 44 sec. W. 100 ft. to the point of beginning, comprising 1.89 acres.

Sec. 8. DELETION FROM MISSISSIPPI RECREATIONAL RIVER LAND USE DISTRICT IN WRIGHT COUNTY.

The following area is deleted from the Mississippi Recreational River Land Use District in Wright County: that part of government lots 1 and 2 of Section 14, Government lot 1 of Section 23, and the southeast quarter of Section 15, Township 121 North, Range 23 West, lying beyond 300 feet of the ordinary high water level of the Mississippi River.

Sec. 9. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Aitkin 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 for no less than the appraised value of the land.

(c) The land to be sold is located in Aitkin County and is described as: 208 feet by 208 feet in Government Lot 3, as in Document #176347, Section 33, Township 45 North, Range 27 West (PIN 11-0-074000).

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

Sec. 10. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND; AITKIN COUNTY.

(a) Notwithstanding the classification and public sale provisions of Minnesota Statutes, chapters 84A and 282, the commissioner of natural resources may sell to Shamrock Township the consolidated conservation land described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapters 84A and 282.

(b) The conveyance must be in a form approved by the attorney general. The consideration for the conveyance must be for no less than the appraised value of the land and timber and any survey costs. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A.

(c) The land to be sold is located in Aitkin County and is described as: that part of the Southeast Quarter of the Southeast Quarter lying north of the township road in Section 9, Township 49 North, Range 23 West.

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Sec. 11. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; AITKIN COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Aitkin 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.

(c) The land to be sold is located in Aitkin County and is described as: the East 400 feet of the West 1,150 feet of Government Lot 7, Section 3, Township 51 North, Range 23 West (PIN 06-0-005200).

(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. 12. PUBLIC SALE OF SURPLUS STATE LAND; BELTRAMI COUNTY.

(a) Notwithstanding Minnesota Statutes, section 94.10, the commissioner of natural resources may sell by public sale, for less than the appraised value, the surplus land 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 in the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Beltrami County and is described as: the Southeast Quarter of the Northeast Quarter of Section 32 and the Southwest Quarter of the Northwest Quarter of Section 33, all in Township 147 North, Range 34 West.

(d) The land described in paragraph (c) is a former gravel pit and the commissioner of natural resources has determined that the land is no longer necessary for natural resource purposes. The land has been offered at public auction and received no bids.

Sec. 13. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CHISAGO COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Chisago 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.

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

(1) an undivided 4/7th interest in and to that part of Government Lot 3 described as follows: Beginning at the southwest corner of the recorded plat of Bergquist's Beach; thence South 64 degrees 16 minutes East, along the southerly line of Bergquist's Beach, a distance of 216 feet more or less to the high water line of North

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Center Lake; thence southerly along the high water line of the bay to North Center Lake, a distance of 300 feet more or less, to the point of intersection with the southerly projection of the westerly line of Bergquist's Beach; thence North 16 degrees 18 minutes East along said southerly projection of the westerly line of Bergquist's Beach a distance of 50 feet more or less to the point of beginning, Section 21, Township 34, Range 21;

(2) all that part of the Northeast Quarter of the Northwest Quarter lying south of the centerline of County Ditch No. 5, Section 9, Township 34, Range 21;

(3) the West Half of the Northeast Quarter of the Southeast Quarter, Section 32, Township 33, Range 21;

(4) that part of the Northwest Quarter of the Southeast Quarter described as follows: Beginning at the center of Section 32; thence South along the north/south quarter line of Section 32, 446 feet; thence East deflecting 90 degrees to the left 126.20 feet to the point of beginning on the easterly right-of-way line of Trunk Highway No. 61; thence continuing East along the easterly projection of the last described course 469.20 feet to a point 595.40 feet East of the west line of the Northwest Quarter of the Southeast Quarter; thence North deflecting 90 degrees to the left 178.20 feet; thence East deflecting 90 degrees to the right 725 feet more or less to the east line of the Northwest Quarter of the Southeast Quarter of Section 32; thence southerly along said east line 1,059.00 feet more or less to the southeast corner of the Northwest Quarter of the Southeast Quarter of Section 32; thence westerly along the south line of the Northwest Quarter of Southeast Quarter of Section 32, 1,125.00 feet more or less to the easterly right-of-way line of Trunk Highway No. 61; thence northerly along said easterly right-of-way line 903.00 feet more or less to the point of beginning. Except that part beginning at the center of Section 32; thence South 446 feet; thence East 595.40 feet; thence North 178.20 feet to the point of beginning; thence continuing East 725 feet; thence South 301 feet; thence West 725 feet; thence North 301 feet to the point of beginning, Section 32, Township 33, Range 21;

(5) that part of the Northeast Quarter of the Northeast Quarter described as follows: Beginning at the northeast corner of Section 29; thence West 49 feet; thence South 156 feet; thence East 49 feet; thence North 156 feet to the point of beginning; and also beginning 3 rods west of the northeast corner of the Northeast Quarter of the Northeast Quarter of Section 29; thence West 140 feet; thence South to the center of Goose Creek; thence following the center of Goose Creek to a point directly South of the point of beginning; thence North to the point of beginning, Section 29, Township 36, Range 21; and

(6) Outlot E of Kates Estates.

(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. 14. LAND EXCHANGE; COOK COUNTY.

(a) Notwithstanding Minnesota Statutes, section 94.344, subdivision 3, Cook County may, with the approval of the Land Exchange Board as required under the

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Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.348, determine the value of the land to be exchanged that is described in paragraph (b) by including the value of the buildings and improvements located on the land.

(b) The land to be obtained by Cook County from the United States in the exchange is all in Section 30, Township 66 North, Range 4 West, described as:

(1) that part of Government Lot 6 described as follows:

Commencing at the point created by the intersection of the north line of Lot 6 at the west line of the public landing as the point of beginning; thence South on the west line of said public landing tract a distance of 100.00 feet (measured at right angles); thence West parallel to the north line of Lot 6 for 215.00 feet; thence due North 100.00 feet to the north line of Lot 6; thence East on the north line of Lot 6 a distance of 225.00 feet, more or less, to the point of beginning, which is also described as:

Assuming the north boundary of said Government Lot 6 to lie South 88 degrees 30 minutes 00 seconds East from the iron pipe which is on the east end of said north boundary, then North 88 degrees 30 minutes 00 seconds West along said north boundary a distance of 384.75 feet to the point of beginning; thence South 16 degrees 30 minutes 00 seconds West a distance of 103.06 feet; thence North 88 degrees 30 minutes 00 seconds West a distance of 215.00 feet; thence North 00 degrees 30 minutes 00 seconds East a distance of 100.00 feet to a point which lies on the north boundary; thence South 88 degrees 30 minutes 00 seconds East along said north boundary a distance of 239.93 feet back to the point of beginning; and

(2) that part of Government Lot 7 described as follows:

Assuming the south boundary of Government Lot 7 to lie South 88 degrees 30 minutes 00 seconds East and from the iron pipe which is on the east end of said south boundary, run North 88 degrees 30 minutes 00 seconds West along said south boundary a distance of 346.53 feet to the point of beginning; thence continue North 88 degrees 30 minutes 00 seconds West along said south boundary a distance of 388.17 feet; thence North 03 degrees 16 minutes 36 seconds West a distance of 183.65 feet; thence North 23 degrees 01 minute 18 seconds East a distance of 113.59 feet; thence North 68 degrees 27 minutes 48 seconds East a distance of 225.73 feet; thence North 75 degrees 27 minutes 57 seconds East a distance of 88.62 feet; thence North 82 degrees 47 minutes 51 seconds East to the shore of Saganaga Lake; thence southwesterly along the shoreline to a point which lies on the north boundary of the county public landing; thence South 38 degrees 19 minutes 12 seconds West along said northerly boundary of the county public landing a distance of 90 feet, more or less; thence South 57

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degrees 28 minutes 36 seconds West along said northerly boundary of the county public landing a distance of 169.25 feet; thence South 47 degrees 38 minutes 48 seconds East along the southwesterly boundary of the county public landing a distance of 92.42 feet back to the point of beginning.

(c) Notwithstanding Minnesota Statutes, section 282.018, subdivision 1, Cook County may sell the land bordering public water that is described in paragraph (b) under the remaining provisions of Minnesota Statutes, chapter 282.

Sec. 15. PUBLIC SALE OF SURPLUS STATE LAND; COOK COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell the surplus land and buildings bordering on public waters that are described in paragraph (c).

(b) The sale must be in a form approved by the attorney general for consideration no less than the appraised value of the land and buildings. The conveyance shall reserve an easement to the state along the waterfront for angling and management purposes and an access easement across said lands to ensure ingress and egress to the public for access to the Flute Reed River, which is a designated trout stream. The exact location and legal description of the easements shall be determined by the commissioner of natural resources.

(c) The land to be sold is located in Cook County and described as: Part of the Northeast Quarter of the Northwest Quarter, Section 20, Township 62 North, Range 4 East, beginning at the quarter post between Sections 17 and 20; thence running South 16 rods (264 feet); thence West 10 rods (165 feet); thence North 16 rods (264 feet); thence East 10 rods (165 feet) to the place of beginning. That portion of the Northeast Quarter of the Northwest Quarter, Section 20, Township 62 North, Range 4 East, described as follows: Starting from a point on the east line of said forty-acre tract 264 feet South of the northeast corner thereof as the point of beginning; thence West 165 feet along the south line of the tract of land heretofore deeded by the grantors herein to the town of Hovland, which deed is recorded in the office of the register of deeds of Cook County, in Book R of Deeds on page 262 thereof; thence West five feet; thence South 115 feet more or less to the north bank of Flute Reed River; thence southeasterly along the north bank of said river 214 feet more or less to the east line of the above described forty-acre tract; thence North along said east line 237 feet more or less to the point of beginning.

(d) The parcel described in paragraph (c) is removed from the Grand Portage State Forest.

(e) The parcel described in paragraph (c) is a former forestry office site and it has been determined that this site is no longer needed for natural resources purposes.

Sec. 16. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CROW WING COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Crow Wing County may sell the tax-forfeited land bordering public water that is

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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 Crow Wing County and is described as: undivided 1/3 interest in the Northwest Quarter of the Southeast Quarter, Section 8, Township 45 North, Range 28 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. 17. CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR WETLANDS; HENNEPIN COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, Hennepin County may subdivide a larger tract of tax-forfeited land bordering Avalon Channel, Black Lake, Lake Minnetonka, and described as Lot 18, also Lots 29 to 32 inclusive, Block 24, "Seton," situated in the city of Mound and may sell the portion of the parcel of tax-forfeited lands bordering public water or natural wetlands that is described in paragraph (c) according to this section.

(b) The conveyance must be in a form approved by the attorney general and must be subject to restrictions imposed by the commissioner of natural resources, including but not limited to the requirement that no new structures, other than docks, shall be allowed on the portion of the parcel Hennepin County may sell, and further requirement that the balance of the tax-forfeited parcel not sold shall remain in city park status. The land described in paragraph (c) must be sold under the alternate sale provisions in Minnesota Statutes, section 282.01, subdivision 7a.

(c) The parcel of land that may be sold is described as: that part of Lot 29, Block 24, "Seton," lying easterly of the northerly extension of the west line of the East 10 feet of Lot 4, Block 1, Avalon.

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

EFFECTIVE DATE. This section is effective the day following final enactment and upon delivery by the city of Mound to the Hennepin County auditor a deed reconveying portions of tax-forfeited land to the state of Minnesota for that portion described in paragraph (c) that may be sold by Hennepin County.

Sec. 18. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING 12.28 PUBLIC WATER; HENNEPIN COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin County may sell the tax-forfeited land described in paragraph (c), to the persons making payment for the land to the city of Independence, without restrictions or limitations, under the remaining provisions of Minnesota Statutes, chapter 282.

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(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land. Notwithstanding Minnesota Statutes, sections 282.08 and 282.09, the proceeds from the sale authorized under paragraph (a) shall be apportioned as follows:

(1) 20 percent of the gross proceeds of the sale shall be retained by Hennepin County for deposit in the county forfeited tax sale fund; and

(2) 80 percent of the gross proceeds from the sale must be paid to the commissioner of natural resources. Money received by the commissioner, under this section, shall be deposited in the water recreation account in the natural resources fund and is appropriated to the commissioner for grants to political subdivisions for public access or other natural resource improvements to Lake Sarah in Hennepin County.

(c) The land to be sold is located in Hennepin County and is described as: Lot 17, Block 1, Beamish Shores Second Addition.

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

(e) The city of Independence may repay all or a portion of the prior payment made to the city of Independence for the land.

Sec. 19. PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.

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

(b) The conveyance must be in a form approved by the attorney general for consideration no less than the appraised value of the land.

(c) The land to be sold is located in Itasca County and is described as: the North 150 feet of the East 175 feet of Government Lot 8, Section 21, Township 55 North, Range 26 West.

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

Sec. 20. CONVEYANCE OF TAX-FORFEITED LAND; LAKE COUNTY.

(a) Notwithstanding any law to the contrary, after approval by the Lake County Board, the commissioner of revenue shall convey for no consideration to the city of Beaver Bay the state's interest in the tax-forfeited land described in paragraph (c), free and clear of any encumbrances or restrictions.

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

(c) The land to be conveyed is located in Lake County and is described as: The Northeast Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter, Section 22, Township 55 North, Range 8 West.

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(d) The conveyance will provide clear title to the city of Beaver Bay by removing a reversionary interest held by the state and allow the city to use the land for low-income housing.

**Sec. 21. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND;
LAKE OF THE WOODS COUNTY.**

(a) Notwithstanding Minnesota Statutes, chapters 84A, 94, and 282, the commissioner of natural resources may sell by private sale the surplus land described in paragraph (c) according to this section.

(b) The sale must be in a form approved by the attorney general and may be for less than the appraised value. The attorney general may make necessary changes in the legal description to correct errors and ensure accuracy. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A.

(c) The land to be sold is located in Lake of the Woods County and described as: 1 acre, more or less, located in the North Half of the North Half of Northeast Quarter of the Northwest Quarter, Section 23, Township 160 North, Range 33 West, known as Potamo Cemetery.

(d) The land described in paragraph (c) is a burial ground and thus not suitable for natural resource purposes.

Sec. 22. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; MAHNOMEN COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Mahnomen 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 for no less than the appraised value of the land.

(c) The land to be sold is located in Mahnomen County and is described as: Parcel Number R15.009.0600 in Government Lot 2, Section 9, Township 144 North, Range 41 West.

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

Sec. 23. PUBLIC SALE OF TRUST FUND LAND BORDERING PUBLIC WATER; MILLE LACS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the school trust fund land bordering public water that is described in paragraph (c), under the remaining provisions in Minnesota Statutes, chapter 92.

(b) The conveyance shall be in a form approved by the attorney general for consideration no less than the appraised value of the land. The attorney general may

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make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Mille Lacs County and is described as follows: Lot 2, Section 16, Township 42 North, Range 26 West.

(d) The commissioner of natural resources has determined that the land is no longer needed for any natural resource purpose and that the state's land management interests would best be served if the land was sold.

Sec. 24. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; MILLE LACS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus state land bordering public water that is described in paragraph (c) under the provisions of Minnesota Statutes, chapter 94, or Laws 2003, First Special Session chapter 1, article 1, section 31.

(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 Mille Lacs County and is described as: Government Lots 1 and 2 of Section 21, Township 43 North, Range 27 West, except the south 560 feet of said Government Lot 2 lying between U.S. Highway No. 169 and Mille Lacs Lake; also except the north 205.97 feet of said Government Lot 1 lying west of the westerly right-of-way line of U.S. Highway No. 169; also except that portion taken for trunk highway purposes in addition to the existing highway, together with all right of access being the right of ingress to and egress from all that portion of the above-described property to Trunk Highway No. 169.

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

Sec. 25. CONVEYANCE OF SURPLUS STATE LAND; OLMSTED COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of administration shall convey to the city of Rochester 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.

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

All that part of the Southwest Quarter and all that part of the West Half of the Southeast Quarter, in Section 5, Township 106 North, Range 13 West, Olmsted County, Minnesota which lies south of Trunk Highway No. 14; also, all that part of the Northwest Quarter of the Southeast Quarter in Section 6, Township 106 North, Range 13 West, Olmsted County, Minnesota which lies south of Trunk Highway No. 14; containing in all approximately 175 acres.

New language is indicated by underline, deletions by strikeout.

(d) The commissioner has determined that the land is no longer needed for any state purpose and that the state's land management interests would best be served if the land was conveyed to and used by the city of Rochester.

Sec. 26. CONVEYANCE OF SURPLUS STATE LAND; REDWOOD COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 16A.695, 16C.23, 94.09 to 94.16, or other law to the contrary, the commissioner of administration and the Minnesota Historical Society may convey to the Lower Sioux Indian community in Redwood County, for no consideration, the surplus land described in paragraph (d).

(b) For the sole purposes of this act, the Lower Sioux Indian community is a public agency and there is a state need to convey the property described in paragraph (d) to be used by the community for essential governmental purposes, including the operation of programs for the interpretation of Minnesota history.

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

(d) The land to be conveyed is located in Redwood County, consists of approximately 242 acres, and is described as:

(1) land owned by the Minnesota Historical Society:

(i) Government Lots 5 and 6, in Section 5, Township 112 North, Range 34 West;

(ii) the Northwest Quarter of the Northwest Quarter of Section 8, Township 112 North, Range 34 West; and

(iii) all that part of the East Half of the Northwest Quarter of Section 8, Township 112 North, Range 34 West, lying north of Redwood County Highway No. 2; and

(2) land owned by the state of Minnesota:

(i) Government Lots 2 and 3 of Section 8, Township 112 North, Range 34 West, EXCEPTING THEREFROM all that part of Government Lot 2 of said Section 8 described as follows: Beginning at a point on the south line of said Government Lot 2 a distance of 350.00 feet easterly of the southwest corner of said Government Lot 2; thence along the south line of said Government Lot 2 on an assumed bearing of North 89 degrees 58 minutes East for 422.40 feet; thence North 6 degrees 58 seconds East for 115.00 feet; thence South 78 degrees 18 minutes 34 seconds West for 451.09 feet to the point of beginning;

(ii) the North 8 acres of the Southeast Quarter of the Northeast Quarter of Section 8, Township 112 North, Range 34 West;

(iii) the North 6.76 acres of Government Lot 7 in Section 9, Township 112 North, Range 34 West;

(iv) all that part of the Northeast Quarter of the Northwest Quarter of Section 8, Township 112 North, Range 34 West, lying south of Redwood County Highway No. 2; and

New language is indicated by underline, deletions by strikeout.

(v) all that part of the Southwest Quarter of the Northeast Quarter of Section 8, Township 112 North, Range 34 West, described as follows: Beginning at the northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 8; thence along the north line of the Southwest Quarter of the Northeast Quarter of said Section 8 on an assumed bearing of North 89 degrees 58 minutes East for 270.90 feet; thence South 10 degrees 40 minutes 37 seconds West for 158.80 feet to the northerly right-of-way of County Road 2; thence North 62 degrees 18 minutes 09 seconds West along the northerly right-of-way line of County Road 2 for 272.73 feet to the north quarter line of said Section 8; thence North 29.13 feet to the point of beginning.

EFFECTIVE DATE. This section is effective only after approval by resolution of the Redwood County Board of Commissioners and the Sherman Township Board of Supervisors.

Sec. 27. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ROCK COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Rock 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. A deed restriction shall be a part of the sale that prevents any tillage or building construction on the property, and grazing shall be limited to stocking rates approved by the USDA Natural Resources Conservation Service.

(c) The land to be sold is located in Rock County and is described as: the North 580.08 feet of the South 2112.08 feet of the East 875 feet of the SE 1/4 of Section 26, Township 104 North, Range 44 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. 28. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Roseau County may convey to a public entity for no consideration the tax-forfeited land bordering public water that is described in paragraph (c) or may sell the land to a public entity for the appraised value.

(b) The conveyance or sale must be in a form approved by the attorney general. A conveyance for no consideration must provide that the land reverts to the state if the public entity stops using the land for a public purpose.

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

(1) Lot 2, Soler Township, Section 2, Township 162 North, Range 43 West;

(2) Lot 3, Soler Township, Section 2, Township 162 North, Range 43 West;

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(3) Lot 4, Soler Township, Section 2, Township 162 North, Range 43 West;

(4) the Northeast Quarter of the Southeast Quarter, Section 18, Township 163 North, Range 44 West;

(5) the Northwest Quarter of the Southwest Quarter, Section 27, Township 163 North, Range 44 West;

(6) the Southwest Quarter of the Southwest Quarter, Section 27, Township 163 North, Range 44 West; and

(7) the Northwest Quarter of the Northwest Quarter, Section 34, Township 163 North, Range 44 West.

(d) The county has determined that the county's land management interests would best be served if the land were conveyed to a public entity.

Sec. 29. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Roseau County may convey to a public entity for no consideration the tax-forfeited land bordering public water that is described in paragraph (c), sell to a public entity for the appraised value, or sell by public sale under the remaining provisions of Minnesota Statutes, chapter 282, the lands bordering public waters described in paragraph (c).

(b) The conveyance or sale must be in a form approved by the attorney general and reserve an easement for potential trail purposes and a road easement across the Southeast Quarter of the Northeast Quarter of Section 18, Township 163, Range 44, to provide access to state lands and the Roseau River Access.

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

(1) the Northeast Quarter of the Northeast Quarter, Section 18, Township 163 North, Range 44 West;

(2) the Southeast Quarter of the Northeast Quarter, Section 18, Township 163 North, Range 44 West;

(3) the Northwest Quarter of the Southeast Quarter, Section 18, Township 163 North, Range 44 West;

(4) the Southwest Quarter of the Southeast Quarter, Section 18, Township 163 North, Range 44 West;

(5) the Southeast Quarter of the Southeast Quarter, Section 18, Township 163 North, Range 44 West; and

(6) the Southwest Quarter of the Northwest Quarter, Section 27, Township 163 North, Range 44 West.

(d) The county has determined that the county's best interests would be served if the land were conveyed to an outside interest subject to the trail and road easements.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 30. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Roseau County may sell the tax-forfeited land 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 for no less than the appraised value of the land.

(c) The land to be sold is located in Roseau County and is described as: the Northwest Quarter of the Northeast Quarter of Section 20, Township 163 North, Range 36 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. 31. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus state land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 92.

(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 St. Louis County and is described as follows: Outlot A, Lake Leander Homesite Plat No. 1, Section 16, Township 60 North, Range 19 West.

(d) The conveyance shall reserve an access easement across the land to ensure access to Lot 11, Block 1 of Lake Leander Homesite Plat No. 1.

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

Sec. 32. 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. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

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

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(1) NE1/4 of SW1/4, Section 19, T52N, R20W;

(2) NE1/4 of NE1/4 and NW1/4 of NE1/4 ex part wly of centerline of County Rd #44, Section 22, T56N, R12W;

(3) that part of NE1/4 of SE1/4 lying S of Floodwood River, Section 19, T52N, R20W;

(4) NW1/4 of SE1/4 ex W1/2 and E165 ft of W1/2 of NW1/4 of SE1/4, Section 5, T51N, R13W;

(5) NE1/4 of SW1/4 inc E1/2 of NW1/4 of SW1/4, Section 32, T52N, R14W;

(6) that part of SW1/4 of SE1/4 lying W of county rd ex sly 2 ac, Section 21, T56N, R18W; and

(7) Lot 7 ex part lying S and E of centerline of Co Rd #609, Section 1, T56N, R16W.

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

(e) Easements: for the NE1/4 of NE1/4 and NW1/4 of NE1/4 ex part wly of centerline of County Road #44, Section 22, T56N, R12W and the NW1/4 of SE1/4 ex W1/2 and E165 ft of W1/2 of NW1/4 of the SE1/4 of Section 5, T51N, R13W, the county shall grant an easement to the state to the bed of the designated trout stream or tributary and a strip of land no wider than will be enclosed between the top edge of the streambank and a line parallel thereto and 66 feet distance therefrom on either side of the stream as it crosses St. Louis County tax-forfeited land for the purpose of fish stocking and the development of fish habitat in the described area, including tree planting, fencing, erosion control, installation of instream structures, posting of signs and other improvements as deemed necessary, and angling by the public in the described area; and, For the NE1/4 of SW1/4, Section 19, T52N, R20W and that part of NE1/4 of SE1/4 lying S of Floodwood River, Section 19, T52N, R20W, the county shall grant to the state an easement to the bed of the stream and a strip of land no wider than will be enclosed between the top edge of the streambank and a line parallel thereto and 50 feet distance therefrom on either side of the Floodwood River as it crosses the St. Louis County tax-forfeited land for the purpose of fish stocking and the development of fish habitat in the described area, including tree planting, fencing, erosion control, installation of instream structures, posting of signs and other improvements as deemed necessary, and angling by the public in the described area; and, For the NE1/4 of SW1/4 inc E1/2 of NW1/4 of SW1/4, Section 32, T52N, R14W, the county shall grant to the state an easement to the bed of the stream and a strip of land no wider than will be enclosed between the top edge of the streambank and a line parallel thereto and 50 feet distance therefrom on either side of the inlet stream to Fish Lake Reservoir as it crosses the St. Louis County tax-forfeited land for the purpose of fish stocking and the development of fish habitat in the described area, including tree planting, fencing, erosion control, installation of instream structures, posting of signs and other improvements as deemed necessary, and angling by the public in the described area; and for Lot 7 ex part lying S and E of centerline of Co Rd #609, Section

New language is indicated by underline, deletions by strikeout.

1, T56N, R16W, the county shall grant to the state an easement of 66 feet from the ordinary high water mark of Mud Hen Lake for the purpose of providing protection of riparian vegetation, angler access for fishing, and Department of Natural Resources access for habitat improvement.

Sec. 33. 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 necessary changes to the 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) part of SE1/4 of SE1/4 lying within 33 ft on each side of a line comm at E1/4 cor of sec; thence wly on E-W1/4 line with an assumed azimuth of 269 degrees 06 minutes 51 seconds 384.05 ft; thence at an azimuth of 204 degrees 41 minutes 21 seconds 1179.68 ft; thence at an azimuth of 205 degrees 41 minutes 50 seconds 288 ft to N line of forty and the point of beg; thence continue on previous azimuth 660 ft to W line of forty, Section 11, T51N, R15W;

(2) NW1/4 of NE1/4 ex part lying E of a line 33 ft ely of a line beg on N line at an azimuth of 269 degrees 6 minutes 49 seconds 361.54 ft from NE cor; thence at an azimuth of 205 degrees 41 minutes 0 seconds 1217.71 ft; thence at an azimuth of 128 degrees 43 minutes 18 seconds 362 ft to S line and ex part lying W of a line which is 33 ft W of above described line, Section 14, T51N, R15W; and

(3) that part of NE1/4 of SE1/4 lying within 33 ft ely and 33 ft wly of following desc line comm at E quarter cor of Sect 11; thence wly on E-W quarter line which has an assumed azimuth (0 degrees N) of 269 degrees 6 minutes 51 seconds for 384.05 ft to pt of beg of desc line; thence at an azimuth of 204 degrees 41 minutes 21 seconds for 1179.68 ft; thence at an azimuth of 205 degrees 41 minutes 50 seconds for 288 ft to S line of forty, Section 11, T51N, R15W. The county may sell the undivided 17/32 interest in the Northeast Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter, Section 34, Township 59 North, Range 18 West, by private sale notwithstanding Minnesota Statutes, section 282.01, subdivision 8, and the public sale provisions of Minnesota Statutes, chapter 282, under the remaining provisions of Minnesota Statutes, chapter 282, subject to the approval of the commissioner.

(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; 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).

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(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy. For the undivided 17/32 interest in the Northeast Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter, all in Section 34, Township 59 North, Range 18 West, the conveyance must provide that the land is subject to the terms and conditions of State Taconite Iron Ore Mining Lease Numbered T-5036. The commissioner of natural resources may approve sale upon a determination that the taconite resource has been removed from the land to be sold.

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

- (1) NW1/4 of SE1/4, Section 34, T59N, R18W (17/32 undivided interest);
- (2) NE1/4 of SE1/4, Section 34, T59N, R18W;
- (3) NE1/4 of SW1/4, Section 34, T59N, R18W; and
- (4) SE1/4 of NW1/4, Section 34, T59N, R18W.

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

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 necessary changes to the 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 easterly 240.00 feet of the southerly 380.00 feet of the Northwest Quarter of the Northeast Quarter of Section 4, Township 62 North, Range 13 West, St. Louis County, Minnesota. This parcel contains 2.08 acres more or less; and

(2) the westerly 360.00 feet of the southerly 380.00 feet of the Northeast Quarter of the Northeast Quarter of Section 4, Township 62 North, Range 13 West, St. Louis County, Minnesota. This parcel contains 3.14 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; 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).

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(b) The conveyance must be in a form approved by the attorney general for a consideration of taxes due on the property and any penalties, interest, and costs.

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

NW 1/4 of NW 1/4 ex 14.98 ac at NW corner and ex 4.66 ac at SW corner, Section 13, Township 61, Range 21, Town of Morcom, 460-10-2050.

(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. 37. LCMR APPROPRIATION EXTENSION.

The availability of the appropriation for the following project is extended to June 30, 2006: Laws 2001, First Special Session chapter 2, section 14, subdivision 5, paragraph (b), local grants initiative program, outdoor recreation grant for the Lake Links Trail.

Sec. 38. EFFECTIVE DATE.

This article is effective the day following final enactment.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 4:40 p.m.

CHAPTER 263—H.F.No. 2095

An act relating to mortgage foreclosure; providing for rescission of foreclosure consultant contracts; regulating foreclosure consultant contracts; providing remedies for foreclosure violations; requiring foreclosure purchasers to enter foreclosure reconveyances in the form of written contracts; regulating foreclosure contracts; prohibiting certain foreclosure purchaser practices; providing enforcement remedies; requiring certain foreclosure notices; imposing criminal penalties; amending Minnesota Statutes 2002, sections 462A.05, by adding a subdivision; 469.018, by adding a subdivision; 580.03; Minnesota Statutes 2003 Supplement, section 462A.03, subdivision 13; Laws 2003, chapter 128, article 10, section 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 580; proposing coding for new law as Minnesota Statutes, chapter 325N.

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

Section 1. [325N.01] DEFINITIONS.

The definitions in paragraphs (a) to (h) apply to sections 325N.01 to 325N.09.

(a) "Foreclosure consultant" means any person who, directly or indirectly, makes any solicitation, representation, or offer to any owner to perform for compensation or who, for compensation, performs any service which the person in any manner represents will in any manner do any of the following:

New language is indicated by underline, deletions by ~~strikeout~~.