



# Application for Access Across State Tax Forfeited Land

Easement/Lease No: OFFICE USE ONLY

Completely fill out the information requested below. **Application does NOT guarantee an easement or lease will be granted. It is to the applicant's advantage to explore all viable options for the most appropriate access route.**

Access request will be reviewed upon submission of completed application and a **NON-REFUNDABLE \$1000.00 deposit.** (deposits required for easements only). Deposit will not be refunded if the application is withdrawn or denied. Deposit will be applied to any 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 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, attorney review, County Board approval, routing for notarized signatures before final recording can happen.**

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

## 1. APPLICANT INFORMATION

Name:

Address:

City:

State:

ZIP:

Phone:

E-mail:

**Access:** Any easement **MUST** be in the current private land owner(s) name.

Do you own the parcels? ☐ Yes ☐ No

## 1a. Marital Status (required by Recorder's Office)

☐ Single

☐ Married

☐ Married - separated

Spouse's Name:

☐ Address same as applicant

Address:

City:

State:

ZIP:

## 1b If there is a Trust involved, please provide (required by Recorder's Office):

☐ Certificate of Trust

☐ Affidavit of Trustee

Names of individuals on the trust (if they have a separate address, please list on a separate sheet of paper):

## PRIVATE Land Owners Information: Identify the parcels requiring access

Forty (ie SE ¼ NW ¼ or Govt Lot)	Sec	Twp	Range	Parcel Identification Number (PIN)	Landowner(s) (Include current address, phone and email)

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

**2. TYPE OF ACCESS BEING REQUESTED:**

- ☐ Permanent Road Right of Way (Recorded Easement) *\$1000 deposit required*  
☐ Permanent Road Right of Way and Utilities (Recorded Easement) *\$1000 deposit required*  
☐ Permanent Recreation Trail Right of Way (Recorded Easement) *\$1000 deposit required*  
☐ Temporary Road Right of Way (Lease)  
☐ Utility Easement (Recorded Easement) *\$1000 deposit required*

**3a. IMPROVEMENTS AND CONSTRUCTION (check all that apply):**

- ☐ No new construction proposed – using existing roads or trails  
☐ No existing roads or trails – all new construction  
☐ Existing roads or trails and some new construction  
☐ Existing road or trails will need to be upgraded

**3b. SURVEY**

Has the property been surveyed by a registered surveyor: ☐ Yes ☐ No

If **YES**, attach the registered survey.

For Right of Way Applicants, do you intend to bring in UTILITIES to the property? ☐ Yes ☐ No

Utility Type:

☐ Power ☐ Communication ☐ Water ☐ Gas ☐ Sewer

Placement:

☐ Overhead ☐ Underground ☐ Combination

**3c. REQUIRED DOCUMENTATION**

☐ If the requested easement will not connect your ownership to a public road, provide documentation of existing or proposed easements necessary to connect the property to a public road.

☐ Provide documentation, if approved, written correspondence pertaining to rules, regulations, requirements or standards of any applicable federal, state, or local agencies; including, but not limited to, the US Army Corp of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations and county, city or township zoning. (ie, wetland delineation and permitting)

**TAX FORFEIT ACCESS DETAILS: Number each request being applied for and identify each forty or government lot.**

No.	Forty (ie SE ¼ NW ¼ or Govt Lot)	Sec	Twp	Range	Parcel Identification Number (PIN)	Width	Distance	Total Acres
						<input type="checkbox"/> 33' <input type="checkbox"/> 66'		
						<input type="checkbox"/> 33' <input type="checkbox"/> 66'		
						<input type="checkbox"/> 33' <input type="checkbox"/> 66'		
						<input type="checkbox"/> 33' <input type="checkbox"/> 66'		
						<input type="checkbox"/> 33' <input type="checkbox"/> 66'		

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

**5. Signatures:**

Applicant

**6. Return Completed Application with Attachments to:**

**North Area**

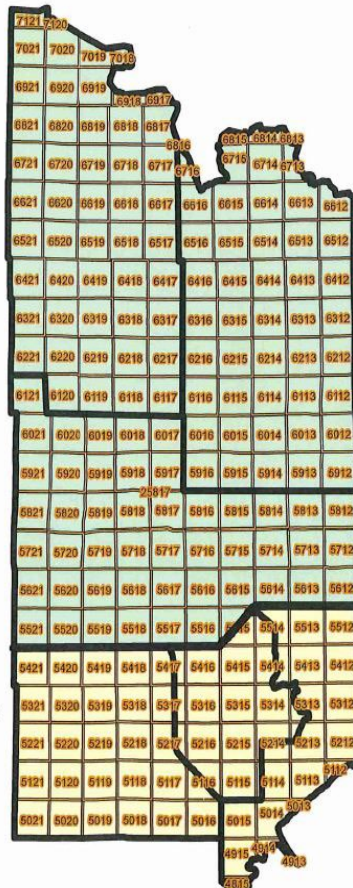
St. Louis County Land and Minerals Department  
7820 Highway 135  
Virginia, MN 55792-2934  
218-742-9898

**South Area**

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

North Area

South Area



## OVERVIEW:

The St. Louis County Land and Minerals Department has the authority to grant easements or leases over and across state tax forfeited managed trust lands. In addition to the requirements set forth by the Land and Minerals Department, all applicable county ordinances, state and federal statutes, laws, rules, and guidelines shall be followed. The Land and Minerals Department staff will guide you to the correct office to satisfy these requirements.

Please provide the information requested on the application to begin an assessment for an easement or lease across state tax forfeited lands. **Please be aware that completion of this form does not guarantee that an easement or lease will be granted. It is to your advantage to explore all other viable options for the most appropriate access route.**

If application is approved, it may take a minimum of six months for internal review, attorney review, County Board approval, routing for notarized signatures before final recording can happen.

## DEFINITIONS:

An EASEMENT is a permanent legal interest in a property of a specific purpose that is filed for public record in the Office of the St. Louis County Recorder/Registrar of Deeds.

A LEASE is a temporary encumbrance granted for a specific purpose and for a designated period of time. A LEASE is subject to review for compliance and must be renewed to remain in effect. A LEASE is subject to property taxes per MN Statute 273.19 and MN Statute 272.01 Subd. 2.

## Process for requesting encumbrances

- The process is initiated by contacting the appropriate Area Land Manager according to the location of the proposed easement or lease.
- Fill out the "Application for Access across State Tax Forfeited Lands" (completion of an application does not guarantee that the encumbrance will be granted). The Land and Minerals Department will proceed with your easement or lease request upon the receipt of the application form and the payment of a **non-refundable \$1,000.00 deposit** if applicable (deposits required for easements only) by personal check, cashier's check, certified check, or money order made payable to the St. Louis County Auditor. This deposit will be applied to appraisal, administrative, and land use fees. If an easement is denied your deposit amount may be refunded in full. If you cancel the easement request at any time, the refund, if any, will depend on the progress of the easement request in our system, staff time spent, and any contract appraisals performed.
- After the Land and Minerals Department receives the application, you will be contacted to set an appointment for a field examination. During this field examination the Land and Minerals Department staff will work with you and discuss options that enhance, improve, or alter the request. This will include the selection of a route that is best for the long-term management of the State tax forfeited lands.
- After the field inspection, you will be notified in writing of a preliminary decision. If the Department proceeds with your application you will be provided with instructions regarding the next steps.
- Applicant has one year to provide a legal description and survey from a registered surveyor.

**For Easements:**

**Detailed legal description of easement (REQUIRED):** A legal description of the requested easement area shall be supplied.

**Survey and/or detailed location map (REQUIRED):** A survey, engineering drawing, or survey quality map, from a licensed surveyor, showing the location, centerline description, and total acres of the requested easement as well as the locations used in the legal description are required to finalize the easement.

*Note:*

**Road Plan** - The Land and Minerals Department may also require roadway design and/or construction criteria necessary for sustainable access. Field inspections by Land and Minerals Department staff may occur during the process to ensure that the encumbrance is established in accordance with Land and Minerals Department requirements.

**Wetlands** - If wetlands are involved or impacted, 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, if wetland delineation is required.

**Segmented Easement or Lease** - If the proposed easement or lease is segmented and will not connect your ownership to a public road, provide documentation of easement, lease, or other documents for the remaining land being crossed to connect to a public road. 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 or lease document.

**Property Information, Parcel Identification Numbers (PIN), Legal Descriptions:** can be located through 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 Minnesota Statutes, section 84.415.

**Application Processing**

Applicant has ONE YEAR to provide the survey and documentation as requested. After one year, the application will be returned, and the request closed. Applicant will need to re-apply, with a new, non-refundable \$1000.00.

Once the survey and all other documentation have been obtained, the easement document will be prepared and reviewed by the Land and Minerals Department, reviewed by 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.

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

**Easement process may take a minimum of six months between approval and recording.**