



Application for Easement Across State Tax Forfeited Land

Easement No: _____

Directions for Applying

- Contact the appropriate Area Land Manager according to the location of the proposed easement.
- Completely fill out the information requested below and include all required documentation. **Application does NOT guarantee an easement will be granted.**
- Easement request will be reviewed upon submission of completed application and a **NON-REFUNDABLE \$1000.00 deposit**. Deposit will be applied to assessed timber damages and administrative, land use and recording fees. **Payment must accompany this application** by personal check, cashier's check, or money order and made payable to: **St. Louis County Auditor**.
- Applicants have one year to provide a survey and written legal description from a registered surveyor. After one year, the application request will be closed, and applicant will have to re-apply with new deposit to proceed.

If application is approved, it may take a minimum of six months for internal review; Assessor's, Auditors, and Attorney review; County Board approval, and routing for notarized signatures before final recording.

IF SELLING YOUR PROPERTY, DO NOT SCHEDULE A CLOSING UNTIL YOU HAVE THE RECORDED DOCUMENT.

APPLICANT INFORMATION

Name: Address: City: _____ State: _____ ZIP: _____ Phone: _____ E-mail: _____	For Right of Way Access: Do you own the parcels? <input type="checkbox"/> Yes <input type="checkbox"/> If No, please specify: _____
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MARITAL STATUS (required by Recorder's Office)

<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married - separated	Spouse's Name: <input type="checkbox"/> Address same as applicant Address: City: _____ State: _____ ZIP: _____
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IF THERE IS A TRUST, PLEASE PROVIDE

<input type="checkbox"/> Certificate of Trust <input type="checkbox"/> Affidavit of Trustee	Names of individuals on the trust (if they have a separate address, please list on a separate sheet of paper): _____
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PRIVATE LANDOWNER'S INFORMATION: Identify the parcel(s) requiring access

Forty (i.e. SE ¼ NW ¼ or Govt Lot)	Section, Township, Range	Parcel Identification Number (PIN)	Landowner(s) (include current address, phone and email if different than applicant)

***Attach separate sheet(s) if more lines are required*

TYPE OF ACCESS REQUESTED

- Permanent Road Right of Way
- Permanent Road Right of Way and Utilities
- Permanent Recreation Trail Right of Way
- Utility Easement

CONSTRUCTION AND IMPROVEMENTS (check all that apply)

- All new construction
- Existing roads or trails AND some new construction
- Upgrade existing roads or trails
- No new construction proposed – using existing roads or trails
- Other, please specify:

ARE YOU PUTTING IN A DRIVEWAY OFF A COUNTY, TOWNSHIP OR MNDOT ROAD?

- Yes
- No

If **YES**, have you applied for a driveway permit from Public Works, Township, or MNDOT?

- Yes
- No

ARE YOU PLANNING ON SUBDIVIDING YOUR PROPERTY?

- Yes
- No

If **YES**, have you talked to Planning and Zoning?

- Yes
- No

If **NO**, and you are planning on subdividing, please talk to Planning and Zoning prior to submitting application.

DO YOU INTEND TO BRING UTILITIES TO THE PROPERTY?

- Yes
- No

Type:

- Power
- Communication
- Water
- Gas
- Sewer

Placement:

- Overhead
- Underground
- Combination

HAS THE PROPOSED EASEMENT BEEN SURVEYED BY A REGISTERED SURVEYOR?

- Yes
- No

If **YES**, attach the registered survey and legal description.

If **NO**, applicants have one year to submit a survey and legal description. Please submit a preliminary sketch or drawing of proposed easement in the meantime. A list of registered surveyors can be found on the St. Louis County Public Works website.

OTHER REQUIRED DOCUMENTATION

- If the requested easement will not connect your ownership to a public road, provide documentation of existing or proposed easements, leases, or authorizations necessary to connect the property to a public road.
- Provide documentation, if approved, of written correspondence pertaining to rules, regulations, requirements or standards of any applicable federal, state, or local agencies; including, but not limited to:
 - County, city or township zoning (i.e., wetland delineation and permitting)
 - St. Louis County Public Works
 - Minnesota Department of Transportation
 - US Army Corp of Engineers
 - MN Board of Water and Soil Resources
 - MN Pollution Control Agency
 - Soil and Water Conservation Districts

TAX FORFEIT ACCESS DETAILS: Identify each forty or government lot

Forty (i.e. SE ¼ NW ¼ or Govt Lot)	Section, Township, Range	Parcel Identification Number (PIN)	Width	Distance	Total Acres
			ROW: <input type="checkbox"/> 33' <input type="checkbox"/> 66' <input type="checkbox"/> Other:		
			ROW: <input type="checkbox"/> 33' <input type="checkbox"/> 66' <input type="checkbox"/> Other:		
			ROW: <input type="checkbox"/> 33' <input type="checkbox"/> 66' <input type="checkbox"/> Other:		

**Attach a separate/second sheet if more lines are required.

SIGNATURES

Applicant

Date

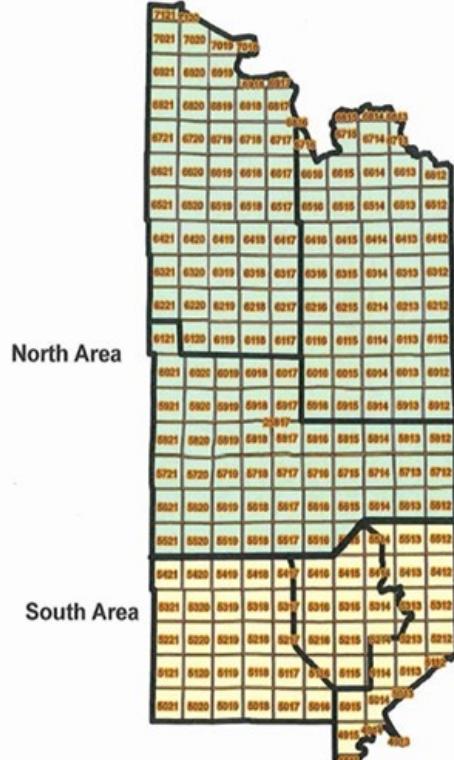
RETURN COMPLETED APPLICATION WITH ATTACHMENTS TO:

City Limits

St. Louis County Land and Minerals
320 West 2nd Street, Ste 302
Duluth, MN 55802
218-726-2606

North Area

St. Louis County Land and Minerals
7820 Highway 135
Virginia, MN 55792-2934
218-742-9898



South Area

St. Louis County Land and Minerals
5713 Old Miller Trunk Hwy
Duluth, MN 55811
218-625-3700

OVERVIEW

An easement is a permanent legal interest in a property for a specific purpose that is filed for public record in the Office of the St. Louis County Recorder/Registrar of Deeds. St. Louis County Land and Minerals Department has the authority to grant easements over and across state tax-forfeited trust lands. In addition to requirements set forth by the Land and Minerals Department, all applicable county ordinances, state and federal statutes, laws, rules, and guidelines shall be followed.

Process for requesting encumbrances:

- Contact the appropriate office according to the location of the proposed easement.
- Fill out the *Application for Easement Across State Tax Forfeited Lands*
- Submit a preliminary sketch or drawing of proposed easement with application if waiting on a survey.
- You may be contacted to set an appointment for a field examination, during which Land and Minerals staff will discuss options that enhance, improve, or alter the request. This may include the selection of a route or area that is best for the long-term management of the State tax-forfeited lands.
- After the field inspection, you will be notified of a preliminary decision. If the Department proceeds with your application, you will be provided with instructions regarding the next steps.

Survey

A survey, from a licensed surveyor, showing the location, centerline description, and total acres of the requested easement and the locations used in the legal description, is required to finalize the easement. A written legal description of the requested easement area must also be supplied.

Note:

Road Plan - Field inspections by Land and Minerals Department staff may occur to ensure that the encumbrance is established in accordance with Land and Minerals Department requirements.

Wetlands - If wetlands are involved, wetland delineation may be required. You will be required to obtain approvals and/or permits from the appropriate agencies for wetland mitigation or purchase wetland credits.

Segmented Easement or Lease - If the proposed easement is segmented and will not connect your ownership to a public road, provide documentation of easement, lease, or other authorization for the remaining land being crossed. For example: If there is private land that must be crossed before the State tax-forfeited portion - **access must be secured from the private ownership** before the Land and Minerals Department can issue an easement.

Property Information, Parcel Identification Numbers (PIN), Legal Descriptions: can be located using County Land Explorer on the St. Louis County website.

Utilities - May NOT be placed in an area covered by a road easement on State tax-forfeited trust lands without a utility license to cross Public lands. Please refer to MN Statute 84.415.

Application Processing

Once all application materials have been obtained, the easement document will be prepared and reviewed by the Land and Minerals Department, Planning and Zoning (if there are wetlands), Assessors office, Recorders office, the Attorney's office and sent to the County Board for review and approval.

Any additional payment is due before recording. If a refund is owed, refund will be issued after easement is recorded. The Land and Minerals Department will finalize a recordable document that satisfies the requirements of the St. Louis County Recorder/Registrar of Titles.

Once recorded, the applicant may then proceed with the use or construction of the easement. Applicant has three years to complete any new construction.