

CHAPTER 15-04
LEASES OF ORIGINAL GRANT LANDS FOR AGRICULTURAL PURPOSES

15-04-01. Leasing of school and other public lands - Rent.

All lands granted by the United States to this state for the establishment and support of common schools and of educational, penal, or charitable institutions may be leased for pasturage and meadow purposes at public auction after notice as provided by this chapter. The lease may be for a period of not more than five years. Grant lands which have never been placed under cultivation by a contract purchaser, in the event such contract is canceled, may be leased for pasturage or meadow purposes for a period of not more than five years. Grant lands which have been placed under cultivation by a contract purchaser, in the event such contract is canceled, may be leased at the discretion and under the control of the board of university and school lands for other than pasturage and meadow purposes until the land is resold. All rents are payable annually in advance.

15-04-02. Lease of cultivated lands for summer fallow.

Repealed by S.L. 2019, ch. 134, § 1.

15-04-03. Rent for cultivated lands.

Repealed by S.L. 1995, ch. 162, § 8.

15-04-04. Failure to summer-fallow cultivated lands cause for cancellation of lease.

Repealed by S.L. 2019, ch. 134, § 1.

15-04-05. Removal of or payment for improvements upon termination or lease of land.

Repealed by S.L. 1961, ch. 151, § 2.

15-04-06. Board of appraisers to appraise land in county - Return of appraisalment.

The board of county appraisers shall appraise such lands of this state in its county as the board of university and school lands may direct. On or before the first day of July of the year in which the appraisals are made, the board of appraisers shall make a return of all such appraisals in the form prescribed and on the blanks furnished by the board of university and school lands.

15-04-07. Minimum rentals.

The board of university and school lands shall set the minimum rental for uncultivated and cultivated lands, which is subject to review and change when deemed necessary by said board.

15-04-08. Selection of lands to be leased.

Repealed by S.L. 1959, ch. 149, § 3.

15-04-09. Notice of leasing - Publication - Posting.

Each year at such time as in its judgment is for the best interests of the state, the board of university and school lands shall advertise and offer for lease the lands to be leased. All lands to be leased or offered for lease within the respective counties must be advertised for lease by the board by publication once each week for a period of three weeks prior to the day of leasing in the official county newspaper where said land is situated and in such other newspapers as the board deems appropriate. A list of the lands to be offered for leasing must be filed with the county treasurer of the county wherein such lands are situated at least ten days prior to the day of leasing. If, in the opinion of the board, the land that will be leased in any county will not be sufficient to warrant the expense of advertisement in a newspaper by description of each tract or parcel, the notice may be given by general advertisement.

15-04-10. Leasing to be by auction - Requirements governing.

The commissioner of university and school lands, or such other person appointed by the commissioner, shall conduct the leasing of the lands. The leasing must be at public auction, to the highest bidder, and must be held at the county seat. The auction must commence on the day and time specified in the advertisement for the leasing. Notice must be given when the land is offered for lease that all bids are subject to approval by the board.

15-04-11. Amount of bid deposited at time of leasing - Minimum bid.

The highest bidder for any parcel of land shall deposit the amount of the bid for one year's rental at the auction. No bid may be accepted which is less than the minimum price fixed pursuant to the provisions of section 15-04-07.

15-04-12. Adjournment of auction for leasing.

If the board of university and school lands finds that the interests of the state will be subserved by the adjournment of the auction of lands for lease, it may adjourn the auction.

15-04-13. Approval of leases by board - Execution of lease contracts.

The board of university and school lands shall approve and confirm such leases as in its judgment should be made and shall certify to the commissioner a list of the approved leases by December thirty-first. The commissioner shall execute contracts of lease in the form prescribed by the board and shall forward same to the lessee.

15-04-13.1. Liability of lessee to public.

Whenever the board of university and school lands includes a provision in a lease authorizing public access to leased lands, the lessee is not liable to any person injured on the land except for gross negligence or malicious acts.

15-04-14. Failure to lease lands after advertisement - Board may make rental contracts.

If any of the lands in any county remain unleased after the date advertised for the leasing, the board of university and school lands may make contracts of lease for the lands with the first applicant therefor at not less than the minimum price fixed by the board as provided in this chapter.

15-04-15. Collection of rentals.

The lessee of any land leased under the provisions of this chapter, or the lessee's heirs, executors, administrators, or assigns shall pay to the state commissioner of university and school lands at the commissioner's office in Bismarck, North Dakota, or to the commissioner's duly appointed agent any amounts that may become due from time to time upon the lease.

15-04-16. Report by county treasurer of rentals collected.

Repealed by S.L. 1995, ch. 162, § 8.

15-04-17. County treasurer's bond to indemnify state for collections of rentals.

Repealed by S.L. 1995, ch. 162, § 8.

15-04-18. Destruction of timber by lessee prohibited - Exception - Penalty.

No lessee of any of the lands authorized to be leased under the provisions of this chapter, nor the lessee's heirs or assigns, may cut down, take away, or cause another person to take away from the leased tract any timber, trees, or wood. The lessee may cut down or use such amount of dead or prostrate trees or timber as may be sufficient to supply the lessee with fuel for the lessee's family or for the families of the lessee's employees actually residing upon the tract. Any person violating the provisions of this section forfeits that person's lease and all rights and interests thereunder, and is liable to the state for damages sustained by the state by reason thereof, and that person is guilty of a class B misdemeanor.