



Lessard-Sams Outdoor Heritage Council
The State of Minnesota

State Office Building, Room G95 100 Dr. Rev. Martin Luther King Jr. Blvd. Saint Paul, Minnesota 55155

May 7, 2019

Sen. Bill Ingebrigtsen
Minnesota Senate
Minnesota Senate Bldg., Room 3207
95 University Avenue W.
St. Paul, MN 55155

Rep. Rick Hansen
Minnesota House of Representatives
407 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Sen. Carrie Rudd
Minnesota Senate
Minnesota Senate Bldg., Room 3233
95 University Avenue W.
St. Paul, MN 55155

Rep. Leon Lillie
Minnesota House of Representatives
367 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Pursuant to M.S. 97A.056, Subdivision 15, this letter notifies you that the Lessard-Sams Outdoor Heritage Council has received notice from the Minnesota Department of Natural Resources (MN DNR) concerning the requested conversion of forestland to road right-of-way and a conveyance of a permanent road easement to Itasca County. The state interest in the land was purchased by the MN DNR with Outdoor Heritage Funds (ML 2009, Ch. 172, Art. 1, Sec. 2, Subd. 3). The attached letter from Gary Michael, MN DNR Cooperative Forest Management Supervisor, describes the action.

Pursuant to statute and the council's approved operating procedures, and in the absence of disapproval by leadership or the council by June 20, 2019, I will approve the conveyance and forward notification to Mr. Michael of the MN DNR so the conveyance can take place.

Please contact me if you have questions regarding this matter. I will withhold final notification until June 20, 2019 to hear from you, if you have concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Wm. Johnson".

Mark Wm. Johnson
Executive Director
Lessard-Sams Outdoor Heritage Council

cc: Sen. Chris Eaton, Sen. David Tomassoni, Rep. Josh Heintzeman, Rep. Dan Fabian
Mr. Gary Michael, Members of the LSOHC

Attachment: Letter and supporting materials from Gary Michael

Division of Forestry
500 Lafayette Road
St. Paul, MN 55155

April 26, 2019

Mark Johnson
Executive Director
Lessard-Sams Outdoor Heritage Council
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 95
St. Paul, MN 55155

Mark:

Itasca County is proposing a County Road project that will impact lands owned by Blandin Paper Company over which the State holds a conservation easement funded in part by the Outdoor Heritage Fund. The project will result in a conversion of forestland to road right-of-way and a conveyance of a permanent road easement to Itasca County. The State's easement will remain in effect on the land.

Project Description: The Itasca County Highway Department is proposing a reconstruction project on County State Aid Highway 60 during the summer of 2020. The proposed work will include reconstruction of the current road which will require a permanent easement across one parcel (Tax Parcel #23-030-9000) located in the Southwest Quarter of the Southeast Quarter (SWSE), Section Thirty (30), Township Fifty-seven (57) North, Range Twenty-four (24) West, Itasca County, Minnesota. The permanent easement is approximately 3.86 acres (shown on the attachments).

The estimated value of the easement is:

Permanent Easement (3.86 acres) X (\$1300/acre) = \$5,018.00
Total Value: \$5,018.00
Easement Share: (\$5,018.00) X (0.4082954) = \$2,048.83

OHF Share: (\$2,048.83) X (0.777) = \$1,591.94

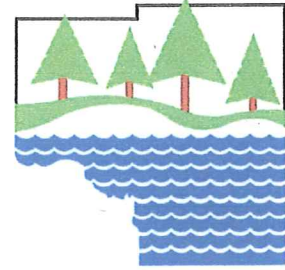
We do not anticipate that the affected lands will be replaced by other conservation lands and propose that \$1,591.94 be repaid to the outdoor heritage Fund (OHF provided approximately 77.7% of the acquisition costs.)

Sincerely,
Gary Michael
Cooperative Forest Management Supervisor
500 Lafayette Road
St. Paul, MN 55155

CC: Grant Wilson
Christine Ostern
Jon Nelson

Equal Opportunity Employer

ITASCA COUNTY
Transportation Department
123 NE 4th Street
Grand Rapids, MN 55744-2600
Office (218) 327-2853 Fax (218)327-0688



Blandin Paper Company, Inc.
Attn: Quintin Legler
115 SW 1st Street
Grand Rapids, MN 55744

Date: 3-1-19

RE: CSAH 060 Reconsruction (SAP 031-660-009) Easement Acquisition:
- Tract #49 (Tax Parcel #23-030-9000) ; Tract #52 (Tax Parcel #23-031-9000)
- Tract #58 (Tax Parcel #23-029-9000)

Enclosed with a return envelope are the documents necessary to facilitate acquisition of the easement(s) shown on the attached sketch for the upcoming project referenced above.

The **first** document is a copy of the **Minimum Damage Acquisition Form** used by our office to establish value. This is for your information only and does not need to be returned.

Second, are 2 identical copies of the **Permanent and/or Temporary Highway Easement(s)** that we wish to acquire from you. Any of the copies may be used as official originals for signature and the rest may be kept for your records. Please review and verify the information on these documents, especially the **name(s) of the owner(s)** and the **names/titles of those authorized to execute conveyances for this property**. **Permanent Easements must be signed before a notary** for recording purposes but **Temporary Easements require only a dated signature**. **All signed original easement document pages must be returned to us prior to payment** but, I intend to return copies of the signed original easements subsequent to any necessary recordation and/or payment processing.

Third, are 2 signed copies of the **Offer Letter**. The second copy is for your records. Please review the document carefully and designate a payee (yourself or another owner) according to the instructions at the end of the letter. If everything is acceptable to you, please **sign, date, and return it** with the rest of the necessary documents.

The **fourth** document is a **Federal IRS W9 form** that must be completed and returned by anyone designated to receive payment for this purchase.

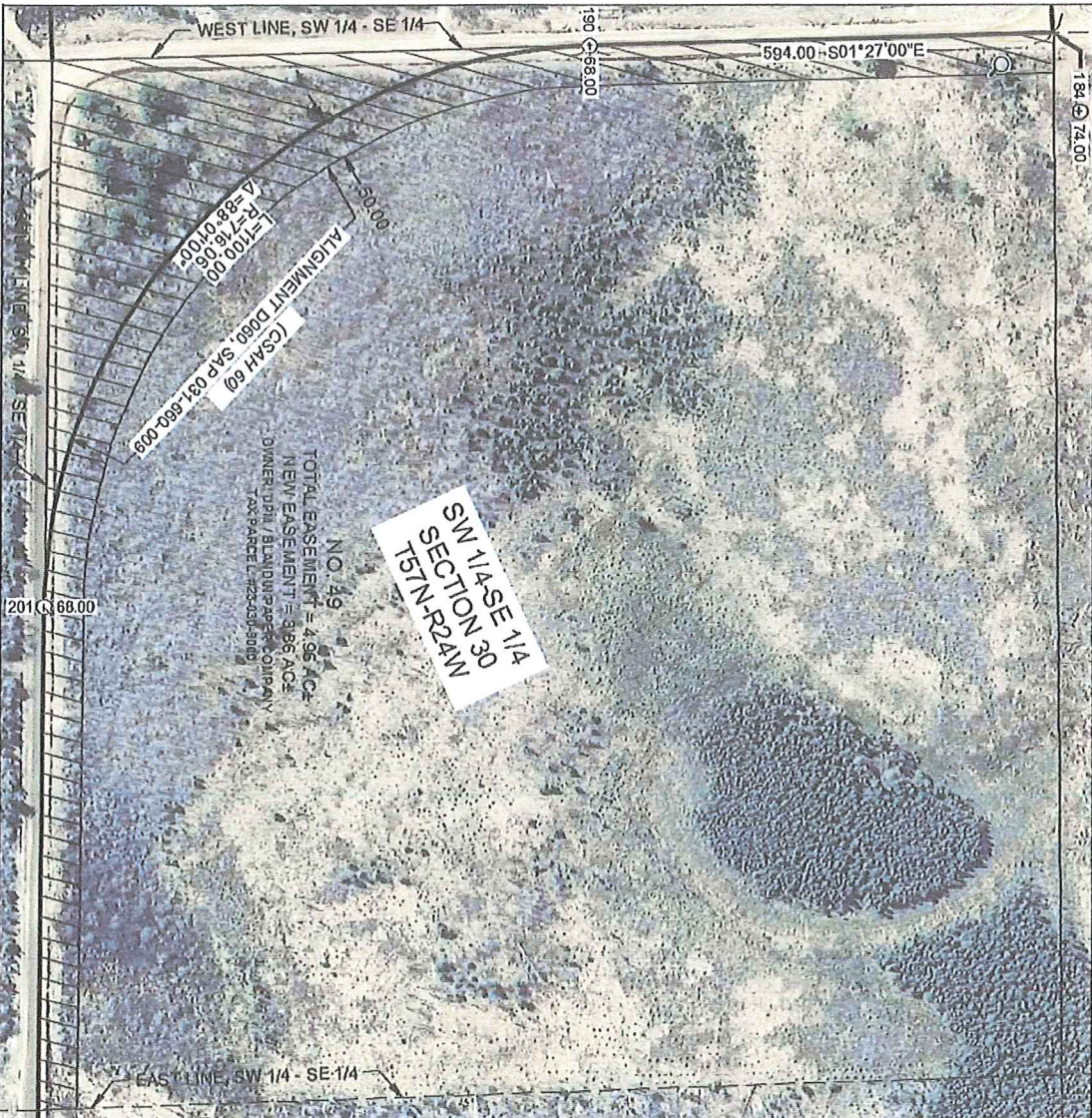
Thank you for your time and help addressing this matter. If you have any questions, feel free to call me at 218-327-0682.

Regards,

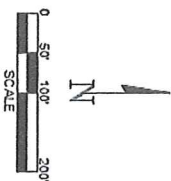
Joshua Falck,
Right of Way Specialist,
Itasca County Transportation Department
Direct: 218-327-0682 / Email: Joshua.Falck@co.itasca.mn.us

APPROXIMATE SKETCH

(See Official Easements for Defined Locations)
 Tract #49 (Tax Parcel #23-030-9000)



NOTES:
 ALL COORDINATES ARE BASED ON THE MINNESOTA COUNTY COORDINATE SYSTEM - ITASCA COUNTY SOUTH ZONE.
 ALIGNMENT LINES ARE TANGENT TO ADJOINING CURVES.
 ALL UN-DIMENSIONED SECTION SUBDIVISION LINES AND PARCEL LINES WERE COPIED FROM THE ITASCA COUNTY GIS ON 2018-12-07. ITASCA COUNTY GIS INFORMATION IS A COMPILATION OF DATA FROM DIFFERENT SOURCES WITH VARYING DEGREES OF ACCURACY AND REQUIRES A QUALIFIED FIELD SURVEY TO VERIFY.



● SURVEY MONUMENT
 75' ± ALIGNMENT D060 STATION (+100 = 100')



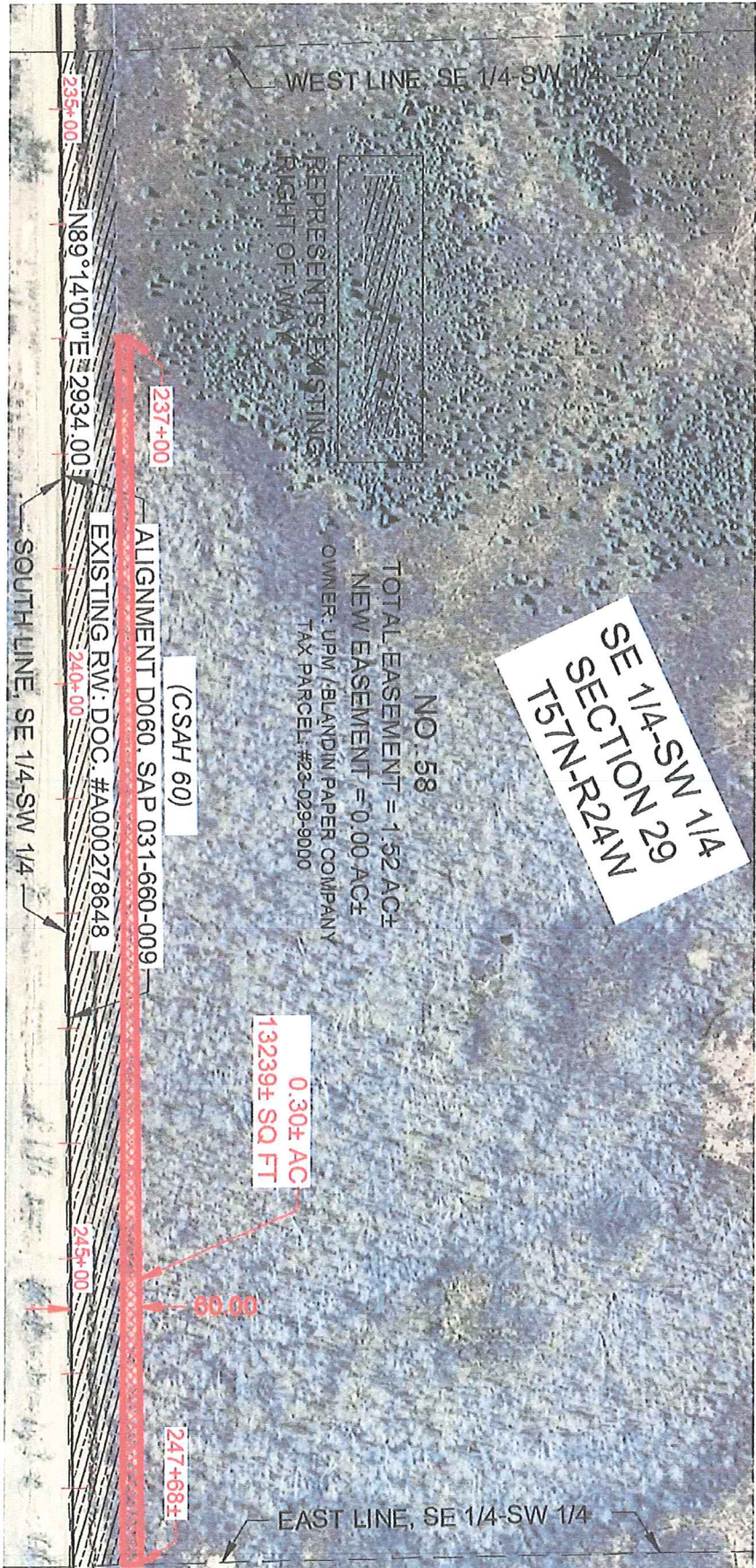
APPROXIMATE SKETCH

(See Official Easements for Defined Locations)
 Tract #52 (Tax Parcel #23-031-9000)



APPROXIMATE SKETCH

(See Official Easements for Defined Locations)
 Tract #58 (Tax Parcel #23-029-9000)



SE 1/4-SW 1/4
 SECTION 29
 T57N-R22AM

REPRESENTS EXISTING
 RIGHT OF WAY

NO. 58
 TOTAL EASEMENT = 1.52 AC±
 NEW EASEMENT = 0.00 AC±
 OWNER: UPM /BLANDIN PAPER COMPANY
 TAX PARCEL #23-029-9000

(CSAH 60)

ALIGNMENT D060. SAP 031-660-009

EXISTING RW: DOC #A000278648

0.30± AC
 13239± SQ FT

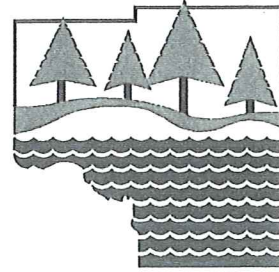
EAST LINE, SE 1/4-SW 1/4

WEST LINE, SE 1/4-SW 1/4

SOUTH LINE, SE 1/4-SW 1/4

COPY

ITASCA COUNTY
Transportation Department
123 NE 4th Street
Grand Rapids, MN 55744-2600
Office (218) 327-2853 Fax (218)327-0688



DATE: March 1, 2019
TO: Rachel Metelak, Transportation Engineer
FROM: Joshua Falck - Right of Way Specialist
SUBJECT: Minimum Damage Acquisition
CSAH 60 Reconstruction (SAP 031-660-009)
Fee Owner: Blandin Paper Company, Inc.

Tract #49 (Tax Parcel #23-030-9000)

(Description based on recorded Document in Book 199 of Deeds, Page 283)

The Southwest Quarter of the Southeast Quarter (SW 1/4-SE 1/4), Section 30, Township Fifty-five (57) North, Range Twenty-four (24) West, Itasca County, Minnesota.

Tract #52 (Tax Parcel #23-031-9000)

(Description based on recorded Document #A000268793)

The Northeast Quarter of the Northeast Quarter (NE 1/4-NE 1/4), Section 31, Township Fifty-five (57) North, Range Twenty-four (24) West, Itasca County, Minnesota.

Tract #58 (Tax Parcel #23-029-9000)

(Description based on recorded Document #A000278648)

The Southeast Quarter of the Southwest Quarter (SE 1/4-SW 1/4), Section 29, Township Fifty-five (57) North, Range Twenty-four (24) West, Itasca County, Minnesota.

History of Ownership

The subject property was acquired by Blandin Paper Company, the current owners, through various instruments, between October, 1960 and October, 1971.

Purpose of Acquisition:

The purpose of the MDA is to estimate the effect on fair market value of the subject parcel(s) from the acquisition of the highway easement(s) as shown or described on the subject document(s) and enumerated under the Land Value section. County State Aid Highway 60 is scheduled for reconstruction in the summer of 2020. The acquisition is necessary to reconstruct the road alignment to appropriate standards.

Zoning Description

Currently zoned "Farm Residential" by Itasca County.

Site Description before Acquisition:

The parcels are mostly wooded in a natural or wild state with a mix of low ground and high ground and minimal elevation relief. No structures exist on the property. The easements run along one or two of the boundaries of the parcels.

COPY

Highest and Best Use:

Its highest and best use would be for forestry / timber and/or light public recreational use.

Acquisition Description

This acquisition is for permanent highway easement and / or temporary construction easement as shown or described on the subject document(s) and enumerated under the Land Value section.

Site Description (after easement acquisition):

The property will essentially remain the same in the after situation as in the before situation.

Land Value:

Permanent Easement:

Based upon the most recent assessed tax values, the estimated value for this acquisition of new right-of-way is as follows:

<u>Tract #49 (Tax Parcel #23-030-9000)</u> (3.86 acres) X (\$1300/acre)	=	\$5,018.00
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Temporary Easement:

Temporary easements acquired for owner access approaches are elective and therefore uncompensated. Temporary easements acquired for public purposes are valued at 10% of the underlying property value per year of use. Based upon the most recent assessed tax values, the estimated value for this temporary easement is as follows:

<u>Tract #52 (Tax Parcel #23-031-9000)</u> (FOR OWNER'S APPROACH)	=	NO AWARD (OPTIONAL)
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<u>Tract #58 (Tax Parcel #23-029-9000)</u> (0.30 acres) X (\$1300/acre) X 10%	=	\$39.00
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<u>TOTAL VALUE</u>	=	\$5,057.00
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MINIMUM AWARD	=	\$5,057.00
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Final Value Conclusion:

The new acquisition will not adversely affect the subject's present or future value nor will it diminish the value of the remainder.

Approved : Rachul Metelak

Date: 3/1/19

HIGHWAY EASEMENT

THIS INDENTURE is made and entered into this _____ day of _____, 20____, between **Blandin Paper Company**, hereinafter referred to as "Grantor," and the **COUNTY OF ITASCA**, State of Minnesota, Municipal Corporation, and road authority, hereinafter referred to as "Grantee."

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in Itasca County, Minnesota, described as follows, to-wit:

Tract #49 (Tax Parcel #23-030-9000)

(Description based on recorded Document in Book 199 of Deeds, Page 283)

The Southwest Quarter of the Southeast Quarter (SW 1/4-SE 1/4), Section 30, Township Fifty-five (57) North, Range Twenty-four (24) West, Itasca County, Minnesota.

AND WHEREAS, Grantor has agreed to grant Grantee an easement for Highway purposes across said property.

AND WHEREAS, Grantor has received permission pursuant to the Conservation Easement in favor of the State of Minnesota dated July 8, 2010 to enter into this easement.

NOW, THEREFORE, said Grantor, for other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey unto the COUNTY OF ITASCA, as Grantee, for highway purposes, free and clear of all encumbrances, the below described real estate in the COUNTY OF ITASCA, State of Minnesota, and the said Grantor for (himself) (his) (themselves) (their) heirs executors and assigns, do hereby release the COUNTY OF ITASCA, State of Minnesota, its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the parcel of land hereby conveyed is located by reason of the location, grading, construction, maintenance, and use of a Public Highway over and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the COUNTY OF ITASCA, State of Minnesota, shall have the right to use and remove all earth and materials lying within the parcel of land hereby conveyed and the right to allow utilities over, under, and across said parcel as allowed by State law, all within the easement more particularly defined by the attached "EXHIBIT A".

IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed on the day and year first above written.

GRANTOR:

Blandin Paper Company
By: Scott Juidici, General Manager

STATE OF MINNESOTA)
) ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____, by Scott Juidici, General Manager of, and on behalf of, Blandin Paper Company, Grantor.

(Notary Stamp or Seal)

Signature of Person taking Acknowledgment

This Instrument was drafted by:
Joshua Falck
Right of Way Specialist
Itasca County Transportation Department
Courthouse
Grand Rapids, MN. 55744

This conveyance is entitled to recording without payment of fee, pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the County of ITASCA.

**- EXHIBIT A -
- CSAH 60 HIGHWAY EASEMENT DESCRIPTION -
ITASCA COUNTY, MINNESOTA**

EASEMENT DESCRIPTION:

A permanent easement for highway purposes over, under, and across that part of **Tract #49** in the Southwest Quarter of the Southeast Quarter, Section 30, Township 57 North, Range 24 West, Itasca County Minnesota, lying westerly and southerly of a line offset parallel 50.00 feet easterly and northerly from **ALIGNMENT D060** defined on SHEETS 02 and 03 of this **EXHIBIT A**,

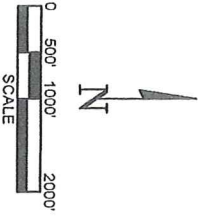
Containing 4.96 acres, more or less.

(Itasca County Project SAP #031-660-009: Right-of-way Tract #49)

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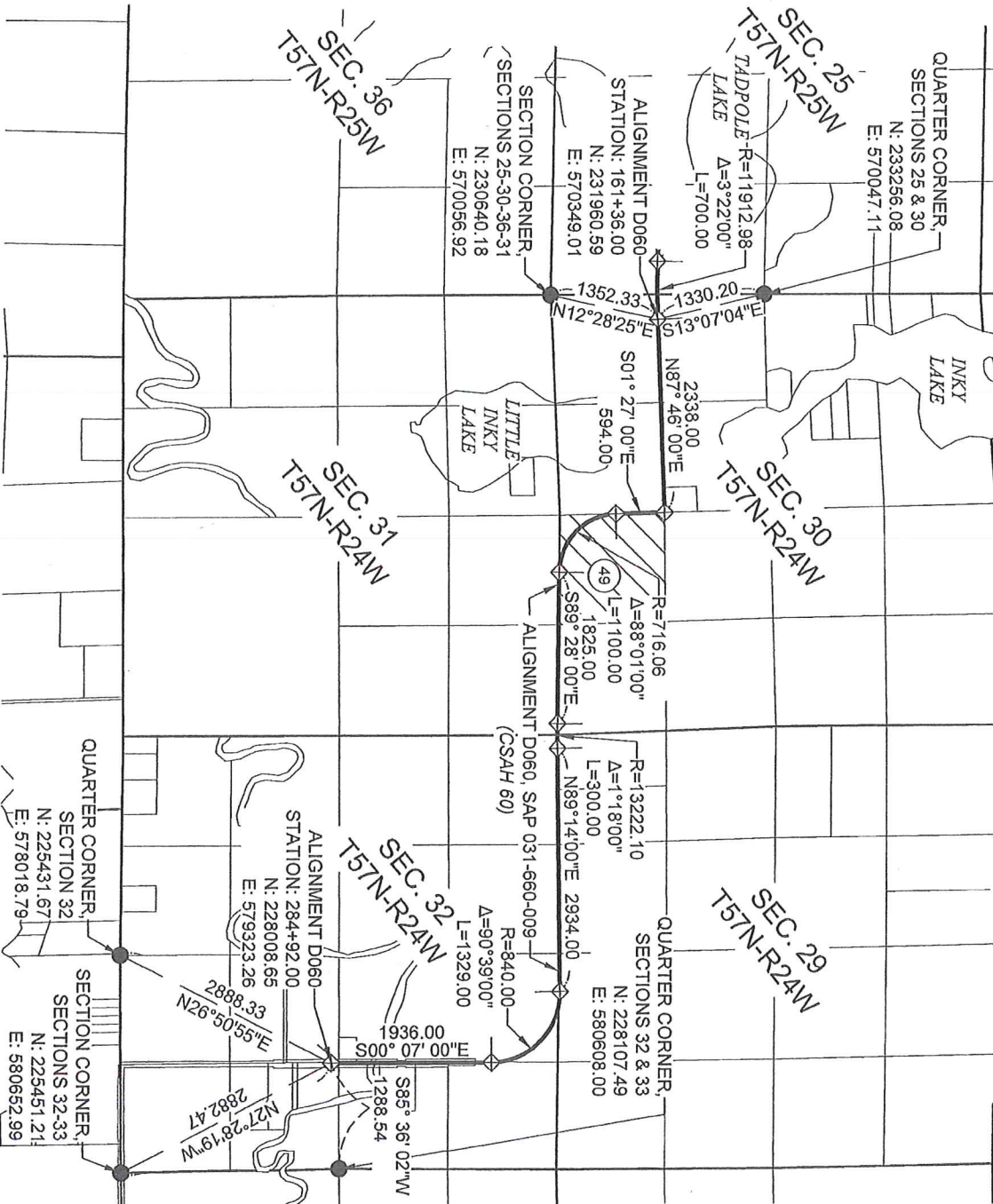
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● SURVEY MONUMENT
◻ CALCULATED POSITION ON ALIGNMENT D060

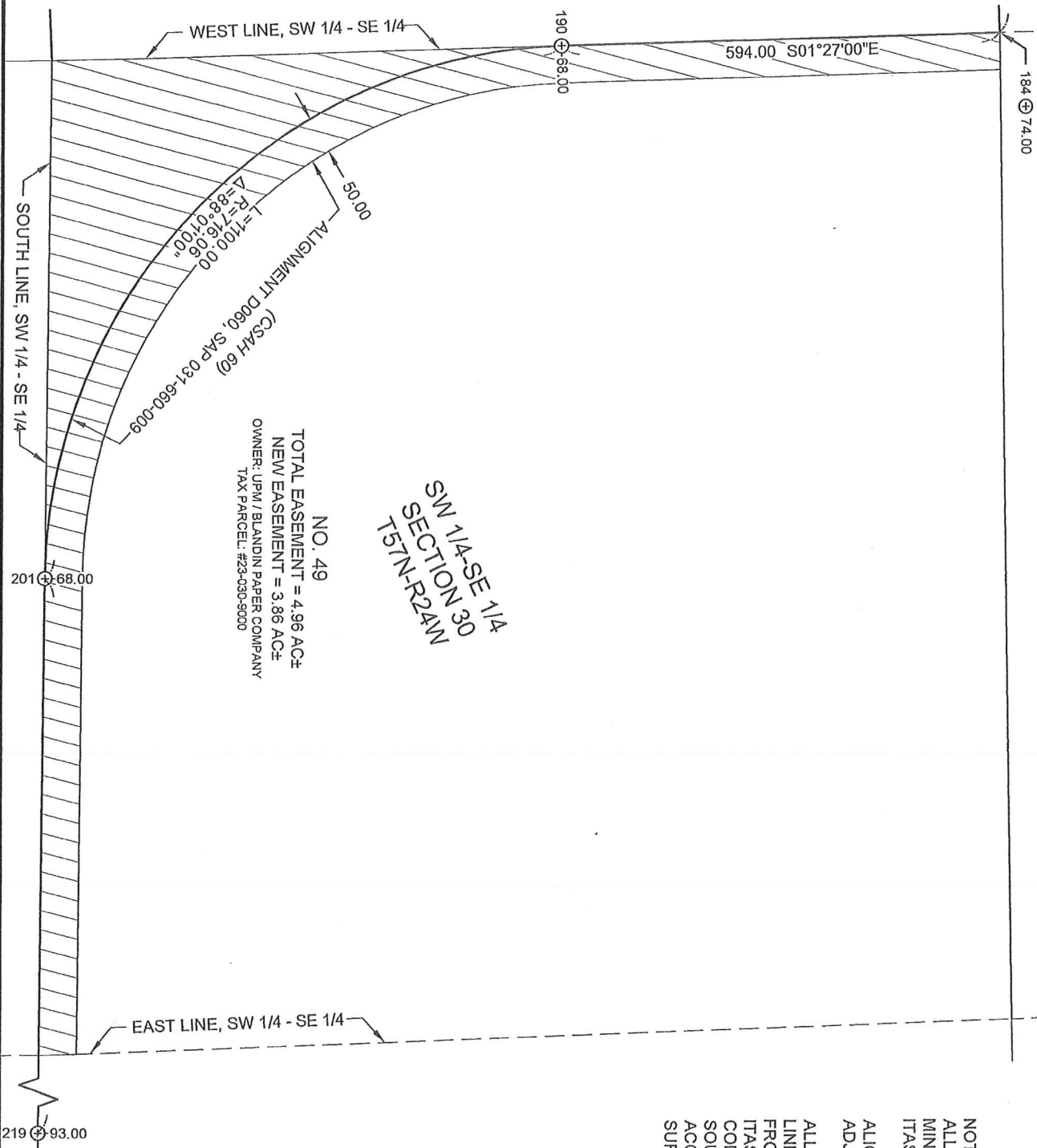


Right of Way Tract Sheet Index
(49) = Tract #49 (TP #23-030-9000)

- EXHIBIT A -
- ALIGNMENT D060, SAP 031-660-009 -
CSAH 60, ITASCA COUNTY, MINNESOTA
STA. 161+36 TO STA. 284+92



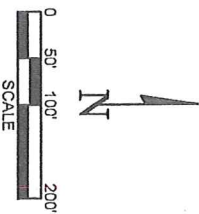
**- EXHIBIT A -
- CSAH 60 EASEMENT DETAIL -
ITASCA COUNTY, MINNESOTA**



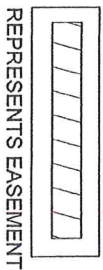
NO. 49
 TOTAL EASEMENT = 4.96 AC±
 NEW EASEMENT = 3.86 AC±
 OWNER: UPM / BLANDIN PAPER COMPANY
 TAX PARCEL: #23-030-9000

**SW 1/4-SE 1/4
SECTION 30
T57N-R24W**

NOTES:
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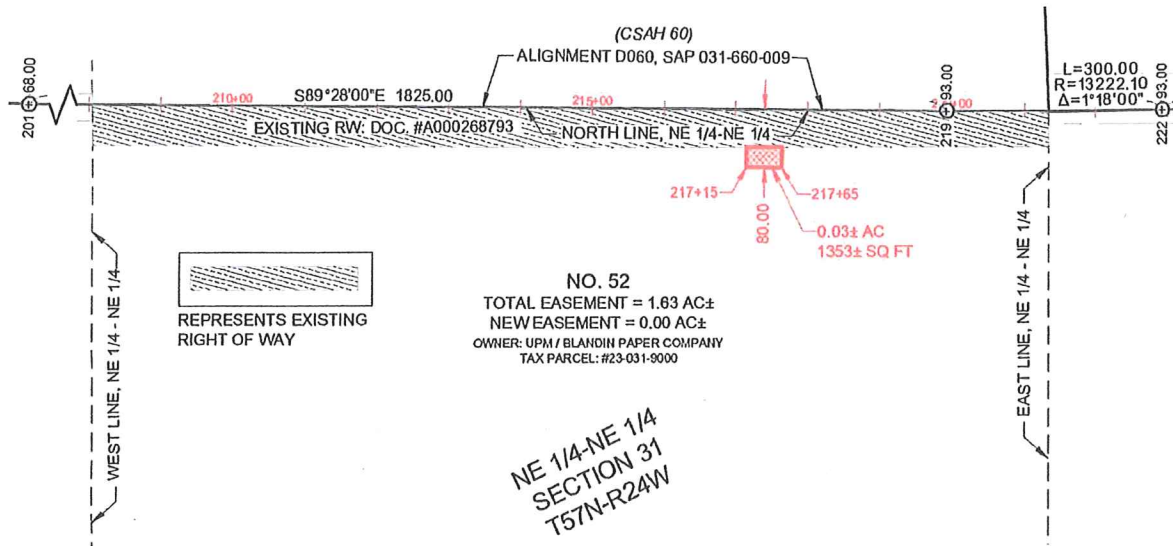
● SURVEY MONUMENT
 75 ⊕ 04 ALIGNMENT D060
 STATION (1+00 = 100')



**- CSAH 60 TEMPORARY CONSTRUCTION EASEMENT -
ITASCA COUNTY, MINNESOTA**

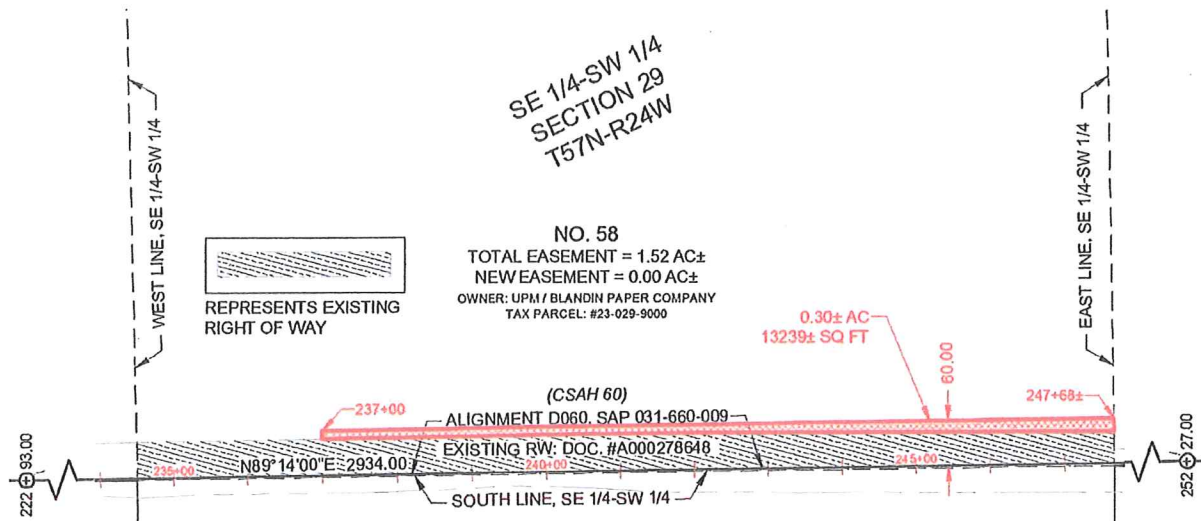
**Itasca County Project: SAP 031-660-009
Tract #52 (Tax Parcel #23-031-9000)
Itasca County, MN.**

It is necessary that the County of Itasca use for highway purposes the real property situated in Itasca County, Minnesota **and cross hatched in RED on the map below:**



**Itasca County Project: SAP 031-660-009
Tract #58 (Tax Parcel #23-029-9000)
Itasca County, MN.**

It is necessary that the County of Itasca use for highway purposes the real property situated in Itasca County, Minnesota **and cross hatched in RED on the map below:**



**- CSAH 60 TEMPORARY CONSTRUCTION EASEMENT -
ITASCA COUNTY, MINNESOTA**

The duration of the occupancy will be temporary in nature and there will be no change in ownership of the land. The scope of work performed will include vegetation removal and slope grading for side slopes and an approach to CSAH 60.

This Temporary Construction Easement shall terminate December 31st, 2020 or at the end of the project, whichever is later.

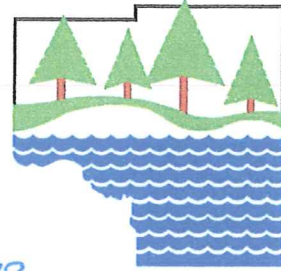
Grantor: Blandin Paper Company
By: Scott Juidici, General Manager

Date

This Instrument was drafted by:
Joshua M. Falck
Right of Way Specialist
Itasca County Transportation Department
Courthouse
Grand Rapids, MN. 55744

This conveyance is entitled to recording without payment of fee, pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the County of ITASCA.

ITASCA COUNTY
Transportation Department
123 NE 4th Street
Grand Rapids, MN 55744-2600
Office (218) 327-2853 Fax (218)327-0688



Date: 3-1-19

Blandin Paper Company, Inc.
Attn: Quintin Legler
115 SW 1st Street
Grand Rapids, MN 55744

RE: CSAH 060 Reconstruction (SAP 031-660-009) Easement Acquisition:
- Tract #49 (Tax Parcel #23-030-9000)
- Tract #52 (Tax Parcel #23-031-9000)
- Tract #58 (Tax Parcel #23-029-9000)

The County of Itasca hereby submits to you an offer of **\$5057.00**, which is based on the amount of the assessed value of the above referenced property and/or certain rights therein, as contained in the easement(s) attached hereto, disregarding any change in the before value of the property caused by the proposed project.

This purchase offer does not prohibit you from donating the land necessary to complete this project.

You will have a reasonable length of time to consider the offer (approximately 30 days). To aid in your decision you may want to secure your own appraisal. The County of Itasca will reimburse you a reasonable amount for that appraisal fee, limited by the amount and terms set by law.

Minnesota Law also provides that the owners/occupants of the property being acquired will be reimbursed for the actual cost of moving personal property. Certain incidental costs incurred in transferring the title will be paid by the County.

If you decide to accept the County's offer you will be paid upon your providing the County with the properly executed easement documents and **Federal IRS W9 form(s)** for income tax reporting purposes. If the County cannot be vested with good title to the property, or if the offer is unacceptable, the County may acquire said easements through eminent domain proceedings.

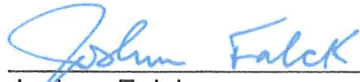
This is not a purchase of fee title ownership, but of easement rights. The underlying land remains under current ownership, but the County will reduce the assessed land value to reflect the easement.

This letter is furnished to inform you of procedures and your rights in this acquisition. If the terms are acceptable to you, please complete, sign, and date this

document below and return it with the rest of the required documents.

Please contact me with any questions or concerns.

Sincerely,

 3-1-19
Joshua Falck (Date)
Right of Way Specialist
Itasca County Highway Department
218-327-0682

To acknowledge your acceptance of this offer, please fill out the form below, sign, and date. Note that a completed W9 must be on file for all payees prior to payment.

**ACCEPTED BY:
BLANDIN PAPER COMPANY, INC:**

By: _____
(Print Name) (Print Title)

(Signature) (Date)

General Project/Site Information – CSAH 60

County State Aid Highway (CSAH) 60 in Itasca County serves as a minor connector between MN State Highway 38 and CSAH 7. The average daily traffic is 225. This level of traffic on a gravel road demands a higher level of continual maintenance. The proposed project encompasses two main parts:

Part one will include reconstructing and paving approximately 5 miles of roadway, making all of CSAH 60 a paved road. There are also stretches of road that were built through wetlands where corduroy has been exposed due to frost heaving over time. These areas are particularly rough in the spring thaw, and the road often must be closed to 1 lane to get traffic through causing safety concerns. These areas have been maintained by adding gravel where needed but the frost continues to expose them. This in turn adds to equipment maintenance and ultimately causes a rough road to drive on. The design is also able to address a few sharp corners, increasing the curve radius and bringing them up to current safety design standards.

Part two of the project includes the reconstruction of Clearwater Creek crossing. The road has limited sight distance through the creek area due to a vertical curve that does not meet minimum standards. The stream crossing consists of 2 failing 5' diameter corrugated steel culverts. These culverts are undersized, creating a large scour hole and velocities too fast for fish passage. The Clearwater Creek crossing is currently in design phase, but we are working with the DNR on a structure replacement type and fish ladder.