

# Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40



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March 13, 2015

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Susan Thornton, Executive Director  
Legislative Citizen Commission on Minnesota Resources  
State Office Bldg., Room 65  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Ref: Request for Approval of Partial Release of Brainerd Lakes Easement  
ACQ 00137200  
DNR Doc #SFT0000324

Dear Susan:

I have enclosed a letter from Kathy Lewis, Assistant Director, Lands and Minerals Division, to the LCCMR requesting partial release of the DNR's Brainerd Lakes conservation easement in accordance with M.S. sec. 116P.15, along with an attached legal description and survey map of the parcel to be released. I have also enclosed the following documents, which may be helpful to Commission members in their review of the DNR's request:

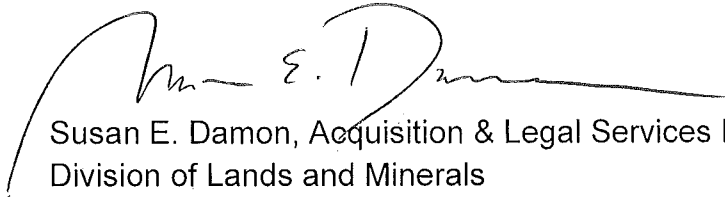
1. Conservation easement
2. Aerial map of DNR conservation easement
3. Approval to Surplus dated November 24, 2014
4. Funding sources: Expenditure Detail Reports
5. Resume of Certified Minimum Valuation
6. July 2, 2014 letter signed by Ed Patrias, Potlatch Corporation Real Estate Manager, agreeing to this transaction
7. Easement release request letter from Kevin Albertson
8. Minn. Stat. sec. 84.632 Conveyance of Unneeded State Easements
9. Minn. Stat. sec 116P.15

We are looking forward to working with you through the balance of this process. Should you have any questions or need additional information, please feel free to contact Jodi Dehn at 651-259-5391 or me at 651-259-5961.



Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan E. Damon". The signature is fluid and cursive, with a large initial "S" and "D".

Susan E. Damon, Acquisition & Legal Services Manager  
Division of Lands and Minerals

Cc: Jodi Dehn  
Cindy Buttleman  
Richard Peterson

Enclosures

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Dear Commission Members:

On November 25, 2014 the Minnesota Department of Natural Resources (DNR) notified Susan Thornton, Executive Director of LCCMR of a forthcoming request for a partial release of the DNR's Brainerd Lakes Phase 2 conservation easement. (See attached letter.) This issue was brought before the LCCMR as an informational item on the agenda at the December 9, 2014 meeting.

The Minnesota Department of Natural Resources is now submitting a formal request for the partial release of this conservation easement under M.S. sec. 116P.15.

In 2011 Potlatch Corporation discovered an inadvertent trespass from an adjoining landowner involving the construction of a building onto their property that was subject to the DNR's conservation easement. (The structure was a pre-existing structure that predates the agency conservation easement and was not documented by DNR during the pre-acquisition property inspection.) As the terms of the DNR conservation easement do not permit structures, DNR has been working with Potlatch to resolve this issue. Potlatch is seeking to secure the release of the portion of the easement containing the building site of approximately 0.46 acres out of a total of 1,634.7 acres encumbered.

The legal description of the parcel to be released is described as:

The Northerly 200 feet of the Easterly 100 feet of the NESW of Section 29,  
Township 134 North, Range 30 West in Cass County.

A survey map of the parcel to be released is also attached.

The DNR has determined the market value of the portion of the easement to be released is \$1,000.00. The ENRTF provided 1.5% of the total funding for the conservation easement. Accordingly, the portion of the market value that would be refunded to the ENRTF upon partial release of the conservation easement would be \$15.



The DNR respectfully requests that the LCCMR approve the partial conservation easement release.

We are awaiting approvals from the Commissioner of Management and Budget and the U.S. Forestry Service as they also contributed to the funding to acquire this conservation easement.

Should you have any questions or need additional information, please feel free to contact Susan Damon at 651-259-5961 or me at 651-259-5404.

Thank you.

Sincerely,

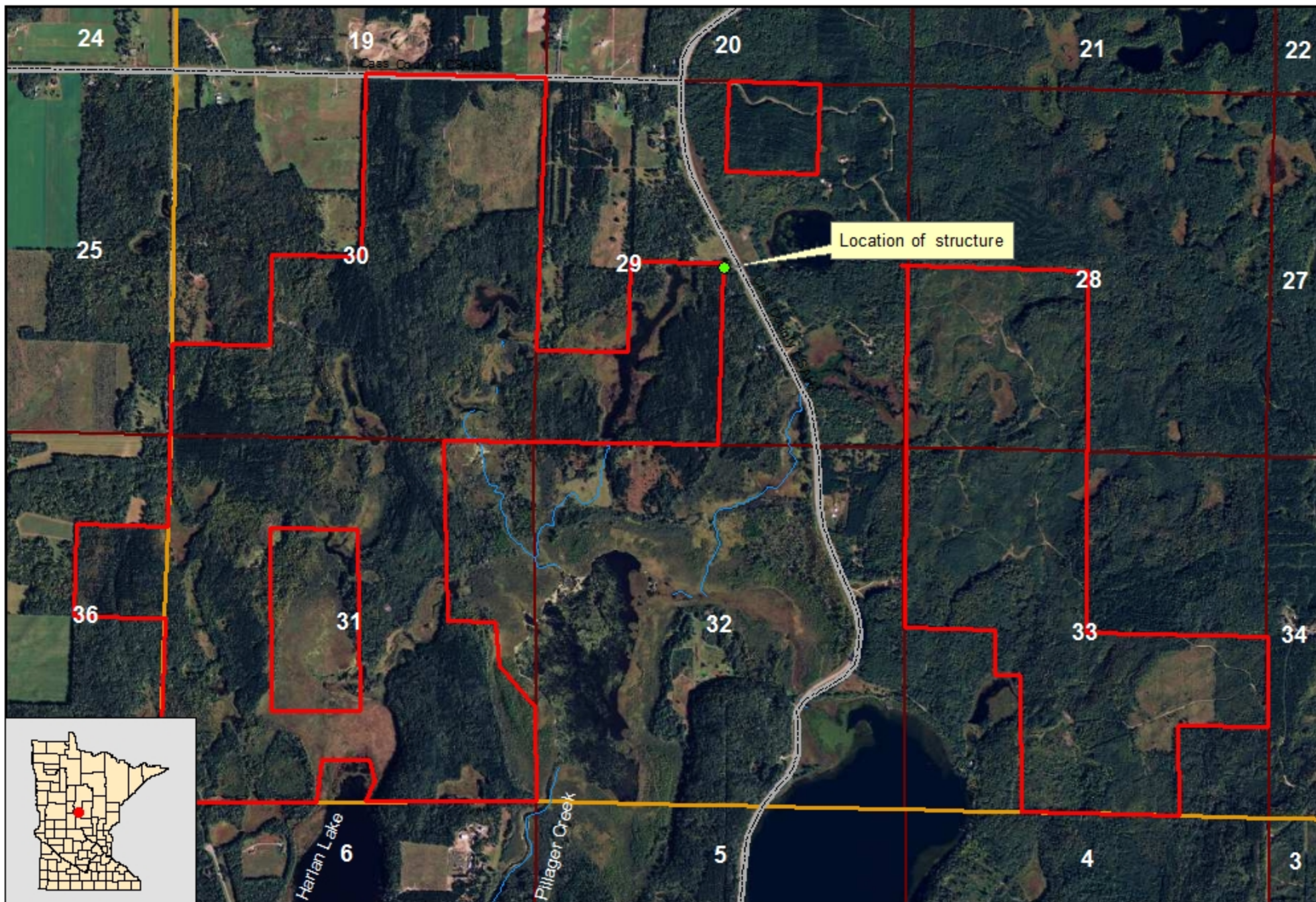


Kathy A. Lewis  
Lands & Minerals, Assistant Director

Cc: Susan Thornton  
Jodi Dehn  
Richard Peterson  
Susan Damon

Attachments





Brainerd Lakes Phase 2 Forest Legacy Project  
 S. 28, 29, 30, 31 33 T134N R30W &  
 S. 36 T134N R31W all in Cass County, MN

