

**89.022 DISPOSAL OF TILLABLE LAND IN MEMORIAL HARDWOOD FOREST.**

Subdivision 1. **Exchange or sale required.** If any parcel acquired for the Memorial Hardwood Forest after July 1, 1977 contains more than ten contiguous acres of tillable land adjacent to other tillable land or to a maintained public road or a farm homestead consisting of a residence and farm buildings abutting a maintained public road, the commissioner of natural resources shall either exchange the land for other land suitable for forest purposes or declare the land as surplus land. Tillable land is land classified as class 1, 2, or 3 as defined by the United States Natural Resources Conservation Service. Notwithstanding any law to the contrary neither the state nor any of its subdivisions shall be required to construct or maintain any street, highway or other road to provide access to any parcel of land sold or exchanged pursuant to this section. The commissioner of natural resources may retain easements over parcels sold or exchanged pursuant to this section as are required for purposes of providing access to public waters or forest lands or access to insure stream bank stabilization and protection.

Subd. 2. **Exemption.** The commissioner of natural resources may apply to the county board for an exemption from the exchange or sale requirements of subdivision 1 in instances where it can be demonstrated that tillable land has been or will be acquired for natural resource and public access purposes. The county board may approve or disapprove the exemption. If the application for exemption is not decided by the county board within 90 days, the application shall be deemed to have been approved.

Subd. 3. **Disposition.** Money collected pursuant to this section shall be deposited in the natural resources fund established under section 16A.531, subdivision 2.

**History:** 1979 c 248 s 1,2; 1988 c 690 art 1 s 1; 1989 c 335 art 1 s 269; 2006 c 243 s 21; 2014 c 217 s 2; 2015 c 21 art 1 s 109