



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

October 5, 2022

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 a request from Washington County for a lot line adjustment due to an encroachment issue located at 13693 St. Croix Trail South, Hastings, Minnesota. A boundary line survey discovered that the current parcel line intersects the landowner's deck and retaining wall. Washington County and the landowner have proposed a lot line adjustment.

LSOHC staff has reviewed the proposed lot line adjustment and agree with Washington County's assessment that "This boundary line adjustment would not impact the total amount of acreage within the conservation easement held by Washington County. The boundary line adjustment would slightly enhance the habitat quality in the easement as the 4,503 sq. ft. includes mature oak trees. The boundary line adjustment would have the additional benefits of Mr. Savage owning his full deck and retaining wall."

The state interest in the land was originally purchased by Washington County with Outdoor Heritage Funds (ML 2010, Ch. 361, Art. 1, Sec. 2, Subd. 5(h) – St. Croix River Land Protection). The final report for this program can be found at the following website: <https://www.lsohc.mn.gov/FY2011/Final%20Reports/5h.pdf>. The attached supporting documents received from Washington County, further describes the action.

As this conveyance appears noncontroversial, pursuant to statute and the council's approved operating procedures, and in the absence of disapproval by leadership by October 26, 2022, I will approve the conveyance and forward notification to Washington County so the lot line adjustment can take place.

Please contact me if you have questions regarding this matter. I will withhold final notification until October 27, 2022, to hear from you, if you have concerns.

Sincerely,



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

cc: Members of the LSOHC
June Mathiowetz, Washington County

Attachments: Supporting materials from Washington County



PUBLIC WORKS

Wayne Sandberg, P.E., Director, County Engineer
Frank D. Ticknor, P.E., Deputy Director

September 8, 2022

Mr. Mark W. 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

Re: Lot Line Adjustment – (Carpenter St. Croix Valley Nature Center)
LSOHC – Grant #3000004235

Dear Mr. Johnson:

Washington County is a recipient of a grant through the Lessard-Sams Outdoor Heritage Council for the preservation of land and open space pursuant to ML 2010, Ch. 361, Art. 1, Sec. 2, Subd. 5(h) – St. Croix River Land Protection. Washington County acquired a conservation easement over land owned by the Thomas E. and Edna D. Carpenter Foundation d/b/a Carpenter St. Croix Valley Nature Center (Carpenter Nature Center) with the use of these grant funds. This project acquired approximately 85 acres within the St. Croix Valley region of Washington County for the protection of land along the St. Croix River from being developed to preserve the natural and habitat environment of the area.

Washington County received a letter from Carpenter Nature Center (attached) that the adjoining landowner (Mike Savage) determined that his property currently encroaches onto the Carpenter Nature Center property and completed a survey to fully understand the extent. The boundary survey identifies that the current boundary line intersects the corner of the deck and the retaining wall along the eastside of Mr. Savage home. As a resolution to this encroachment, Mr. Savage proposed to Carpenter Nature Center a lot line adjustment. This lot line adjustment would extend the eastern line of his property beyond the encroachment area (approximately 4,503/sf) and decrease the southern line of his property the same square footage for a no net loss for Carpenter Nature Center. Please see attached aerial diagram for reference. Both Carpenter Nature Center and Mr. Savage believe this is a positive resolution and Washington County is in agreement with this proposed resolution.

In addition, Washington County believes the area we are to receive and incorporate into the conservation easement area is superior to the area currently in the conservation easement. The replacement area is all natural, wooded with nice oaks and has not been disturbed, whereas the original area is open and parts of it are mowed.

According to the conservation easement terms, the property is not able to be divided or partitioned except for the purpose of correcting or adjusting boundary line to resolve a title or ownership issue. Washington County believes that a lot line adjustment in this matter to correct the encroachment is appropriate and the best resolution. It will result in no net loss of land for the conservation easement and actually the new area is superior to the existing area.

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Washington County is an equal opportunity organization and employer

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September 8, 2022

To complete this matter, Washington County anticipates conducting the following:

1. Amend the Conservation Easement to incorporate the modified legal description, all other provisions remain the same.
2. Amend the Funding Restriction to incorporate the modified legal description, all other provisions remain the same.

These items will all take place once the property owners (Carpenter Nature Center and Mr. Savage) complete the necessary requirements for a lot line adjustment with Denmark Township.

Thank you for your review of this matter. Please feel free to contact me directly with any questions.

Sincerely,



Sharon M. Price
Property Acquisition Manager
651-430-4391
Sharon.Price@co.washington.mn.us
Enclosures



Minnesota Campus

12805 St. Croix Trail South
Hastings, MN 55033
Telephone (651) 437-4359
www.carpenternaturecenter.org

Wisconsin Campus

279 South Cove Road
Hudson, WI 54016
Telephone (651) 437-4359
www.carpenternaturecenter.org

August 4, 2022

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Sharon Price, Property Acquisition Manager
Washington County Department of Public Works
11660 Myeron Road North
Stillwater, MN 55082

Dear Ms. Price,

Re: Boundary Line Adjustment

I am writing to request a boundary line adjustment to remedy a boundary issue.

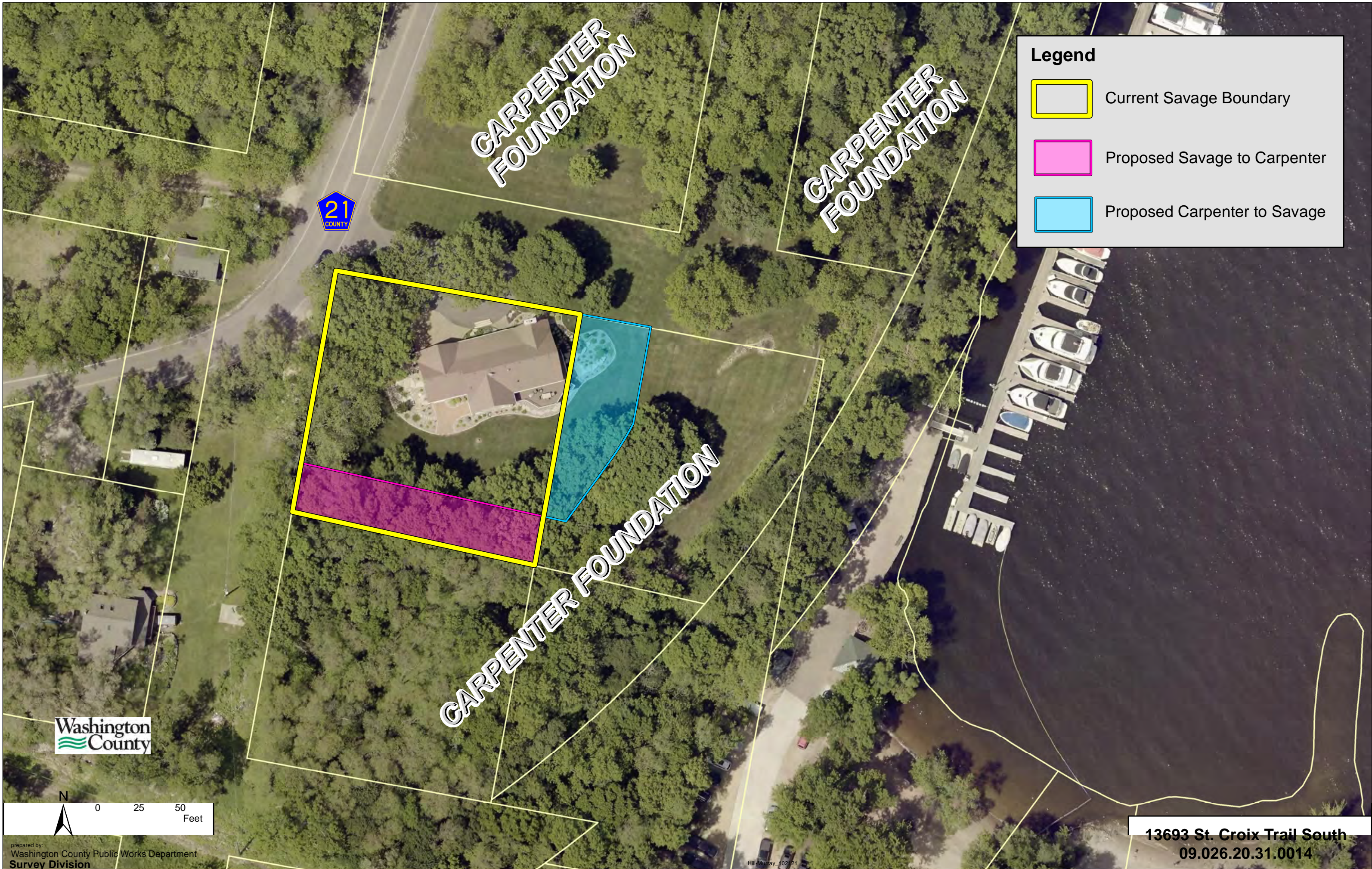
Mr. Michael Savage owns parcel 09.026.20.31.0014 located at 13693 St. Croix Trail South, Hastings MN. This property is adjacent to parcel 09.026.20.31.0013 owned by the Thomas E. and Edna D. Carpenter Foundation DBA Carpenter St. Croix Valley Nature Center. In April 2022 Mr. Savage had his property surveyed and discovered that the current parcel boundary line intersects the corner of his deck and the retaining wall on the east side of his home. Mr. Savage has proposed a boundary line adjustment to remedy the boundary issue. In July 2022 the attached survey was provided to Carpenter St. Croix Valley Nature Center proposing a boundary line adjustment resulting in 4,503 sq. ft. of land from parcel 09.026.20.31.0013 being included in parcel 09.026.20.31.0014 in exchange for an equal 4,503 sq. ft. of land from parcel 09.026.20.31.0014 being excluded, as legally described in the attached survey. This boundary line adjustment would not impact the total amount of acreage within the conservation easement held by Washington County. The boundary line adjustment would slightly enhance the habitat quality in the easement as the 4,503 sq. ft. includes mature oak trees. The boundary line adjustment would have the additional benefits of Mr. Savage owning his full deck and retaining wall.

The Board of Directors of the Thomas E. and Edna. D. Carpenter Foundation met on July 26th, 2022 to discuss Mr. Savage's proposal. The Board approved the boundary line adjustment in principle provided that Mr. Savage cover any legal or other expenses associated with the property transfer. We request that you review the proposed boundary line adjustment proposal and advise both parties on how to proceed with securing approval for the adjustment.



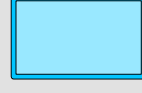
Sincerely,

Paul Gerbec
President of the Board of Directors

Jennifer Vieth
Executive Director



Legend

-  Current Savage Boundary
-  Proposed Savage to Carpenter
-  Proposed Carpenter to Savage

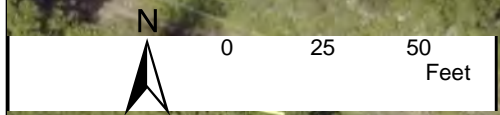
21
COUNTY

CARPENTER FOUNDATION

CARPENTER FOUNDATION

CARPENTER FOUNDATION

Washington
County



prepared by:
Washington County Public Works Department
Survey Division

13693 St. Croix Trail South
09.026.20.31.0014

Hill Murray_102/21

LEGAL DESCRIPTION:

Existing description:

Lots 4, 5, and 6, BLOCK 1, POINT DOUGLAS, Washington County, Minnesota.

Exchange parcel description to be acquired by Carpenter Foundation:

The south 30.00 feet of Lots 4, 5, and 6, BLOCK 1, POINT DOUGLAS, Washington County, Minnesota.

Exchange parcel description to be acquired by Mike Savage:

Part of Lot 3, BLOCK 1, POINT DOUGLAS, Washington County, Minnesota described as follows: Beginning at the northwest corner of said Lot 3; thence South 79 degrees 51 minutes 36 seconds East assumed bearing along the northerly line of said Lot 3, a distance of 43.46 feet; thence South 10 degrees 15 minutes 23 seconds West parallel to the west line of said Lot 3, a distance of 59.19 feet more or less to the northwesterly line of a 50 foot wide trail easement across Carpenter Foundation Property; thence southwesterly along said northwesterly line on a curve concave to the west, a distance of 25.61 feet, curve having a radius of 175.00 feet, delta of 8 degrees 23 minutes 11 seconds, chord bearing of South 31 degrees 46 minutes 01 seconds West; thence continuing along said northwesterly line, South 35 degrees 57 minutes 37 seconds West, 46.53 feet to the northerly line of the southerly 30.00 feet of said Lot 3, thence North 77 degrees 32 minutes along said northerly line of the southerly 30.00 feet, a distance of 13.91 feet to the west line of said Lot 3; thence North 10 degrees 15 minutes 23 seconds East along said west line, a distance of 124.30 feet to the point of beginning.

AREA INFORMATION:

Existing site area excluding possible street vacation = 22,694 square feet = 0.521 acres.

Area of parcel to be acquired by Carpenter Foundation = 4,503 square feet = 0.103 acres.

Area of parcel to be acquired by Mike Savage = 4,503 square feet = 0.103 acres.

GENERAL NOTES:

1. The bearing system used is assumed.
2. The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
3. This survey was made on the ground.
4. No title commitment was furnished for the preparation of this survey.

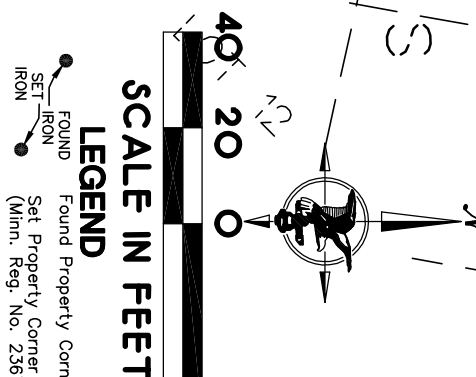
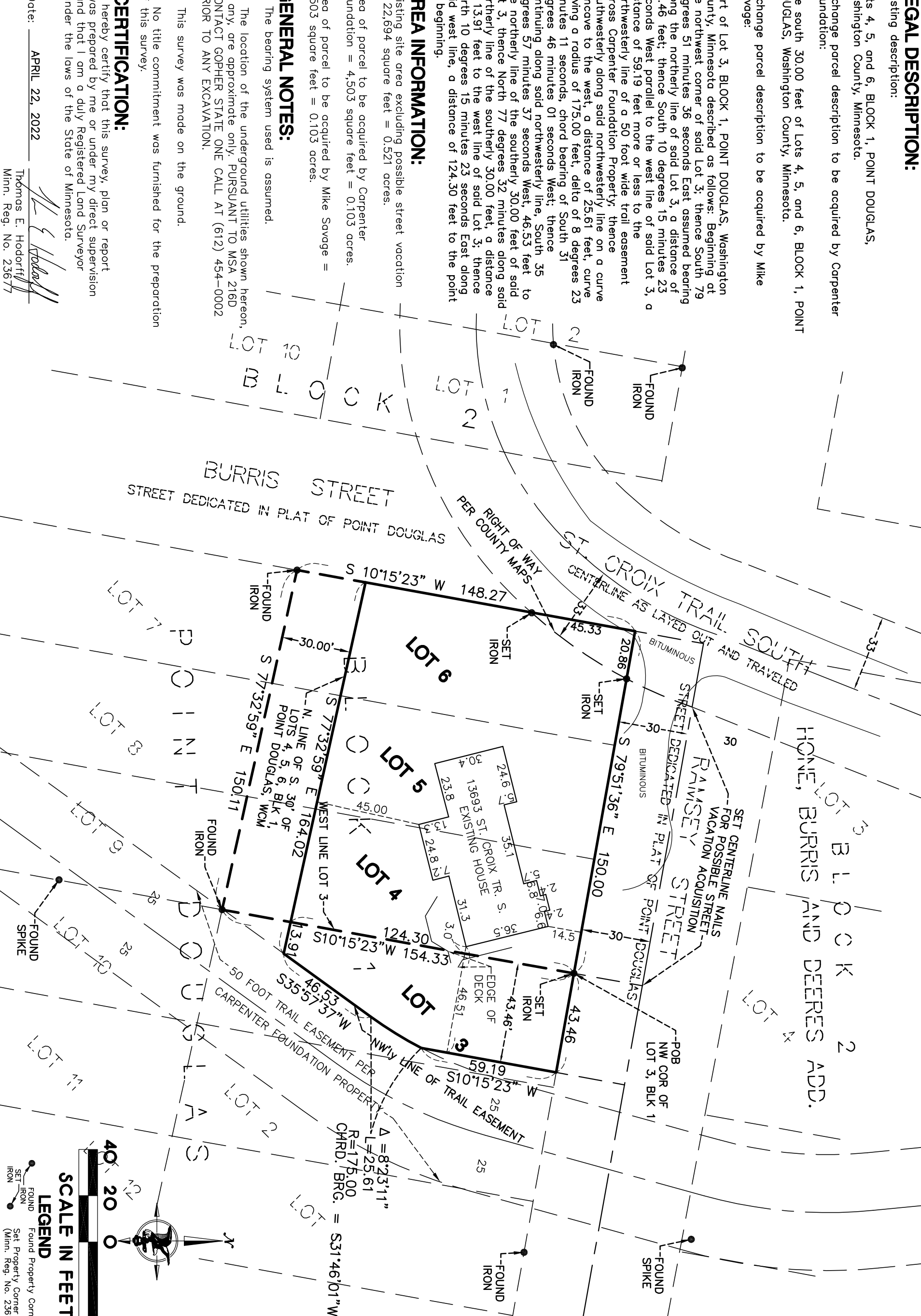
CERTIFICATION:

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Date: APRIL 22, 2022

Thomas E. Hodorf
Minn. Reg. No. 23677

Revision History:



| | | | |
|-------------|------------|----------|-----|
| File No. | 202214602A | Page | 61 |
| W.O. Number | 2022146.02 | Book | 667 |
| Sheet No. | 1 OF 1 | CAD Tec. | TH |

**BOUNDARY CERTIFICATION
PARCEL EXCHANGE SURVEY**
for:
MIKE SAVAGE
**SITE: 13693 ST. CROIX TRAIL SOUTH
HASTINGS, MINNESOTA**



HARRY S. JOHNSON CO. INC.
LAND SURVEYORS & CONSULTANTS
9063 Lyndale Avenue South
Bloomington, Mn. 55420
(952) 884-5341
(952) 884-5344 Fax
Email: tom@hsjsurveyors.com
Web: www.hsjsurveyors.com

Land Value Summary

In reviewing the properties, we provide the following:

1. The property sizes:
 - a. Carpenter - 20,909 sq ft (.48 ac)
 - b. Savage - 22,651 sf ft (.52 ac)
2. 2022 Assessed value:
 - a. Carpenter - \$12,400 (Land value - vacant) (\$.28 ac)
 - b. Savage - \$326,900 (Land value) \$396,600 (Building value) \$723,500 (Total Value) (\$7.50 ac Land value only)
3. Property Classification:
 - a. Carpenter – Exempt (Non-Profit)
 - b. Savage – Residential
4. Land Value of the Carpenter property for tax purposes is considerably less because it cannot be built upon independently, it would need to be assembled with other land to meet the minimum criteria of 3 acres in Denmark Township. The Savage property, though similar in size, is considered a legal non-conforming parcel because of the existing home.
5. The 4,503 sf ft being incorporated into the conservation easement area not only has greater land value but also has better natural resources with the nice oaks and being undisturbed.