

**Senator Robling introduced--****S.F. No. 1773:** Referred to the Committee on Environment and Natural Resources.

1                                   A bill for an act

2           relating to wetlands; clarifying restriction on  
3           wetland development in land sale in Scott County;  
4           amending Laws 2003, First Special Session chapter 13,  
5           section 25.

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

7           Section 1. Laws 2003, First Special Session chapter 13,  
8           section 25, is amended to read:

9           Sec. 25. [PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC  
10           WATERS; SCOTT COUNTY.]

11           (a) Notwithstanding Minnesota Statutes, sections 92.45;  
12           94.09; 94.10; 97A.135, subdivision 2a; and 103F.535, the  
13           commissioner of natural resources shall sell by private sale the  
14           surplus land bordering public waters that is described in  
15           paragraph (e).

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

19           (c) The deed must contain a restrictive covenant that  
20           prohibits altering, disturbing vegetation in, draining, filling,  
21           or placing any material or structure of any kind on or in the  
22           existing wetland area located on the land; prohibits any  
23           increase in run-off rate or volume from the land or future  
24           buildings into said wetland; and prohibits diverting or  
25           appropriating water from said wetland. This restriction applies

1 only to the public waters wetland on the land identified on the  
2 public waters inventory map as 70-148W. Other wetlands on the  
3 land are subject to Minnesota Statutes, sections 103G.221 to  
4 103G.2372.

5 (d) The consideration received for the conveyance shall be  
6 deposited in the state treasury and credited to the wildlife  
7 acquisition account in the game and fish fund. The money is  
8 appropriated to the commissioner of natural resources for  
9 wildlife land acquisition purposes.

10 (e) The land that may be sold is in the Prior Lake wildlife  
11 management area in Scott county and is described as:

12 The East 1200 feet of the South 800 feet of the Southwest  
13 Quarter of the Southeast Quarter of Section 22, Township  
14 115 North, Range 22 West. Including the abandoned  
15 right-of-way of the Chicago, Milwaukee, St. Paul and  
16 Pacific Railroad Company (formerly the Hastings and Dakota  
17 Railway Company). Containing 22 acres, more or less.

18 (f) This land no longer fits into the state wildlife  
19 management area system because of hunting limitations, its small  
20 size, and future development planned for the area. Proceeds  
21 from the sale will be used to purchase lands more suitable for  
22 wildlife management and public use.

23 **[EFFECTIVE DATE.]** This section is effective the day  
24 following final enactment.



## Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155 4046

March 18, 2005

Representative Tom Hackbarth  
Chair, Environment & Natural  
Resources Committee  
409 State Office Building  
St. Paul, Minnesota 55155

Senator John Marty  
Chair, Environment & Natural  
Resources Committee  
323 Capitol  
St. Paul, Minnesota 55155

Dear Committee Chairs:

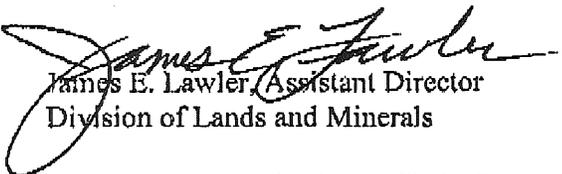
Please accept this letter as the Department's written recommendation of disposition regarding the proposed legislation amending Laws 2003, First Special Session chapter 13, section 25, relating to wetlands; clarifying restriction on wetland development in land sale in Scott County.

**Scott County HF 1842 SF 1773**

### **Department's Recommendation: No objection**

If you have any questions, please feel free to call Kim Hennings at (651) 297-2823, or Gloria Johnson, Division of Lands and Minerals at (651) 296-9559.

Sincerely,

  
James E. Lawler, Assistant Director  
Division of Lands and Minerals

cc: Senator Tom Saxhaug, Chair, Senate Lands Subcommittee  
Senator Claire Robling  
Representative Michael Beard  
Kim Hennings, Division of Wildlife, DNR  
Joe Gibson, Division of Waters, DNR



# SUBCOMMITTEE REPORT - WITH AMENDMENTS

**TO:** Environment and Natural Resources Committee

**FROM:** Public Lands and Waters Subcommittee

**S. F. No.** 896

**Amendments:** A-3, SF 1773, A-4, A-7, A05-0192, A-5

**Subcommittee recommendation:**

And when so amended that the bill be recommended to pass and be referred to the full committee. OR

And when so amended that the bill \_\_\_\_\_

March 21, 2005 (date of subcommittee action)

**Senators Bakk, Senjem, Saxhaug and Ruud introduced--**

**S.F. No. 896: Referred to the Committee on Environment and Natural Resources.**

1 A bill for an act

2 relating to state lands; authorizing private sale of  
3 certain surplus land in Hubbard, Lake, and Wabasha  
4 Counties.

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

6 Section 1. [PRIVATE SALE OF SURPLUS STATE LAND; HUBBARD  
7 COUNTY.]

8 (a) Notwithstanding Minnesota Statutes, sections 94.09 and  
9 94.10, the commissioner of natural resources may sell by private  
10 sale the surplus state land that is described in paragraph (c).

11 (b) The conveyance must be in a form approved by the  
12 attorney general. The attorney general may make necessary  
13 changes to the legal description to correct errors and ensure  
14 accuracy.

15 (c) The land that may be sold is located in Hubbard County  
16 and is described as follows:

17 That part of the Northwest Quarter of the Northwest Quarter  
18 of Section 22, Township 142 North, Range 33 West, Hubbard  
19 County, Minnesota, described as follows:

20 Beginning at the northeast corner of said Northwest Quarter  
21 of the Northwest Quarter, being a 3/4 inch rebar with  
22 plastic cap stamped "MN DNR LS 17005" (DNR Monument);  
23 thence on a bearing based on the Hubbard County Coordinate  
24 System of 1983 of North 88 degrees 51 minutes 21 seconds  
25 West, along the north line of said Northwest Quarter of the

1 Northwest Quarter 253.67 feet to a DNR Monument; thence  
2 South 04 degrees 03 minutes 57 seconds East 132.71 feet to  
3 a DNR Monument; thence South 79 degrees 15 minutes 13  
4 seconds East 248.33 feet to the east line of said Northwest  
5 Quarter of the Northwest Quarter and a DNR Monument; thence  
6 North 00 degrees 05 minutes 06 seconds East along the east  
7 line of said Northwest Quarter of the Northwest Quarter  
8 173.61 feet to the point of beginning, containing 0.87  
9 acres.

10 (d) The sale would resolve a long-standing unintentional  
11 trespass.

12 Sec. 2. [PRIVATE SALE OF SURPLUS STATE LAND BORDERING  
13 PUBLIC WATER; LAKE COUNTY.]

14 (a) Notwithstanding Minnesota Statutes, sections 92.45,  
15 94.09, and 94.10, the commissioner of natural resources may sell  
16 by private sale the surplus state land bordering public water  
17 that is described in paragraph (c).

18 (b) The conveyance must be in a form approved by the  
19 attorney general. The conveyance shall reserve a conservation  
20 easement to ensure protection of the fish and wildlife shoreline  
21 habitat. The attorney general may make necessary changes to the  
22 legal description to correct errors and ensure accuracy.

23 (c) The land that may be sold is located in Lake County and  
24 is described as follows: an undivided 1/16th interest in  
25 Government Lot 7, Section 31, Township 63 North, Range 11 West.

26 (d) The sale would allow the combination of the 1/16  
27 interest with the remaining 15/16 interest.

28 Sec. 3. [PRIVATE SALE OF SURPLUS STATE LAND; WABASHA  
29 COUNTY.]

30 (a) Notwithstanding Minnesota Statutes, sections 94.09 and  
31 94.10, the commissioner of natural resources may sell by private  
32 sale the surplus state land that is described in paragraph (c).

33 (b) The conveyance must be in a form approved by the  
34 attorney general. The attorney general may make necessary  
35 changes to the legal description to correct errors and ensure  
36 accuracy.

1       (c) The land that may be sold is located in Wabasha County  
2 and is described as follows:

3       That part of the South Half of the Southwest Quarter of  
4 Section 14, Township 109 North, Range 10 West, Wabasha County,  
5 Minnesota, lying southerly of the following described center  
6 line:

7       Commencing at the southwest corner of said South Half of  
8 the Southwest Quarter from which the southeast corner of  
9 said South Half of the Southwest Quarter bears East,  
10 assumed bearing; thence South 88 degrees 44 minutes East  
11 69.69 feet to the point of beginning; thence North 62  
12 degrees East 72.46 feet; thence North 64 degrees East 48.05  
13 feet; thence East 77.19 feet; thence South 86 degrees East  
14 73.98 feet; thence North 76 degrees East 72.83 feet; thence  
15 North 64 degrees East 75.07 feet; thence North 77 degrees  
16 East 76.52 feet; thence North 85 degrees East 13.74 feet;  
17 thence North 47 degrees East 63.99 feet; thence North 72  
18 degrees East 76.61 feet; thence North 69 degrees East 72.57  
19 feet; thence North 39 degrees East 56.12 feet; thence South  
20 66 degrees East 80.17 feet; thence South 82 degrees East  
21 48.68 feet; thence North 82 degrees East 69.30 feet; thence  
22 South 31 degrees East 81.99 feet; thence South 10 degrees  
23 East 39.39 feet; thence South 12 degrees East 74.13 feet;  
24 thence South 22 degrees East 51.75 feet; thence South 43  
25 degrees East 18.47 feet; thence South 83 degrees East 71.42  
26 feet; thence North 89 degrees East 53.56 feet; thence North  
27 28 degrees East 70.36 feet; thence North 31 degrees East  
28 74.57 feet; thence North 22 degrees East 73.19 feet; thence  
29 North 06 degrees East 52.91 feet; thence North 07 degrees  
30 East 68.58 feet; thence North 14 degrees East 75.72 feet;  
31 thence North 17 degrees East 72.04 feet; thence South 76  
32 degrees East 84.66 feet; thence South 51 degrees East 75.23  
33 feet; thence South 73 degrees East 72.96 feet; thence South  
34 79 degrees East 81.25 feet; thence South 01 degree East  
35 82.11 feet; thence South 05 degrees West 73.45 feet; thence  
36 South 22 degrees East 69.17 feet; thence South 72 degrees

1 East 70.65 feet; thence South 79 degrees East 56.89 feet;  
2 thence North 79 degrees East 54.55 feet; thence South 37  
3 degrees East 80.95 feet; thence South 26 degrees East 49.79  
4 feet, more or less, to the south line of said South Half of  
5 the Southwest Quarter and there terminating, containing 6.4  
6 acres, more or less.

7 (d) The sale would correct an error in a prior land  
8 acquisition that cut off the existing access route to the  
9 remainder of the adjacent landowner's property.

**Senate Counsel, Research,  
and Fiscal Analysis**

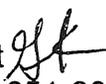
G-17 STATE CAPITOL  
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.  
ST. PAUL, MN 55155-1606  
(651) 296-4791  
FAX: (651) 296-7747  
JO ANNE ZOFF SELLNER  
DIRECTOR

# Senate

State of Minnesota

## **S.F. No. 896, Delete-Everything Amendment - Omnibus Lands Bill**

**Author:** Senator Thomas Bakk

**Prepared by:** Greg Knopff, Legislative Analyst   
phone: 651-296-9399 fax: 651-296-7747  
e-mail: gregory.knopff@senate.leg.state.mn.us

**Date:** March 20, 2005

---

**Section 1 [Scientific and Natural Areas; County Approval]** provides that county approval of scientific and natural areas (SNAs) either at the time they are acquired or when the land is designated. If the land is acquired as a SNA and county approval was obtained, then county approval of the designation is not required. If the land was not acquired as a SNA and county approval was not obtained for the acquisition, then county approval is required for designation. This is from S.F. No. 709 (Bakk), as amended by subcommittee.

**Section 2 [Hunting Trapping, and Fishing; SNAs]** authorizes the Commissioner of Natural Resources to allow hunting, trapping, or fishing in a SNA at the time of designation. This is from S.F. No. 709 (Bakk).

**Section 3 [Private Sale of Con-Con Land; Aitkin County]** allows the Commissioner of Natural Resources to sell certain consolidate conservation (Con-Con) land by private sale. This is from S.F. No. 846 (Saxhaug), as amended by subcommittee.

**Section 4 [Private Sale of Tax-Forfeited Land; Beltrami County]** allows Beltrami County to sell certain tax-forfeited land by private sale. This is from S.F. No. 1527 (Skoe).

**Sections 5 to 8 [Conveyance of Tax-Forfeited Lands Bordering Public Water; Hennepin County]** allows Hennepin County to sell or convey for public use, by cities, certain parcels of tax-forfeited land that border public waters. These sections are from S.F. No. 1508 (Olson).

**Section 9 [Private Sale of Surplus State Land; Hubbard County]** allows the Commissioner of Natural Resources to sell certain state land in Hubbard County by private sale. This is from S.F. No. 896 (Bakk).

**Section 10 [County Environmental Trust Fund; Itasca County]** allows Itasca County to use money in their county environmental trust fund to acquire specific parcels for public access purposes. This is from S.F. No. 845 (Saxhaug), as amended by subcommittee.

**Section 11 [Private Sale of Tax-Forfeited Land Bordering Public Water; Itasca County]** allows Itasca County to sell certain tax-forfeited land bordering public water by private sale. This is from S.F. No. 1188 (Saxhaug).

**Section 12 [Public Sale of Tax-Forfeited Land Bordering Public Water; Itasca County]** allows Itasca County to sell certain tax-forfeited land bordering public water. This is from S.F. No. 1102 (Saxhaug).

**Section 13 [Private Sale of Surplus State Land; Lake County]** allows the Commissioner of Natural Resources to sell certain state land in Lake County by private sale. This is from S.F. No. 896 (Bakk).

**Section 14 [Public Sale of Tax-Forfeited Land Bordering Public Water; St. Louis County]** allows St. Louis County to sell certain tax-forfeited land bordering public water. This is from S.F. No. 1633 (Bakk).

**Section 15 [Private Sale of Tax-Forfeited Land; St. Louis County]** allows St. Louis County to sell certain tax-forfeited land by private sale. This is from S.F. No. 1633 (Bakk).

**Section 16 [Private Sale of Surplus State Land; Wabasha County]** allows the Commissioner of Natural Resources to sell certain state land in Wabasha County by private sale. This is from S.F. No. 896 (Bakk), as amended.

**Section 17 [Private Sale of Tax-Forfeited Land; Washington County]** allows Washington County to sell certain tax-forfeited land by private sale. This is from S.F. No. 1105 (Bachmann).

**Section 18 [Repealer]** repeals the current provision requiring county approval of all SNAs prior to designation.

GK:dv

1 Senator ..... moves to amend S.F. No. 896 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 2004, section 84.033, is  
4 amended by adding a subdivision to read:

5 Subd. 3. [COUNTY APPROVAL.] The commissioner must follow  
6 the procedures under section 97A.145, subdivision 2, when:

7 (1) acquiring land for designation as a scientific and  
8 natural area under this section; and

9 (2) designating land that was not acquired under this  
10 section as a scientific and natural area.

11 Sec. 2. Minnesota Statutes 2004, section 97A.093, is  
12 amended to read:

13 97A.093 [HUNTING, TRAPPING, AND FISHING IN SCIENTIFIC AND  
14 NATURAL AREAS.]

15 Except as otherwise provided by law, scientific and natural  
16 areas are closed to hunting, trapping, and fishing unless:

17 ~~(1) for scientific and natural areas designated before May~~  
18 ~~15, 1992,~~ the designating document allows hunting, trapping, or  
19 fishing; or

20 ~~(2) for other scientific and natural areas,~~ the  
21 commissioner allows hunting, trapping, or fishing in accordance  
22 with the procedure in section 86A.05, subdivision 5, paragraph  
23 (d).

24 Sec. 3. [PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND;  
25 AITKIN COUNTY.]

26 (a) Notwithstanding the classification and public sale  
27 provisions of Minnesota Statutes, chapters 84A and 282, or other  
28 law to the contrary, the commissioner of natural resources may  
29 sell the consolidated conservation land described in paragraph  
30 (c) to Aitkin County under the remaining provisions of Minnesota  
31 Statutes, chapters 84A and 282.

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

1 (c) The land to be sold is in Aitkin County and is  
2 described as: the North 400 feet of the West 800 feet of the  
3 Northwest Quarter of the Northeast Quarter, Section 22, Township  
4 51, Range 26.

5 Sec. 4. [PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI  
6 COUNTY.]

7 (a) Notwithstanding the public sale provisions of Minnesota  
8 Statutes, chapter 282, or other law to the contrary, Beltrami  
9 County may sell by private sale the tax-forfeited land described  
10 in paragraph (c).

11 (b) The conveyance must be in a form approved by the  
12 attorney general. The attorney general may make necessary  
13 changes to the legal description to correct errors and ensure  
14 accuracy.

15 (c) The land to be sold is located in Beltrami County,  
16 contains 4.87 acres more or less, and is described as: a parcel  
17 of land located north of the north right-of-way line of State  
18 Highway 71 in the extreme northeasterly corner of the Northwest  
19 Quarter of the Northeast Quarter, Section 32, Township 148  
20 North, Range 32 West.

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

24 Sec. 5. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON  
25 PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.]

26 Subdivision 1. [SALE REQUIREMENTS.] (a) Notwithstanding  
27 Minnesota Statutes, sections 92.45, 103F.535, and 282.018,  
28 subdivision 1, Hennepin County may sell or convey for public use  
29 without monetary consideration to the city of Brooklyn Park, a  
30 governmental subdivision, for an authorized public use for Storm  
31 Water Retention Area, the parcel of tax-forfeited land bordering  
32 public water or natural wetlands containing in excess of 150  
33 feet of frontage on Shingle Creek, that is described in  
34 subdivision 2, under the remaining provisions of Minnesota  
35 Statutes, chapter 282.

36 (b) Any such conveyance shall be subject to restrictions

1 imposed by the commissioner of the Department of Natural  
2 Resources and subject to the clause for reversion to the state  
3 for failure to use, or abandonment of use for which the  
4 tax-forfeited lands were acquired in Minnesota Statutes, section  
5 282.01.

6 (c) The conveyance must be in a form approved by the  
7 attorney general.

8 Subd. 2. [LEGAL DESCRIPTION.] (a) The parcel of land that  
9 may be conveyed is described as: Unplatted, Section 30,  
10 Township 119, Range 21, the East 187.1 feet of the West 1,182.6  
11 feet of the South 597 feet of the Southwest 1/4 of the Northeast  
12 1/4. Also that part of the Southwest 1/4 of the Northeast 1/4  
13 lying East of the West 1,182.6 feet thereof and lying  
14 southwesterly of Registered Land Survey No. 304.

15 (b) The land described must be sold under the sale  
16 provisions in Minnesota Statutes, section 282.01.

17 (c) Hennepin County has determined that the county's land  
18 management interests would best be served if the lands were  
19 returned to private ownership or conveyed to a governmental  
20 subdivision for an authorized public use.

21 [EFFECTIVE DATE.] This section is effective the day  
22 following final enactment.

23 Sec. 6. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON  
24 PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.]

25 Subdivision 1. [SALE REQUIREMENTS.] (a) Notwithstanding  
26 Minnesota Statutes, sections 92.45, 103F.535, and 282.018,  
27 subdivision 1, Hennepin County may sell or convey for public use  
28 without monetary consideration to the city of Minnetrista, a  
29 governmental subdivision, for an authorized public use for  
30 Preservation of Wetlands and Wildlife, the parcel of  
31 tax-forfeited land bordering public water or natural wetlands  
32 containing in excess of 150 feet of frontage on Painter Creek  
33 and Jennings Bay on Lake Minnetonka, that is described in  
34 subdivision 2, under the remaining provisions of Minnesota  
35 Statutes, chapter 282.

36 (b) Any such conveyance shall be subject to restrictions

1 imposed by the commissioner of the Department of Natural  
2 Resources and subject to the clause for reversion to the state  
3 for failure to use, or abandonment of use for which the  
4 tax-forfeited lands were acquired as provided in Minnesota  
5 Statutes, section 282.01.

6 (c) The conveyance must be in a form approved by the  
7 attorney general.

8 Subd. 2. [LEGAL DESCRIPTION.] (a) The parcel of land that  
9 may be conveyed is described as: Outlot 2, Sun Valley.

10 (b) The land described must be sold under the sale  
11 provisions in Minnesota Statutes, section 282.01.

12 (c) Hennepin County has determined that the county's land  
13 management interests would best be served if the lands were  
14 returned to private ownership or conveyed to a governmental  
15 subdivision for an authorized public use.

16 [EFFECTIVE DATE.] This section is effective the day  
17 following final enactment.

18 Sec. 7. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON  
19 PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.]

20 Subdivision 1. [SALE REQUIREMENTS.] (a) Notwithstanding  
21 Minnesota Statutes, sections 92.45, 103F.535, and 282.018,  
22 subdivision 1, Hennepin County may sell or convey to the city of  
23 Eden Prairie, a governmental subdivision, for an authorized  
24 public use for wetland purposes, the parcel of tax-forfeited  
25 land bordering public water or natural wetlands containing in  
26 excess of 150 feet of frontage on Lake Idlewild (27-74P), that  
27 is described in subdivision 2, under the remaining provisions of  
28 Minnesota Statutes, chapter 282.

29 (b) Any such conveyance shall be subject to restrictions  
30 imposed by the commissioner of the Department of Natural  
31 Resources and subject to the clause for reversion to the state  
32 for failure to use, or abandonment of use for which the  
33 tax-forfeited lands were acquired as provided in Minnesota  
34 Statutes, section 282.01.

35 (c) The conveyance must be in a form approved by the  
36 attorney general.

1        Subd. 2. [LEGAL DESCRIPTION.] (a) The parcel of land that  
2 may be conveyed is described as Lot 21 except parts platted as  
3 Registered Land Survey No. 895 and Idlewood Lake Addition and  
4 Anderson Idlewild Addition and Anderson's Idleview, Auditor's  
5 Subdivision No. 335, Hennepin County, Minnesota.

6        (b) The land described must be sold under the sale  
7 provisions in Minnesota Statutes, section 282.01.

8        (c) Hennepin County has determined that the county's land  
9 management interests would best be served if the lands were  
10 returned to private ownership or conveyed to a governmental  
11 subdivision for an authorized public use.

12        [EFFECTIVE DATE.] This section is effective the day  
13 following final enactment.

14        Sec. 8. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON  
15 PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.]

16        Subdivision 1. [SALE REQUIREMENTS.] (a) Notwithstanding  
17 Minnesota Statutes, sections 92.45, 103F.535, and 282.018,  
18 subdivision 1, Hennepin County may sell or convey to the city of  
19 Eden Prairie, a governmental subdivision, for an authorized  
20 public use of wetland purposes, the parcel of tax-forfeited land  
21 bordering public water or natural wetlands containing in excess  
22 of 150 feet of frontage on Lake Idlewild (27-74P) or the  
23 majority of the parcel under water, that is described in  
24 subdivision 2, under the remaining provisions of Minnesota  
25 Statutes, chapter 282.

26        (b) Any such conveyance shall be subject to restrictions  
27 imposed by the commissioner of the Department of Natural  
28 Resources and subject to the clause for reversion to the state  
29 for failure to use, or abandonment of use for which the  
30 tax-forfeited lands were acquired as provided in Minnesota  
31 Statutes, section 282.01.

32        (c) The conveyance must be in a form approved by the  
33 attorney general.

34        Subd. 2. [LEGAL DESCRIPTION.] (a) The parcel of land that  
35 may be conveyed is described as Outlot A, Anderson Idlewild  
36 Addition.

1       (b) The land described must be sold under the sale  
2 provisions in Minnesota Statutes, section 282.01.

3       (c) Hennepin County has determined that the county's land  
4 management interests would best be served if the lands were  
5 returned to private ownership or conveyed to a governmental  
6 subdivision for an authorized public use.

7       [EFFECTIVE DATE.] This section is effective the day  
8 following final enactment.

9       Sec. 9. [PRIVATE SALE OF SURPLUS STATE LAND; HUBBARD  
10 COUNTY.]

11       (a) Notwithstanding Minnesota Statutes, sections 94.09 and  
12 94.10, the commissioner of natural resources may sell by private  
13 sale the surplus state land that is described in paragraph (c).

14       (b) The conveyance must be in a form approved by the  
15 attorney general. The attorney general may make necessary  
16 changes to the legal description to correct errors and ensure  
17 accuracy.

18       (c) The land that may be sold is located in Hubbard County  
19 and is described as follows:

20       That part of the Northwest Quarter of the Northwest Quarter  
21 of Section 22, Township 142 North, Range 33 West, Hubbard  
22 County, Minnesota, described as follows:

23       Beginning at the northeast corner of said Northwest Quarter  
24 of the Northwest Quarter, being a 3/4 inch rebar with  
25 plastic cap stamped "MN DNR LS 17005" (DNR Monument);  
26 thence on a bearing based on the Hubbard County Coordinate  
27 System of 1983 of North 88 degrees 51 minutes 21 seconds  
28 West, along the north line of said Northwest Quarter of the  
29 Northwest Quarter 253.67 feet to a DNR Monument; thence  
30 South 04 degrees 03 minutes 57 seconds East 132.71 feet to  
31 a DNR Monument; thence South 79 degrees 15 minutes 13  
32 seconds East 248.33 feet to the east line of said Northwest  
33 Quarter of the Northwest Quarter and a DNR Monument; thence  
34 North 00 degrees 05 minutes 06 seconds East along the east  
35 line of said Northwest Quarter of the Northwest Quarter  
36 173.61 feet to the point of beginning, containing 0.87

1 acres.

2 (d) The sale would resolve a long-standing unintentional  
3 trespass.

4 Sec. 10. [COUNTY ENVIRONMENTAL TRUST FUND; ITASCA COUNTY.]

5 (a) Notwithstanding Laws 1998, chapter 389, article 16,  
6 section 31, subdivision 4, as amended, Itasca County may spend  
7 money in the Itasca County environmental trust fund to acquire  
8 the land described in paragraph (b) for public access purposes.

9 (b) The land to be acquired by Itasca County is described  
10 as:

11 (1) parcel number 91-017-1105; and

12 (2) parcel number 91-017-1102.

13 Sec. 11. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING  
14 PUBLIC WATER; ITASCA COUNTY.]

15 (a) Notwithstanding Minnesota Statutes, sections 92.45 and  
16 282.018, subdivision 1, and the public sale requirements of  
17 Minnesota Statutes, chapter 282, Itasca County may sell by  
18 private sale the tax-forfeited land bordering public water that  
19 is described in paragraph (c), under Minnesota Statutes, section  
20 282.01, subdivision 7.

21 (b) The conveyance must be in a form approved by the  
22 attorney general for the appraised value of the land and include  
23 conditions that the existing structures must be removed within  
24 one year of the sale and a conservation easement be retained on  
25 the parcel.

26 (c) The land to be sold is located in Itasca County and is  
27 described as: Government Lot 9, Section 19, Township 60 North,  
28 Range 26 West.

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

32 Sec. 12. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING  
33 PUBLIC WATER; ITASCA COUNTY.]

34 (a) Notwithstanding Minnesota Statutes, sections 92.45 and  
35 282.018, subdivision 1, Itasca County may sell the tax-forfeited  
36 land described in paragraph (c) by public sale, under the

1 remaining provisions of Minnesota Statutes, chapter 282.

2 (b) The conveyance must be in a form approved by the  
3 attorney general for the appraised value of the land.

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

6 (1) that part lying west of Highway 65 of the Northwest  
7 Quarter of the Northeast Quarter, Section 13, Township 53 North,  
8 Range 23 West;

9 (2) the undivided 1/24th interest in the Northeast Quarter  
10 of the Southwest Quarter, Section 13, Township 56 North, Range  
11 25 West;

12 (3) the undivided 1/24th interest in the Northwest Quarter  
13 of the Northwest Quarter, Section 13, Township 56 North, Range  
14 25 West; and

15 (4) the West 200 feet of the East Half of Government Lot 4,  
16 Section 23, Township 58 North, Range 24 West.

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

20 Sec. 13. [PRIVATE SALE OF SURPLUS STATE LAND BORDERING  
21 PUBLIC WATER; LAKE COUNTY.]

22 (a) Notwithstanding Minnesota Statutes, sections 92.45,  
23 94.09, and 94.10, the commissioner of natural resources may sell  
24 by private sale the surplus state land bordering public water  
25 that is described in paragraph (c).

26 (b) The conveyance must be in a form approved by the  
27 attorney general. The conveyance shall reserve a conservation  
28 easement to ensure protection of the fish and wildlife shoreline  
29 habitat. The attorney general may make necessary changes to the  
30 legal description to correct errors and ensure accuracy.

31 (c) The land that may be sold is located in Lake County and  
32 is described as follows: an undivided 1/16th interest in  
33 Government Lot 7, Section 31, Township 63 North, Range 11 West.

34 (d) The sale would allow the combination of the 1/16  
35 interest with the remaining 15/16 interest.

36 Sec. 14. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING

1 PUBLIC WATER; ST. LOUIS COUNTY.]

2 (a) Notwithstanding Minnesota Statutes, sections 92.45 and  
3 282.018, subdivision 1, St. Louis County may sell the  
4 tax-forfeited lands bordering public water that are described in  
5 paragraphs (c) to (g), under the remaining provisions of  
6 Minnesota Statutes, chapter 282.

7 (b) The conveyances must be in a form approved by the  
8 attorney general. The attorney general may make necessary  
9 changes to legal descriptions to correct errors and ensure  
10 accuracy.

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

13 (1) the westerly 400 feet of the easterly 800 feet of Lot  
14 4, Section 13, Township 54 North, Range 17 West; and

15 (2) the West Half of the Northwest Quarter of the Southwest  
16 Quarter, Section 33, Township 51 North, Range 16 West.

17 (d) The conveyances of land under this paragraph must  
18 retain for the state a 150-foot trout stream easement lying 75  
19 feet on each side of the centerline of the stream. The land to  
20 be sold is located in St. Louis County and is described as:

21 (1) the Northeast Quarter of the Northeast Quarter, Section  
22 7, Township 50 North, Range 18 West;

23 (2) the North Half of the Northeast Quarter and the North  
24 Half of the Northwest Quarter, Section 8, Township 50 North,  
25 Range 18 West;

26 (3) the Northwest Quarter of the Northeast Quarter, except  
27 the North Half, and that part of the West 10 acres of the  
28 Northeast Quarter of the Northeast Quarter lying south of Lester  
29 River and the West 10 acres of the Northeast Quarter of the  
30 Northeast Quarter lying north of Lester River, except the North  
31 5 acres, Section 17, Township 51 North, Range 13 West;

32 (4) the Northwest Quarter of the Southeast Quarter, except  
33 the West Half, and the East 165 feet of the West Half of the  
34 Northwest Quarter of the Southeast Quarter, Section 5, Township  
35 51 North, Range 13 West;

36 (5) the East Half of the Southeast Quarter of the Southeast

1 Quarter, Section 34, Township 58 North, Range 20 West; and

2 (6) Government Lot 2, Section 17, Township 51 North, Range  
3 12 West, Wonderland 1st Addition to the town of Duluth, Lot 22,  
4 Block 1.

5 (e) The conveyance of land under this paragraph must  
6 contain a deed restriction that is 75 feet in width along the  
7 shoreline, excluding a 15-foot access strip. The land to be  
8 sold is located in St. Louis County and is described as: Lot 6,  
9 Lot 7, and Lot 8, except the easterly 50 feet, Erickson's Beach,  
10 town of Fayal, Section 27, Township 57 North, Range 17 West.

11 (f) The conveyance of land under this paragraph must  
12 contain a deed restriction that is 75 feet in width along the  
13 shoreline. The land to be sold is located in St. Louis County  
14 and is described as: Lots 64 and 65, Vermilion Dells, 1st  
15 Addition Greenwood, Section 2, Township 62 North, Range 16 West.

16 (g) The conveyances of land under this paragraph must  
17 retain for the state a 150-foot conservation easement lying 75  
18 feet on each side of the centerline of the stream. The land to  
19 be sold is located in St. Louis County and is described as:

20 (1) the Northeast Quarter of the Southeast Quarter, Section  
21 31, Township 52 North, Range 14 West;

22 (2) the Northeast Quarter of the Southwest Quarter, Section  
23 31, Township 52 North, Range 14 West; and

24 (3) the South Half of the Southwest Quarter of the  
25 Southwest Quarter, except the westerly 15 acres, Section 31,  
26 Township 52 North, Range 14 West.

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

30 Sec. 15. [PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS  
31 COUNTY.]

32 (a) Notwithstanding the public sale provisions of Minnesota  
33 Statutes, chapter 282, or other law to the contrary, St. Louis  
34 County may sell by private sale the tax-forfeited land described  
35 in paragraph (c).

36 (b) The conveyances must be in a form approved by the

1 attorney general and, except for the parcel under paragraph (c),  
2 clause (4), require the buyers to pay an administration fee to  
3 cover expenses incurred by the county. The attorney general may  
4 make necessary changes to legal descriptions to correct errors  
5 and ensure accuracy.

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

8 (1) the West 335 feet of the South 130 feet of the  
9 Northwest Quarter of the Northeast Quarter, Section 12, Township  
10 63 North, Range 12 West. This parcel contains 1.0 acres more or  
11 less;

12 (2) the westerly 165.00 feet of the southerly 80.00 feet of  
13 the easterly 490.00 feet of the Southeast Quarter of the  
14 Southeast Quarter, Section 14, Township 51 North, Range 14  
15 West. This parcel contains 0.3 acres;

16 (3) Lot 17, Block 5, Lyman Park Division of Duluth;

17 (4) the West 220 feet of the Southwest Quarter of the  
18 Northeast Quarter, Section 11, Township 54 North, Range 15 West;

19 (5) the West 115 feet of the Southeast Quarter of the  
20 Northeast Quarter of Section 32, Township 63 North, Range 12  
21 West, lying north of the centerline of State Trunk Highway 169  
22 and subject to highway right-of-way easement. This parcel  
23 contains 1.2 acres more or less; and

24 (6) the West 115 feet of the Southeast Quarter of the  
25 Northeast Quarter of Section 32, Township 63 North, Range 12  
26 West, lying south of the centerline of State Trunk Highway 169  
27 and subject to highway right-of-way easement. This parcel  
28 contains 2.5 acres more or less.

29 (d) The sales under this section resolve unintentional  
30 occupancy trespasses.

31 Sec. 16. [PRIVATE SALE OF SURPLUS STATE LAND; WABASHA  
32 COUNTY.]

33 (a) Notwithstanding Minnesota Statutes, sections 94.09 and  
34 94.10, the commissioner of natural resources may sell by private  
35 sale the surplus state land that is described in paragraph (c).

36 (b) The conveyance must be in a form approved by the

1 attorney general. The attorney general may make necessary  
2 changes to the legal description to correct errors and ensure  
3 accuracy. Notwithstanding Minnesota Statutes, section 94.10,  
4 the consideration for the conveyance is the amount paid by the  
5 commissioner for the land described in paragraph (c), adjusted  
6 for inflation, using the implicit price deflator for government  
7 consumption expenditures and gross investment for state and  
8 local governments prepared by the Bureau of Economic Analysis of  
9 the United States Department of Commerce.

10 (c) The land that may be sold is located in Wabasha County  
11 and is described as follows:

12 That part of the South Half of the Southwest Quarter of  
13 Section 14, Township 109 North, Range 10 West, Wabasha County,  
14 Minnesota, lying southerly of the following described center  
15 line:

16 Commencing at the southwest corner of said South Half of  
17 the Southwest Quarter from which the southeast corner of  
18 said South Half of the Southwest Quarter bears East,  
19 assumed bearing; thence South 88 degrees 44 minutes East  
20 69.69 feet to the point of beginning; thence North 62  
21 degrees East 72.46 feet; thence North 64 degrees East 48.05  
22 feet; thence East 77.19 feet; thence South 86 degrees East  
23 73.98 feet; thence North 76 degrees East 72.83 feet; thence  
24 North 64 degrees East 75.07 feet; thence North 77 degrees  
25 East 76.52 feet; thence North 85 degrees East 13.74 feet;  
26 thence North 47 degrees East 63.99 feet; thence North 72  
27 degrees East 76.61 feet; thence North 69 degrees East 72.57  
28 feet; thence North 39 degrees East 56.12 feet; thence South  
29 66 degrees East 80.17 feet; thence South 82 degrees East  
30 48.68 feet; thence North 82 degrees East 69.30 feet; thence  
31 South 31 degrees East 81.99 feet; thence South 10 degrees  
32 East 39.39 feet; thence South 12 degrees East 74.13 feet;  
33 thence South 22 degrees East 51.75 feet; thence South 43  
34 degrees East 18.47 feet; thence South 83 degrees East 71.42  
35 feet; thence North 89 degrees East 53.56 feet; thence North  
36 28 degrees East 70.36 feet; thence North 31 degrees East

1 74.57 feet; thence North 22 degrees East 73.19 feet; thence  
2 North 06 degrees East 52.91 feet; thence North 07 degrees  
3 East 68.58 feet; thence North 14 degrees East 75.72 feet;  
4 thence North 17 degrees East 72.04 feet; thence South 76  
5 degrees East 84.66 feet; thence South 51 degrees East 75.23  
6 feet; thence South 73 degrees East 72.96 feet; thence South  
7 79 degrees East 81.25 feet; thence South 01 degree East  
8 82.11 feet; thence South 05 degrees West 73.45 feet; thence  
9 South 22 degrees East 69.17 feet; thence South 72 degrees  
10 East 70.65 feet; thence South 79 degrees East 56.89 feet;  
11 thence North 79 degrees East 54.55 feet; thence South 37  
12 degrees East 80.95 feet; thence South 26 degrees East 49.79  
13 feet, more or less, to the south line of said South Half of  
14 the Southwest Quarter and there terminating, containing 6.4  
15 acres, more or less.

16 (d) The sale would correct an error in a prior land  
17 acquisition that cut off the existing access route to the  
18 remainder of the adjacent landowner's property.

19 Sec. 17. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING  
20 PUBLIC WATER; WASHINGTON COUNTY.]

21 (a) Notwithstanding Minnesota Statutes, sections 92.45 and  
22 282.018, subdivision 1, and the public sale provisions of  
23 Minnesota Statutes, chapter 282, Washington County may sell the  
24 tax-forfeited land described in paragraph (c) by private sale,  
25 under the remaining provisions of Minnesota Statutes, chapter  
26 282.

27 (b) The conveyance must be in a form approved by the  
28 attorney general for the appraised value of the land.

29 (c) The land to be sold is property ID number  
30 22.032.21.12.0001, located in Washington County, and described  
31 as: the Northwest Quarter of the Northeast Quarter of Section  
32 22, Township 32 North, Range 21 West of the 4th Principal  
33 Meridian, except the following: that part platted as GREEN  
34 VALLEY-2ND PLAT according to the recorded plat thereof. And  
35 also except the South 220 feet of the West 40 feet of said  
36 Northwest Quarter of the Northeast Quarter. And also except the

1 East 300 feet of the West 750.41 feet of said Northwest Quarter  
2 of the Northeast Quarter. And also except commencing at the  
3 northwest corner of Lot 4, GREEN VALLEY according to the  
4 recorded plat thereof, which point is on the north line of said  
5 Section 22; thence East (North 90 degrees 00 minutes East) along  
6 the north line of said GREEN VALLEY and said north line of  
7 Section 22 a distance of 418 feet to the northeast corner of Lot  
8 7 of said GREEN VALLEY and the point of beginning; thence South  
9 00 degrees 03 minutes East, along the easterly line of said Lot  
10 7, a distance of 295.6 feet to the southeast corner of said Lot  
11 7 and the north line of GREEN VALLEY-2ND PLAT, according to the  
12 recorded plat thereof; thence South 76 degrees 49 minutes East,  
13 along said north line of GREEN VALLEY-2ND PLAT, a distance of  
14 872.7 feet; thence North 54 degrees 37 minutes 30 seconds East a  
15 distance of 202.8 feet; thence North 78 degrees 04 minutes 30  
16 seconds East a distance of 505 feet, more or less, to the shore  
17 of Shields Lake; thence northerly, along the shore of Shields  
18 Lake, a distance of 280 feet, more or less, to said north line  
19 of Section 22; thence West along said north line a distance of  
20 1573.16 feet, more or less, to the point of beginning.

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

24 Sec. 18. [REPEALER.]

25 Minnesota Statutes 2004, section 84.033, subdivision 2, is  
26 repealed."

27 Delete the title and insert:

28 "A bill for an act relating to natural resources; state  
29 lands; modifying requirements for designation of scientific and  
30 natural areas; authorizing the private sale of certain surplus  
31 state lands; authorizing the public and private sale of certain  
32 tax-forfeited lands bordering public waters; amending Minnesota  
33 Statutes 2004, sections 84.033, by adding a subdivision;  
34 97A.093; repealing Minnesota Statutes 2004, section 84.033,  
35 subdivision 2."

1 Senator ..... moves to amend the delete-everything  
2 amendment (SCS0896A-3) to S.F. No. 896 as follows:

3 Page 8, after line 35, insert:

4 "Sec. 14. [PRIVATE SALE OF SURPLUS STATE LAND BORDERING  
5 PUBLIC WATER; ROSEAU COUNTY.]

6 (a) Notwithstanding Minnesota Statutes, sections 92.45,  
7 94.09, 94.10, and 97A.135, subdivision 2a, the commissioner of  
8 natural resources may sell by private sale the surplus state  
9 land bordering public waters that is described in paragraph (c).

10 (b) The conveyance must be in a form approved by the  
11 attorney general. The attorney general may make necessary  
12 changes to the legal description to correct errors and ensure  
13 accuracy.

14 (c) The land that may be sold is located in Roseau County  
15 and is described as: The southerly 396 feet, south of the south  
16 bank of the Roseau River, of the Southwest Quarter of the  
17 Northeast Quarter of Section 32, in Township 163 North, Range 40  
18 West of the Fifth Principal Meridian in Roseau County,  
19 Minnesota. Said tract of land contains 9.29 acres, more or less.

20 (d) The department has determined that the public interest  
21 is best served if the property were to be conveyed to the Roseau  
22 River Watershed District to allow for completion of the  
23 district's flood control management plan."

24 Renumber the sections in sequence and correct the internal  
25 references

1 Senator ..... moves to amend the delete-everything  
2 amendment (SCS0896A-3) to S.F. No. 896 as follows:

3 Page 14, after line 23, insert:

4 "Sec. 18. [EASEMENT ON STATE LAND BORDERING PUBLIC WATER;  
5 WASHINGTON COUNTY.]

6 (a) Notwithstanding Minnesota Statutes, sections 92.45,  
7 94.09, and 94.10, the commissioner of natural resources shall  
8 convey an easement on land bordering public water that is  
9 described in paragraph (c). The easement shall be issued to the  
10 current owners of land who purchased land subject to an easement  
11 on the property described in paragraph (c), and shall allow one  
12 dock on the property for use by the easement holders.

13 (b) The conveyance must be in a form approved by the  
14 attorney general for consideration of the easement preparation  
15 and filing costs, and provide that the easement to a property  
16 owner expires when the current owner conveys to another person  
17 the property that qualified the person for the easement under  
18 paragraph (a). The attorney general may make necessary changes  
19 to the legal description to correct errors and ensure accuracy.

20 (c) The land for which an easement is conveyed is located  
21 in Washington County and is described as:

22 part of Government Lot 6, Section 5, Township 29, Range 21,  
23 being the South 45 feet lying east of the road, subject to  
24 an easement (lot ID# 05.029.21.41.0001)."

25 Renumber the sections in sequence and correct the internal  
26 references

27 Amend the title accordingly

1 Senator ..... moves to amend the delete-everything  
2 amendment (SCS0896A-3) to S.F. No. 896 as follows:

3 Page 12, line 3, delete everything after the period

4 Page 12, delete lines 4 to 9 and insert "Notwithstanding  
5 Minnesota Statutes, section 94.10, the consideration for the  
6 conveyance is the estimated value for the land described in  
7 paragraph (c) as of January 1976, adjusted for inflation using  
8 the implicit price deflator for government consumption  
9 expenditures and gross investment for state and local  
10 governments prepared by the Bureau of Economic Analysis of the  
11 United States Department of Commerce for the period starting  
12 with January of 1976 and ending with January of 2005."

03/08/05

[REVISOR ] CKM/PT A05-0192

1 ..... moves to amend H. F. No. 814 as follows:

2 Page 2, after line 27, insert:

3 "Sec. 3. [PUBLIC SALE OF SURPLUS STATE LAND BORDERING  
4 PUBLIC WATER; ST. LOUIS COUNTY.]

5 (a) Notwithstanding Minnesota Statutes, section 92.45, the  
6 commissioner of natural resources may sell by public sale the  
7 surplus land bordering public water that is described in  
8 paragraph (c).

9 (b) The sale must be in a form approved by the attorney  
10 general for consideration no less than the estimated market  
11 value of the land. The attorney general may make necessary  
12 changes in the legal description to correct errors and ensure  
13 accuracy.

14 (c) The land to be sold is located in St. Louis County and  
15 described as: the North 10 feet of the Northeast Quarter of the  
16 Northwest Quarter, Section 16, Township 57 North, Range 17 West,  
17 lying east of St. Mary's Lake.

18 (d) The parcel described in paragraph (c) has been under  
19 lease since 1969 in order for the adjoining owner to meet county  
20 zoning standards and the parcel is no longer needed for natural  
21 resources purposes."

22 Renumber the sections in sequence and correct the internal  
23 references

24 Amend the title accordingly



## Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155-40\_\_

March 21, 2005

Representative Tom Hackbarth  
Chair, Environment & Natural  
Resources Committee  
409 State Office Building  
St. Paul, Minnesota 55155

Senator John Marty  
Chair, Environment & Natural  
Resources Committee  
323 Capitol  
St. Paul, Minnesota 55155

Dear Committee Chairs:

Please accept this letter as the Department's written recommendation of disposition regarding the proposed legislation amending Laws 2003, First Special Session chapter 13, section 25, relating to wetlands; clarifying restriction on wetland development in land sale in Scott County.

**Roseau County SF 896 Amendment A05-0290**

**Department's Recommendation: No objection**

If you have any questions, please feel free to call Paul Pojar at (651) 296-1049, or Gloria Johnson, Division of Lands and Minerals at (651) 296-9559.

Sincerely,

  
James E. Lawler, Assistant Director  
Division of Lands and Minerals

cc: Senator Tom Saxhaug, Chair, Senate Lands Subcommittee  
Senator Leroy Stumpf  
Senator Tom Bakk

