

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2201

Introduced by

Senator Traynor

Representatives Brekke, Nicholas

1 A BILL for an Act to provide for the removal of a future interest and a covenant from deeds
2 transferring land from this state to the Devils Lake public school district No. 1.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** The state of North Dakota shall transfer in the name of the state of North
5 Dakota by written document, executed by the governor and attested by the secretary of state,
6 any interest, right, or title retained in the land transferred under chapter 647 of the 1989 Session
7 Laws to Devils Lake public school district No. 1, including the interest, right, or title that provides
8 if the land ceases to be used for school purposes, then the land shall revert to the state of North
9 Dakota upon payment to the school district of the same price for which it was purchased. In
10 addition, the state shall remove and release any person who may have any interest, right, or
11 title to the property from the following covenant, agreement, servitude, or easement concerning
12 the same property, which provides for the covenant and agreement that the students enrolled at
13 the school for the deaf of North Dakota are guaranteed use of the facilities placed upon the
14 property by Devils Lake public school district No. 1 in the proportion that the number of students
15 enrolled at the school for the deaf of North Dakota bears to the total number of students entitled
16 to use these facilities or as agreed to by the officials of the school for the deaf and the school
17 district, or both.

18 **SECTION 2.** The state of North Dakota shall transfer in the name of the state of North
19 Dakota by written document, executed by the governor and attested by the secretary of state,
20 any interest, right, or title retained in the land transferred under chapter 247 of the 1975 Session
21 Laws to Devils Lake public school district No. 1, including the interest, right, or title that provides
22 if the land is ever no longer used for school purposes, then the land shall revert to the state of
23 North Dakota upon payment to the school district of the same price for which it was purchased.
24 In addition, the state shall remove and release any person who may have any interest, right, or

1 title to the property from the covenant, agreement, servitude, or easement concerning the same
2 property which provides for the covenant and agreement that the students enrolled at the
3 school for the deaf of North Dakota are guaranteed use of the facilities placed upon the
4 property by Devils Lake public school district No. 1 in the proportion that the number of students
5 enrolled at the school for the deaf of North Dakota bears to the total number of students entitled
6 to use these facilities.

7 **SECTION 3.** Any transfer or transaction under section 1 or 2 of this Act of land that is
8 not original grant land includes, notwithstanding section 38-09-01, mineral rights in and under
9 the property and gravel, clay, and scoria. Sections 54-01-05.2 and 54-01-05.5 do not apply to
10 any transfer or transaction under section 1 or 2 of this Act.