



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314 ~ Fax: 218-846-7266

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

****HEARING DATE AND LOCATION****

Tuesday, September 11, 2018 @ 7:00 P.M.

3rd Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN 56501

APPLICANT: Christopher and Heather Siverson
6053 Wildflower Dr S
Fargo, ND 58104

Project Location: 15916 Blackhawk Rd, Lake Park

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for a vacation rental home.

LEGAL LAND DESCRIPTION: Tax ID number: 17.0513.000 & 17.0514.000

Subdivision Name BLACKHAWK MTN BEACH SubdivisionCd 17009 LOT 12 & 13; Section 06 Township 138 Range 042, Lake Eunice Township.

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments: Interested parties are invited to submit to the Becker County Department of Planning, Zoning, and Land Use, written facts, arguments or objectives before the scheduled date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable. Replies may be addressed to:

PLANNING AND ZONING DEPARTMENT
915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266
EMAIL: zoning@co.becker.mn.us

If you have questions about the Project, feel free to call 218-846-7314.

Jurisdiction: This Project comes under the Regulatory Jurisdiction of the Becker County Zoning Laws.

Regulatory Authority: This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance. The decision whether to issue a Permit will be based on an evaluation of the probable impact including cumulative impacts, of the proposed activity. That decision will reflect the concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, will be considered including the cumulative effects: Land Use, Shoreline Protection, Water Supply and Conservation, Safety, Economics, in General, the Needs and Welfare of the People.

**** Weather conditions may change the Hearing date and time. If bad weather occurs, please listen to the local Detroit Lakes Radio Stations or contact the Zoning Office, by 4:30 PM on day of Hearing, for possible rescheduling of the Hearing.**



~ CONDITIONAL USE APPLICATION ~

BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	CUP
YEAR	
SCANNED	

PROPERTY OWNER INFORMATION (as it appears on tax statement, purchase agreement or deed)

First name(s): Chris & Heather Last name: Siverson
Mailing Address: 1053 Wildflower Dr. S City, State, Zip Fargo, ND 58104
Phone Number(s): 701-200-4122 / 218-234-9438 Project Address: 15916 Blackhawk Rd. Lake Park
MN 56554
Parcel number(s) of property: 170513000 / 170514000 Sect - Twp - Range: _____
Township Name: Lake Annick Legal Description: Section 06
Township 138 / Range 042 / Blackhawk Mtn Beach
Lot 12 & 13

REASON FOR CONDITIONAL USE REQUEST: _____

Vacation Rental Home + personal use
100-120 days per year

The information provided for this document is truthful and accurate to the best of my knowledge. I understand that this statement is null and void if any of the above information is not supplied or is inaccurate.

Heather Siverson
SIGNATURE OF APPLICANT

7/24/18
DATE

OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings; parking area and all other materials deemed necessary.
3. Non-refundable filing fee of \$326.00 (\$426.00 if Commercial). If in Cormorant Township add \$25.00 surcharge to the filing fee. **Make check payable to Becker County Zoning.**

4. Is the conditional use permit request after the fact? ☐ Yes ☐ No

If yes, after the fact application fee is an additional \$600.00.

Office Use Only

This application is hereby (accepted) or (rejected) as presented.

SIGNATURE - ZONING ADMINISTRATOR

DATE

Please answer the following questions as they relate to your specific CUP request:

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

minimal

2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

none

3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

already provided

4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Driveway space

5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

will be taking preventative measures

6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:

- a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction;

NA

- b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

NA

- c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

yes, already in place on property

- d. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

Two boats, no watercrafts supplied

CERTIFICATE OF REAL ESTATE VALUE FILED **015673**

651078

STATE OF MINNESOTA
Document No. 651078

June 7, 2018 at 12:51 PM

I hereby certify that the within instrument was recorded in this office.

Patricia Swenson, County Recorder

By JD Deputy

No delinquent taxes and transfer entered this 1st day of June, 2018

Mary E. Hendrickson
Becker County Auditor/Treasurer

By JD Deputy

BECKER COUNTY DEED TAX

AMT. PD. \$ 956.67

Receipt # 683997
Becker County Auditor/Treasurer

NK
10
Return to
Orange Coast Lender Services
1000 Commerce Drive, Suite 520
Pittsburgh, PA 15275

500043.eCRV Number: 796141

Deed Tax Due: \$956.67

Execution Date: 7th of MAY, 2018

Becker County Recorder

Well Certificate Received June 7, 2018

Patricia Swenson
Deputy plw Becker County Recorder

FOR VALUABLE CONSIDERATION. U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank, National Association, as Trustee for Lehman XS Trust Series 2007-9, a National Association under the laws of The United States of America ("Grantor") hereby conveys and warrants to Christopher Siverson and Heather Siverson, husband and wife, and Thomas Lormis and Kathleen Lormis, husband and wife, and Donald Siverson and Susan Siverson, husband and wife ("Grantee"), real property in Becker County, Minnesota, legally described as follows:

ALL THAT PARCEL OF LAND IN THE COUNTY OF BECKER, STATE OF MINNESOTA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS NUMBERED 12 AND 13, BLACKHAWK MOUNTAIN BEACH, ACCORDING TO THE CERTIFIED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR BECKER COUNTY, MINNESOTA.

15916 Blackhawk Rd #H, Lake Park MN 56554
Parcel No: 17.0513.000 & 17.0514.000

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

This Deed conveys after-acquired title. Grantor warrants that Grantor has not done or suffered anything to encumber the property. EXCEPT:

Check applicable box:

☐ The Seller certifies that the Seller does not know of any wells on the described real property.

☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____).

☐ [N/A] I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure statement.

chg
paid
well

Affix Deed Tax Stamp Here

U.S. Bank National Association, as
Trustee, successor in interest to Bank
of America, National Association, as
Trustee, successor by merger to
LaSalle Bank, National Association, as
Trustee for Lehman XS Trust Series
2007-9, a National Association by
Wells Fargo Bank, N.A., its attorney-
in-fact

China Lem

CHINA LEM

By: Vice President, Loan Documentation

Its: 5-7-18

State of Iowa

County Dallas

On this 7 day of May, A.D., 2018 before me, a Notary Public
in and for said county, personally appeared China Lem, to
me personally known, who being by me duly sworn (or affirmed) did say that that person
is VPLO (title) of said Wells Fargo Bank, N.A. as attorney in fact for **U.S. Bank
National Association, as Trustee, successor in interest to Bank of America, National
Association, as Trustee, successor by merger to LaSalle Bank, National Association,
as Trustee for Lehman XS Trust Series 2007-9**, by authority of its board of (directors
or trustees) and the said (officer's name) China Lem acknowledged
the execution of said instrument to be the voluntary act and deed of said (corporation or
association) by it voluntarily executed.

[Signature]
Notary Public

(Signature)

(Stamp or Seal)



This instrument was drafted by:
Ruth Workman/ Orange Coast Lender Services
1000 Commerce Dr., Ste 520, Pittsburgh PA 15275

Tax Statements for the real property described in this instrument should be sent to:
Christopher and Heather Siverson
6053 Wildflower Dr S., Fargo ND 58104

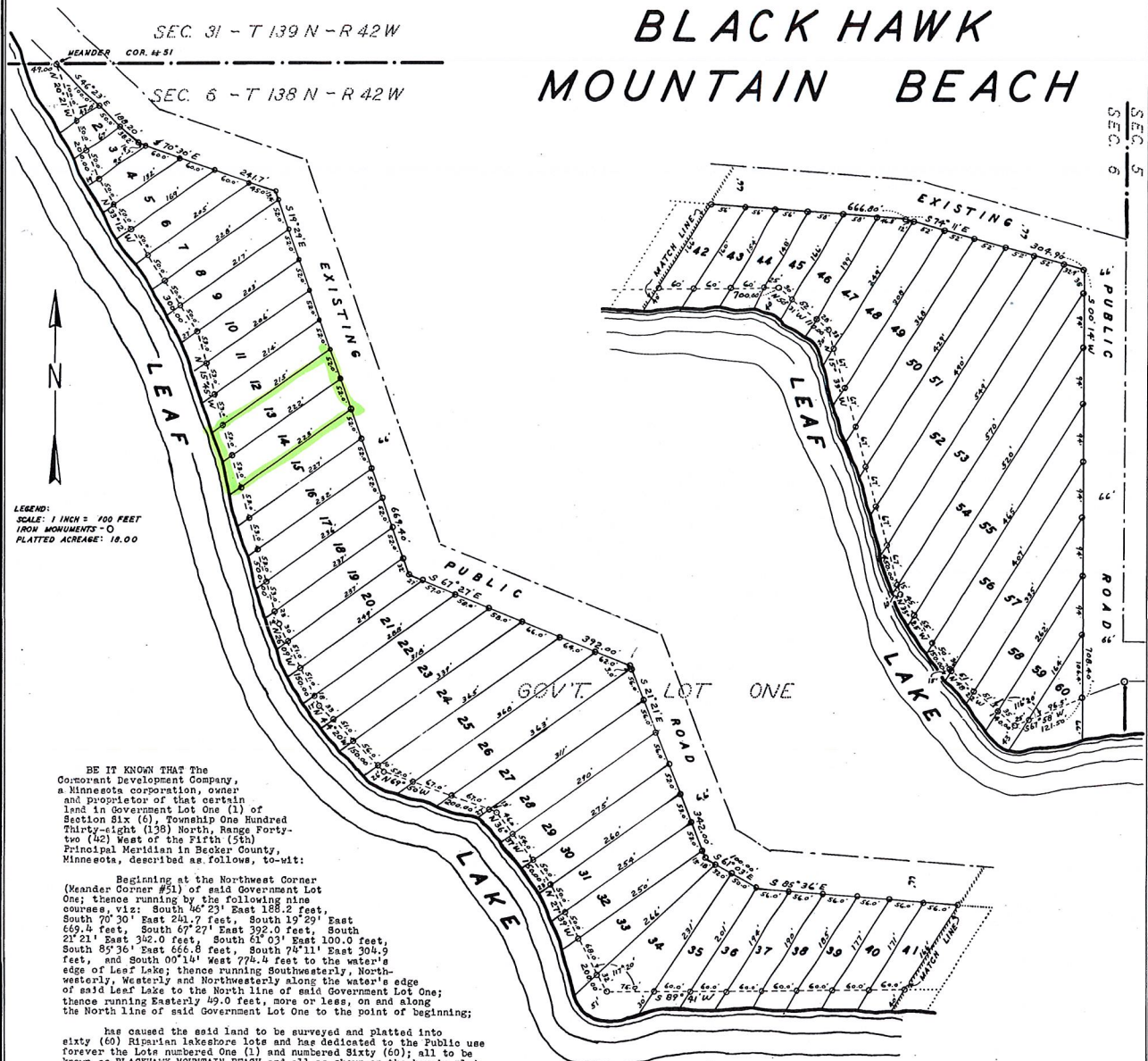
Thomas and Kathleen Lormis
3566 55th St S., Fargo ND 58104

Donald and Susan Siverson
2722 23rd Ave S., Fargo ND 58103

PAS Number: 0156946212

231-MN-V3

BLACK HAWK MOUNTAIN BEACH



LEGEND:
SCALE: 1 INCH = 100 FEET
IRON MONUMENTS - O
PLATTED ACRES: 18.00

BE IT KNOWN THAT The
Cormorant Development Company,
a Minnesota corporation, owner
and proprietor of that certain
land in Government Lot One (1) of
Section Six (6), Township One Hundred
Thirty-eight (138) North, Range Forty-
two (42) West of the Fifth (5th)
Principal Meridian in Becker County,
Minnesota, described as follows, to-wit:

Beginning at the Northwest Corner
(Meander Corner #51) of said Government Lot
One; thence running by the following nine
courses, viz: South 46° 23' East 188.2 feet,
South 70° 30' East 244.7 feet, South 19° 29' East
609.4 feet, South 67° 27' East 392.0 feet, South
21° 21' East 392.0 feet, South 61° 03' East 100.0 feet,
South 85° 36' East 666.8 feet, South 74° 11' East 304.9
feet, and South 00° 14' West 774.4 feet to the water's
edge of Leaf Lake; thence running Southwesterly, North-
westerly, Westerly and Northwesterly along the water's edge
of said Leaf Lake to the North line of said Government Lot One;
thence running Easterly 49.0 feet, more or less, on and along
the North line of said Government Lot One to the point of beginning;

has caused the said land to be surveyed and platted into
sixty (60) riparian lakeshore lots and has dedicated to the Public use
forever the lots numbered One (1) and numbered sixty (60); all to be
known as BLACK HAWK MOUNTAIN BEACH and all as shown on the herein plat.

IN WITNESS WHEREOF, We, Leif D. Thrane and Jerome D. Lenz,
President and Secretary respectively of the said Cormorant Development Company,
have caused this plat to be signed this 6th day of Sept., A.D. 1960.

Witnesses:

Owners:

The Cormorant Development Company
by Leif D. Thrane, its President
by Jerome D. Lenz, its Secretary

B.T. Miller
Jennie E. Lenz

State of Minnesota } ss
County of Becker }

On this 6th day of Sept., 1960, before me, Register of
Deeds, within and for said County, personally appeared
Leif D. Thrane and Jerome D. Lenz to me personally known, who, being each by me
duly sworn did say that they are respectively the President and Secretary of the
Cormorant Development Company, the corporation named in the foregoing
instrument, that the seal affixed to said instrument is the corporate seal of
the Corporation, that said instrument was signed and sealed in behalf of said
Corporation by authority of its Board of Directors and Leif D. Thrane and
Jerome D. Lenz acknowledged said instrument to be the free act and deed
of said Corporation.

B.T. Miller
E. J. MILLER
REGISTER OF DEEDS,
Detroit Lakes, Becker Co., Minn.

220697 ORIGINAL

OFFICE OF REGISTER OF DEEDS,
COUNTY OF BECKER, MINN. I
hereby certify that the within instru-
ment was filed in this office for record
on this day of Sept. 1960
A.D. 1960 at 10 o'clock
and was duly recorded in Book 38
of Plats Page 18
B.T. Miller
Register of Deeds
By _____ Deputy

I HEREBY CERTIFY that I made the survey of BLACK HAWK
MOUNTAIN BEACH in accordance with the provisions of the statutes
pertaining to such surveys, that this plat is a correct representation
of the survey, that all distances are correctly shown, that the
monuments for guidance of future surveys have been correctly placed
as shown, that the outside boundary lines are correctly designated,
that there are no wet lands and that there are no public roads except
as shown on the herein plat.

Carl R. Redburn
Minnesota Registered Land Surveyor
3277.

Subscribed and sworn to before me this 3RD day of SEPTEMBER, A.D. 1960.

Catharine Redburn
KARLAENE REDBURNE
Notary Public, BECKER COUNTY, MINN.
My Commission Expires JULY 19, 1962

The annexed plat is hereby approved by the Board of Commissioners
of Becker County, Minnesota, this 22nd day of Sept., A.D. 1960.

ATTEST:
Carl R. Redburn
County Auditor

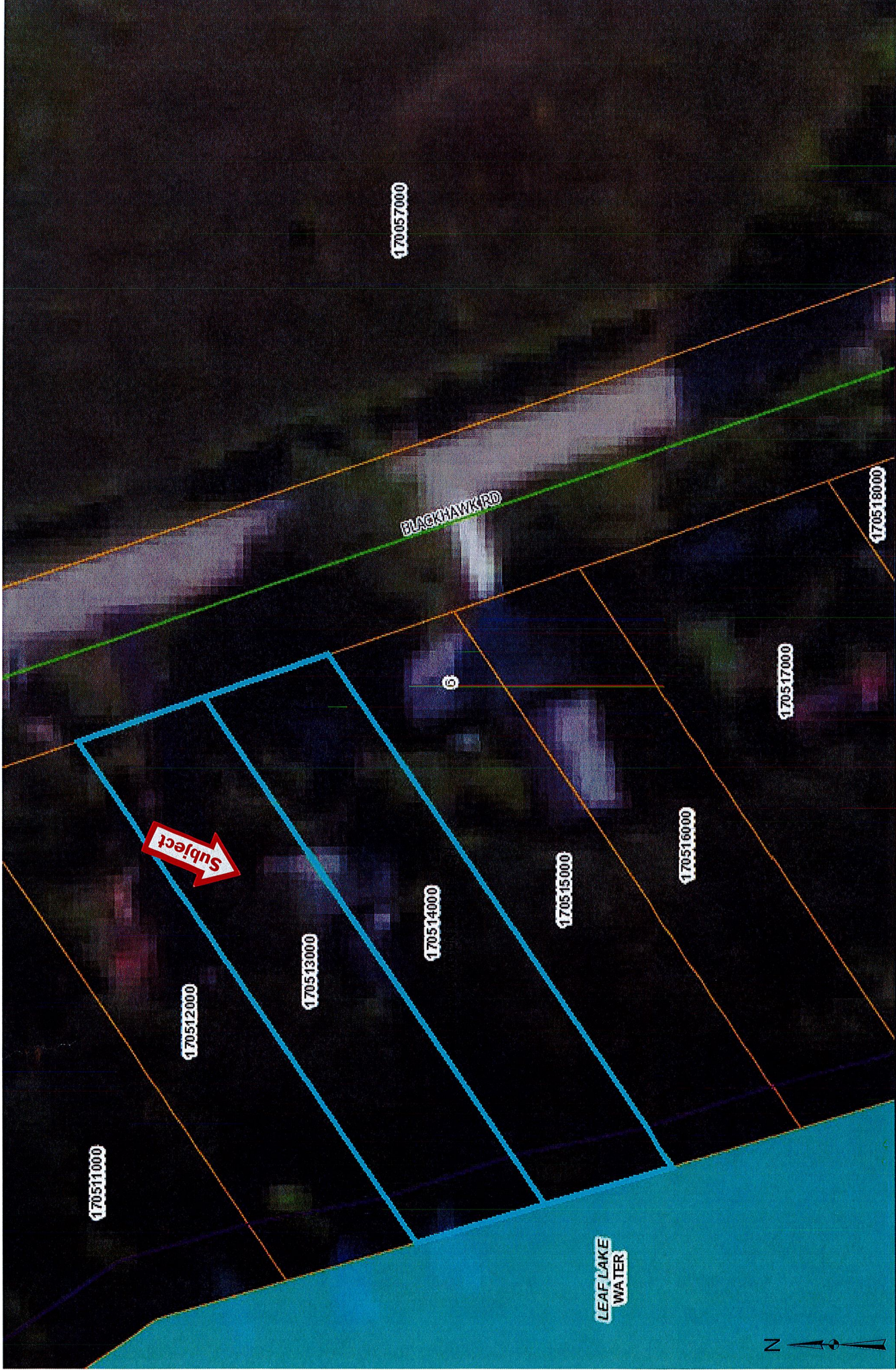
Helge R. Anderson
Chairman of County Board

I hereby certify that taxes for the
year 1957 on this land described
within and paid Sept. 7, 1960
John C. Jolly, Co. Treas.

Carl R. Redburn
Notary Public, Becker County, Minn.

ORIGINAL





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

	Date: 7/31/2018
1:600	This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Becker County



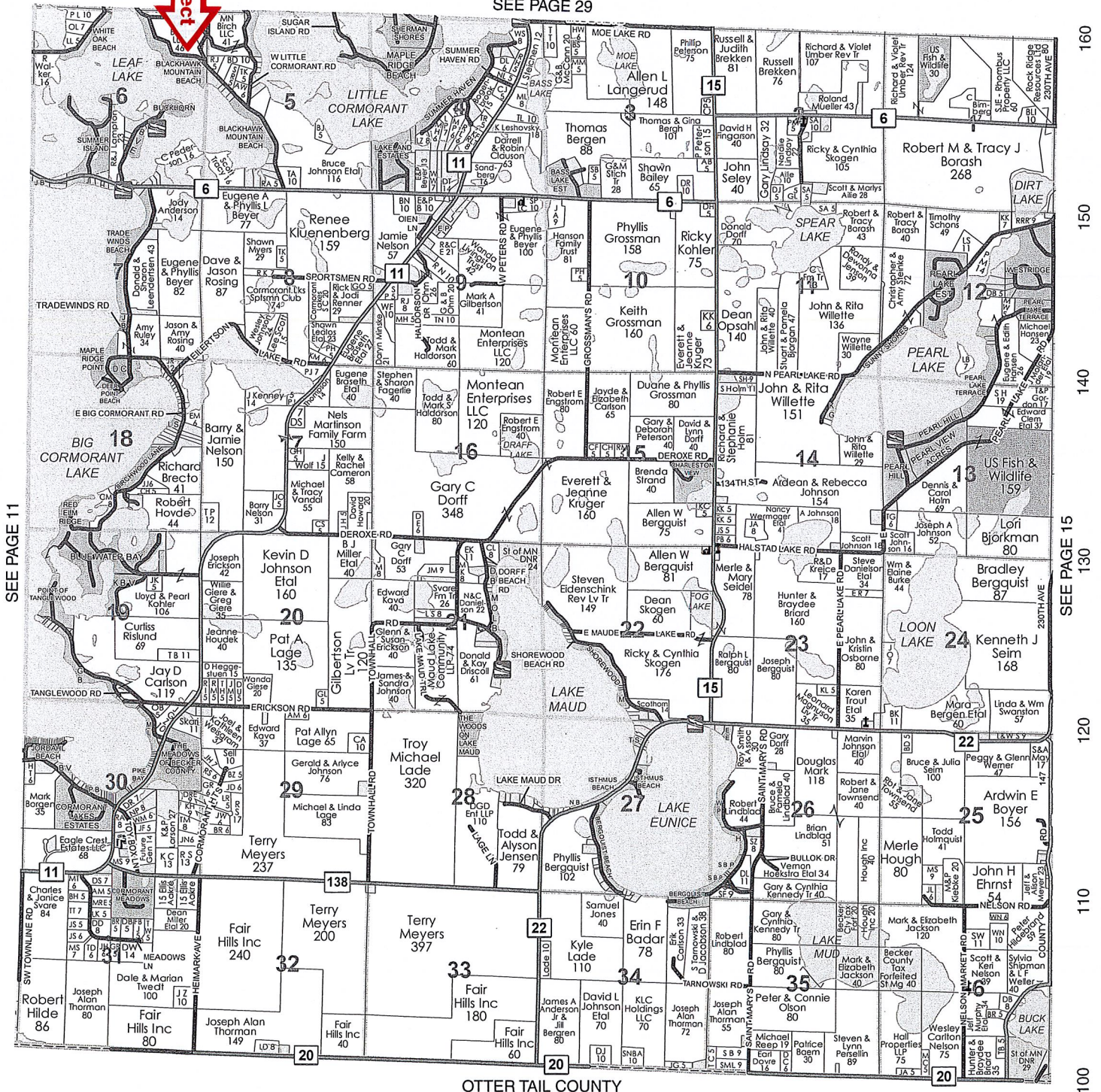


**1340 Richwood Rd.
Detroit Lakes, MN 56501
Phone: 218-847-5624**



Copyright © 2016 Mapping Solutions

A 5x5 grid with the bottom-left cell shaded.



OTTER TAIL COUNTY



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314 ~ Fax: 218-846-7266

PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

****HEARING DATE AND LOCATION****

Tuesday, September 11, 2018 @ 7:00 P.M.

3rd Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN 56501

APPLICANT: EAP Gravel Hauling LLC
11262 Co Rd 145
Pelican Rapids, MN 56572

Project Location: 11262 Co Rd 145

APPLICATION AND DESCRIPTION OF PROJECT:
Request a Conditional Use Permit for aggregate mining.

LEGAL LAND DESCRIPTION: Tax ID number: 060413000
66 RDS N & S BY 96 RDS E & W BEG AT SW COR SE1/4; Section 30, TWP 138, Range 43, Cormorant Township.

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments: Interested parties are invited to submit to the Becker County Department of Planning, Zoning, and Land Use, written facts, arguments or objectives before the scheduled date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable. Replies may be addressed to:

PLANNING AND ZONING DEPARTMENT
915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266
EMAIL: zoning@co.becker.mn.us

If you have questions about the Project, feel free to call 218-846-7314.

Jurisdiction: This Project comes under the Regulatory Jurisdiction of the Becker County Zoning Laws.

Regulatory Authority: This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance. The decision whether to issue a Permit will be based on an evaluation of the probable impact including cumulative impacts, of the proposed activity. That decision will reflect the concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, will be considered including the cumulative effects: Land Use, Shoreline Protection, Water Supply and Conservation, Safety, Economics, in General, the Needs and Welfare of the People.

**** Weather conditions may change the Hearing date and time. If bad weather occurs, please listen to the local Detroit Lakes Radio Stations or contact the Zoning Office, by 4:30 PM on day of Hearing, for possible rescheduling of the Hearing.**



~ CONDITIONAL USE APPLICATION ~
BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	CUP
YEAR	
SCANNED	

PROPERTY OWNER INFORMATION (as it appears on tax statement, purchase agreement or deed)

First name(s): EAP Gravel Hauling LLC Last name: _____
Mailing Address: 11242 Co Rd 145 City, State, Zip Pelican Rapids, MN 56572
Phone Number(s): 218-234-8405 Project Address: 11242 Co Rd 145
Parcel number(s) of property: 060413000 Sect - Twp - Range: Sect 30, Twp 138, Range 043
Township Name: Cormorant Legal Description: Section 30 Township 138
Range 043 66 RDS N+S By 96 RDS E+W BEG AT SW COR SE 1/4

REASON FOR CONDITIONAL USE REQUEST: Aggregate Mining

The information provided for this document is truthful and accurate to the best of my knowledge. I understand that this statement is null and void if any of the above information is not supplied or is inaccurate.

[Signature]
SIGNATURE OF APPLICANT

7-27-18
DATE

OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings; parking area and all other materials deemed necessary.
3. Non-refundable filing fee of \$326.00 (\$426.00 if Commercial). If in Cormorant Township add \$25.00 surcharge to the filing fee. **Make check payable to Becker County Zoning.**
4. **Is the conditional use permit request after the fact?** ☐ Yes ☐ No
If yes, after the fact application fee is an additional \$600.00.

RECEIVED
AUG 09 2018
ZONING

Office Use Only

This application is hereby (accepted) or (rejected) as presented.

SIGNATURE - ZONING ADMINISTRATOR

DATE

PARCEL	
APP	CUP
YEAR	

BUSINESS PLAN

Name of Business: Westland Excavating LLC

Owners of Business: Steven Westland

Type of Business: Retail Sales Service Other

Type of Merchandise: Sand & Gravel

Type of Service: Aggregate Mining

Hours of Operation: 7:00 am - 7:00 pm

Number of Employees: 10

Off - street Parking Plan: Employee vehicles & equipment will be parked on site

Size of Structure to be used for Business: Only temporary portable units will be used on site during production

New Structure: NONE Existing Structure: buildings will be left as they are now

Signage Plan: Truck entering signs will be used during hauling for projects

Exterior Lighting Plan: temporary light plants will possibly be used for late fall projects

Environmental Hazards: portable fuel tanks will be on site during production projects

Other Comments: this pit will be used daily for hauling but production will only be a few days a week.

Please answer the following questions as they relate to your specific CUP request:

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

there are existing gravel pits on all sides of this property and our operation will be set back off of the gravel roadway about 75 feet.

2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

this area is predominantly agricultural acreage with existing gravel pits in the immediate area.

3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

there are currently utilities that serve this property along with an access road that has been built to hold heavy farm equipment.

4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

there is a large pasture / open area that will serve as the pit and will also provide a level area to park employee vehicles, trucks + equipment.

5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

the only house that the pit will be near is the land owner that we are leasing the land from.

6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:

- a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction;

There is one small wet land on the property and we will stay the requested distance from it at all times.

- b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

NA

- c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

NA

- d. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

NA



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 ~ Fax: 218-846-7266

Authorized Agent Form

1. Form must be legible and completed in ink.
2. Check appropriate box(es). Write any specific restrictions on the checked item in the space provided (e.g. "garage site permit" or "valid only on permit applications submitted between 06/01/20XX and 08/01/20XX"). If you want your agent to represent you on a conditional use or variance application and also be authorized to obtain the related permit(s), be sure to check and complete the "permit application" item as well. If an item's box is checked and the accompanying space is left blank, the authorization granted on that item is valid for a period of one year from the date of signature on this form until Becker County Planning and Zoning receives signed, written notification from the property owner(s) stating otherwise or the property's ownership changes.

I (we), EAP Gravel Hauling LLC hereby authorize Westlund Excavating LLC to act
(landowner-print name) (agent-print name)
as my (our) agent on the following item(s): appropriate box(es)

☒ permit application (write in permit "type" – e.g. site, septic, etc.): Land Alteration Permit

☐ plat application: _____

☒ conditional use application: _____

☐ variance application: _____

☐ other: _____

on my (our) property located at:

Tax Parcel Number(s): 0600413000 Physical Site Address: 11262 Cord 145
Legal Description: ~~Section 30~~ 66 RDS N4S By 96 RDS E&W BEGATSU
Section: 30 Township: 138 Range: 043 Lot: _____ Block: _____ Plat Name: Cor SE 4

Agent Contact Information

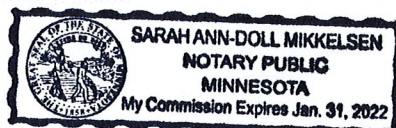
mailing: P.O. Box 420
Agent address: 803 Sunrise Dr. Lake Park MN 56554
Agent phone #(s): 701-318-1532 Agent fax #: _____
Agent email address: Cynthia@westlundexcavating.com

[Signature] Property Owner(s) Signature(s) 8-2-18 Date

State of Minnesota
County of Becker

On this 2nd day of August before me personally appeared Jon Nelson to me known to be the person(s) described in and who executed the foregoing instrument; and acknowledged that Sarah Mikkelsen executed the same as his free act and deed.

(Notary Stamp)



Sarah A. Mikkelsen 1/31/22
Notary Public 8/2/18 exp

Office Use Only:

Date received: _____ Expiration Date: _____

Operations plan for Aggregate Mining

Tax Parcel ID: 060413000

1. Name of Applicant: Westlund Excavating LLC
Street Address: 803 Sunrise Dr.
City, State, Zip Code: Lake Park, MN 56554
Phone number: 218-234-9413
2. Name of Landowner: EAP Gravel Hauling LLC
3. Legal Description: Section 30 Township 138 Range 043 66 RDS N&S By 96
RDS E&W BEG AT SW COR SE ¼
4. Attachments: Deed, several maps, land leasing agreement.
5. Currently the land is zoned for agricultural use.
6. Material to be excavated: Fill sand, various rock sizes and Class 5.
7. Estimated groundwater depth in the area is greater than 30 feet.
8. Timetable for commencement and cessation of mining operations:
Months: March through December
Days: Monday through Saturday
Hours: 6 am to 8 pm
9. Top Soil Management: The topsoil will be stripped and stockpiled for future reclamation. The clay will be pushed up to be used to build a berm around the perimeter of the pit and seeded where necessary to reduce storm water erosion.
10. The primary method of mining to be used on the 27 acres of land will be the process of taking aggregate with Dozers, Loaders and a portable crusher. (The crusher will be there as needed) The additional machinery involved will include Trucks and Conveyor. All contractors hired to work at this location must provide proof of the appropriate permits.
11. The operation should not need any additional screening from the view of the surrounding land uses since the surrounding parcels also contain active

aggregate mining operations and the one house that is on the property is also in agreement with the new operation.

12. The noise generated from the operation should not affect surrounding land uses do to them all being similar in nature.
13. The dust generated from the operation will be controlled by applying water mist to the plant and within the pit area as needed.
14. Any erosion from the exposed earth will be confined to the area of the proposed pit and will be controlled in the best way possible.
15. Post mining reclamation plan: Upon completion of the removal of aggregate materials the pit edges will be sloped, clay and topsoil will be spread over the unused portions of the pit bottom area and planted with grass. The pit restoration will be ongoing with the depletion of the material.
16. Access to the pit area: There will be an approach added as shown in a map provided.



Westlund Excavating LLC



Date

EAP Gravel Hauling LLC and Westlund Excavating LLC

Pit Agreement

Main Goal.

I would like the front/East 12.25 acres to be mined first. If any mining is to be done on back/West 14.75 acres prior approval from lessor must be completed. I will allow for a stock pile of material to be made on the East half that could be loaded at a later time. The main goal to mine front half first before any work is to be done on back half.

Gravel pit Agreement.

A 10 year lease with a locked rate \$1.00 per yard for first 5 years. At which time the lessee and lessor shall reassess the price per yard for additional 5 years. If mining continues after first 5 years with no negotiation the rate will increase \$0.10 per yard for every year that mining continues. For example (Year 6 would be \$1.10 per yard, year 7 would be \$1.20 per yard).

Guaranteed money.

Lessee must pay a minimum of \$5,000.00 at the end of each season if no mining activity is performed.

Payment Schedule.

Payments will be made two times per year. Once at the end of the 2nd quarter and once at the end of 4th quarter. All payments made before year-end.

Licenses and Permits.

Lessee shall obtain and keep current all necessary licenses and permits as deemed necessary by any government entity whether local, state or federal relating to conducting business on the Premises. If such licenses and/or permits were unattainable, this Lease would be in default.

Mining Plan.

All mining activities must comply with lessor's plan for site.

Landfill/Backfill Plan.

Lessor must approve all landfill or backfill activities prior to completing and leaving premises.

Business.

Lessee shall use the Premises for such general uses as a sand and gravel plant site, material stockpile site, landfill/backfill, scales, customer and equipment parking and other lawful activities pertaining to the aforementioned activities.

Use of Premises.

Lessee shall at all times keep and maintain the premises in a clean, orderly and sanitary condition, and shall comply with all environmental rules and regulations. No storage or dumping of hazardous materials is permitted. Any area used for washout of concrete trucks or for proper disposal of returned concrete shall be clearly designated in the approved Landfill/Backfill Plan.

Occupancy Expenses and Property Taxes.

Lessee shall be responsible for any additional connection fees and running of utilities to the Premises, and shall pay all property taxes on equipment and improvements placed on the Premises by Lessee.

Damage to Property and Persons.

All property of any kind which may be on the Premises during the term of the lease shall be at the sole risk of the Lessee. Lessor shall not be liable to Lessee, its agents, guests, customers, employees, for any damage caused to their person or property by water, rain, snow, sleet, fire, storms and accidents, or by breakage, stoppage or leaking of water, gas, electricity, heating, about or adjacent to the Premises; and in the event of any breakage, stoppage or leakage, Lessee shall promptly remedy the same at its expense.

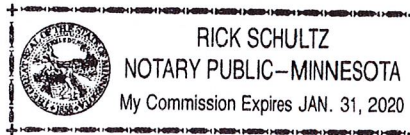
Insurance.

Lessee shall provide, obtain and maintain in full force during the leased term, for the benefit of both parties hereto, as their respective interests may appear, liability insurance in a company satisfactory to Lessor.

Access.

Lessor shall have the right, during the term of this Agreement, to enter upon the leased Premises at any time for the purpose of inspection and determination of compliance with the mining specifications and conditions, or conformance to the Mining Plan or the Landfill/Backfill Plan.

Rick Schultz 8-3-18



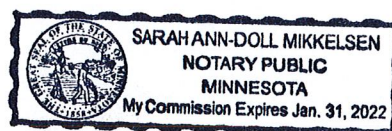
Lessee signature: *Steven Westlund*
Steven Westlund
Westlund Excavating LLC

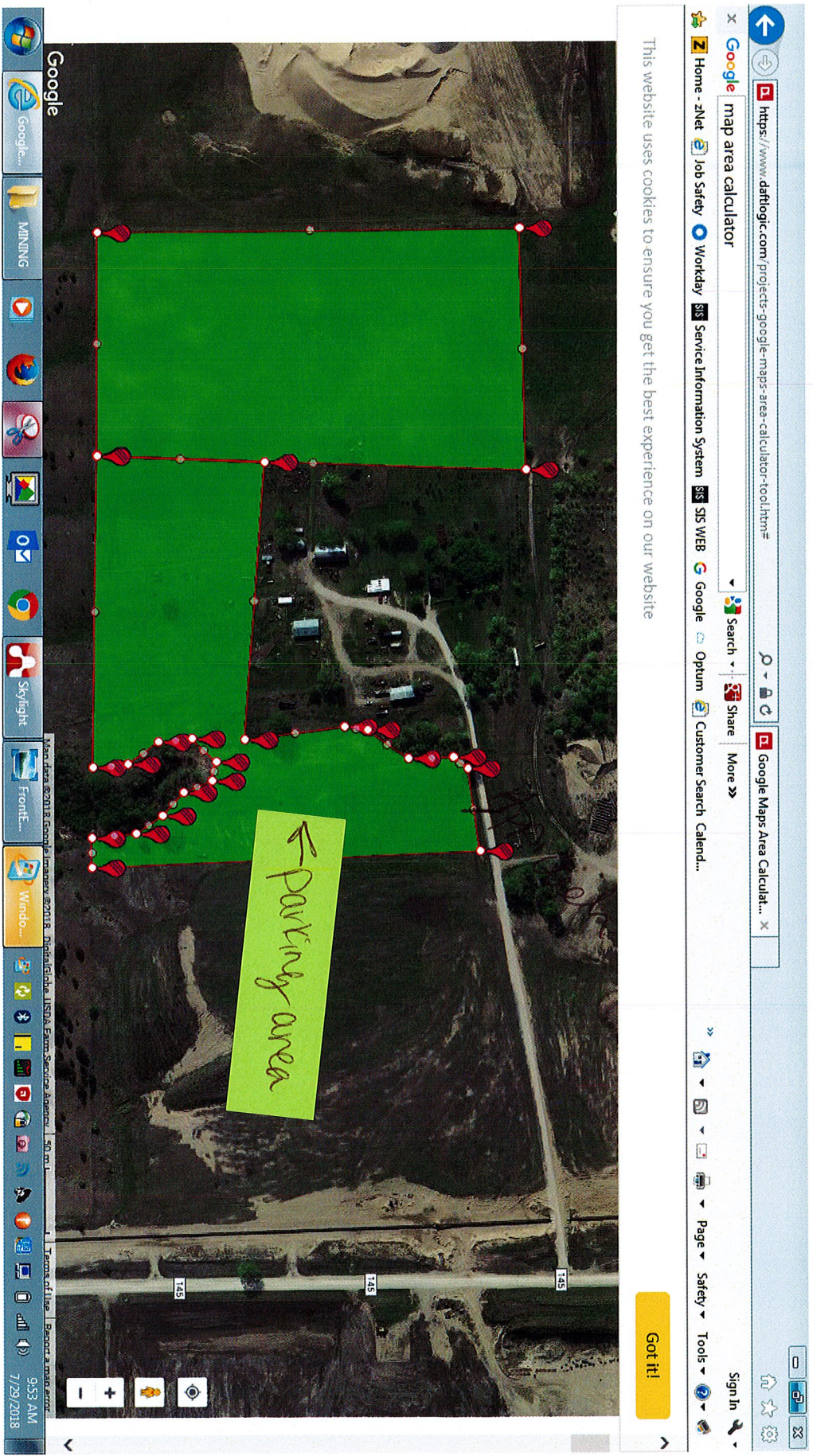
Date: *8-3-18*

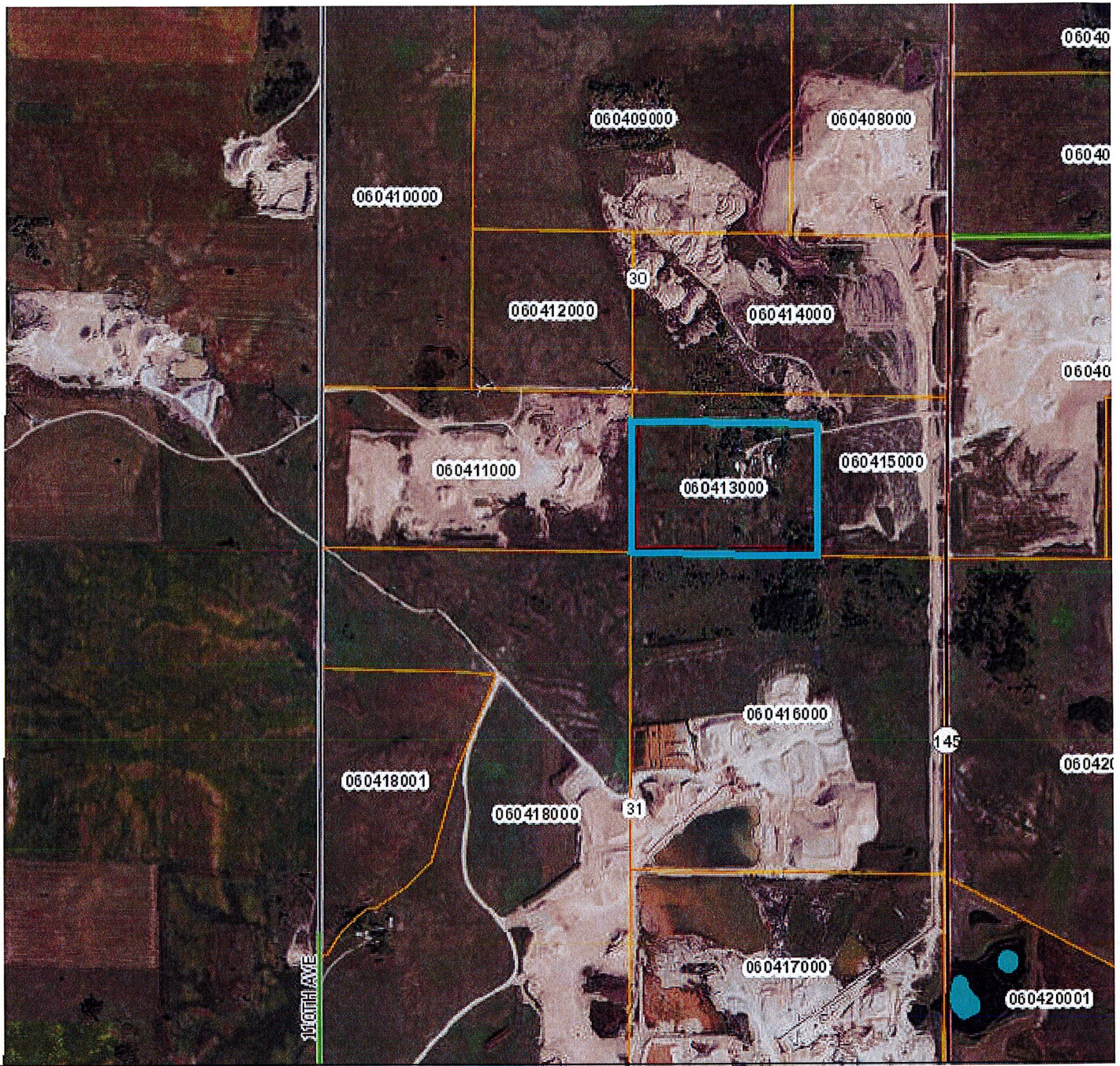
Lessor signature: *Sarah Ann Mikkelsen*

Date: *8-2-18*

Sarah Ann Mikkelsen 8/2/18
exp 1/31/22





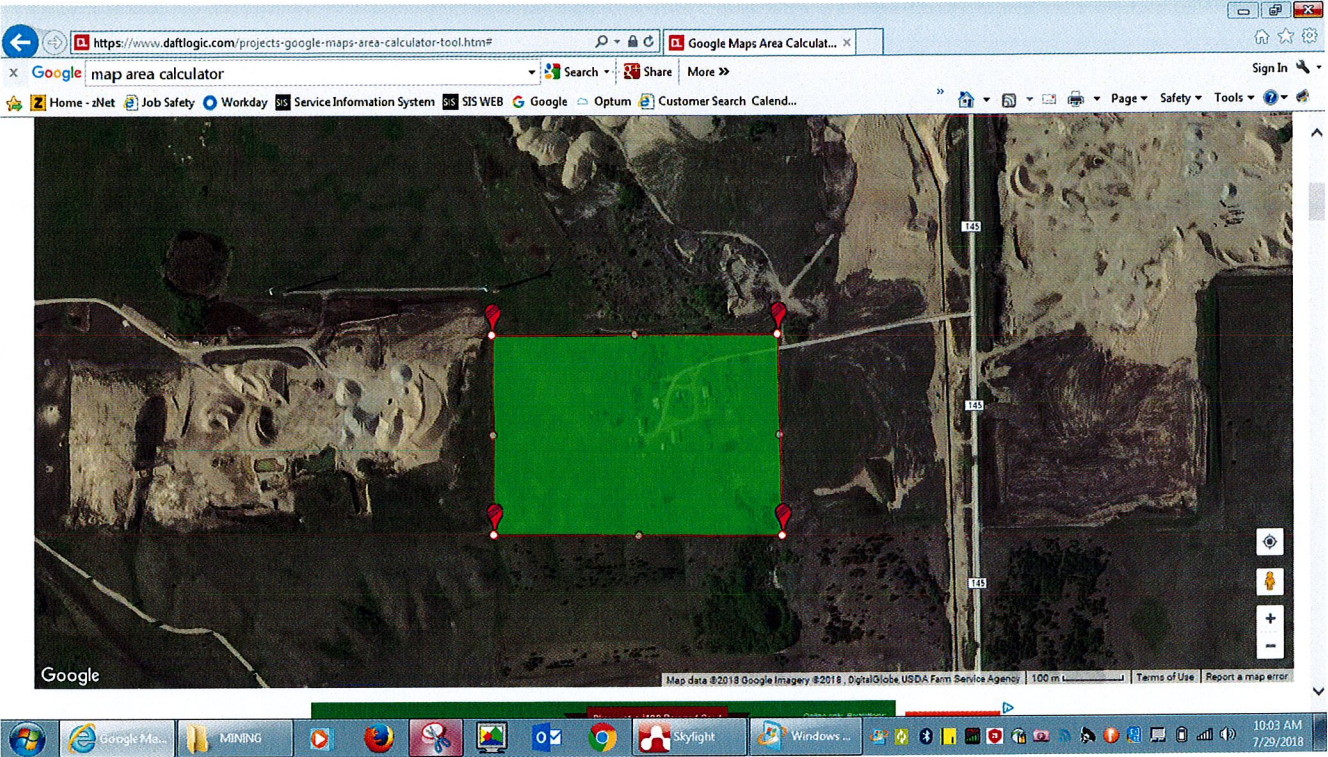


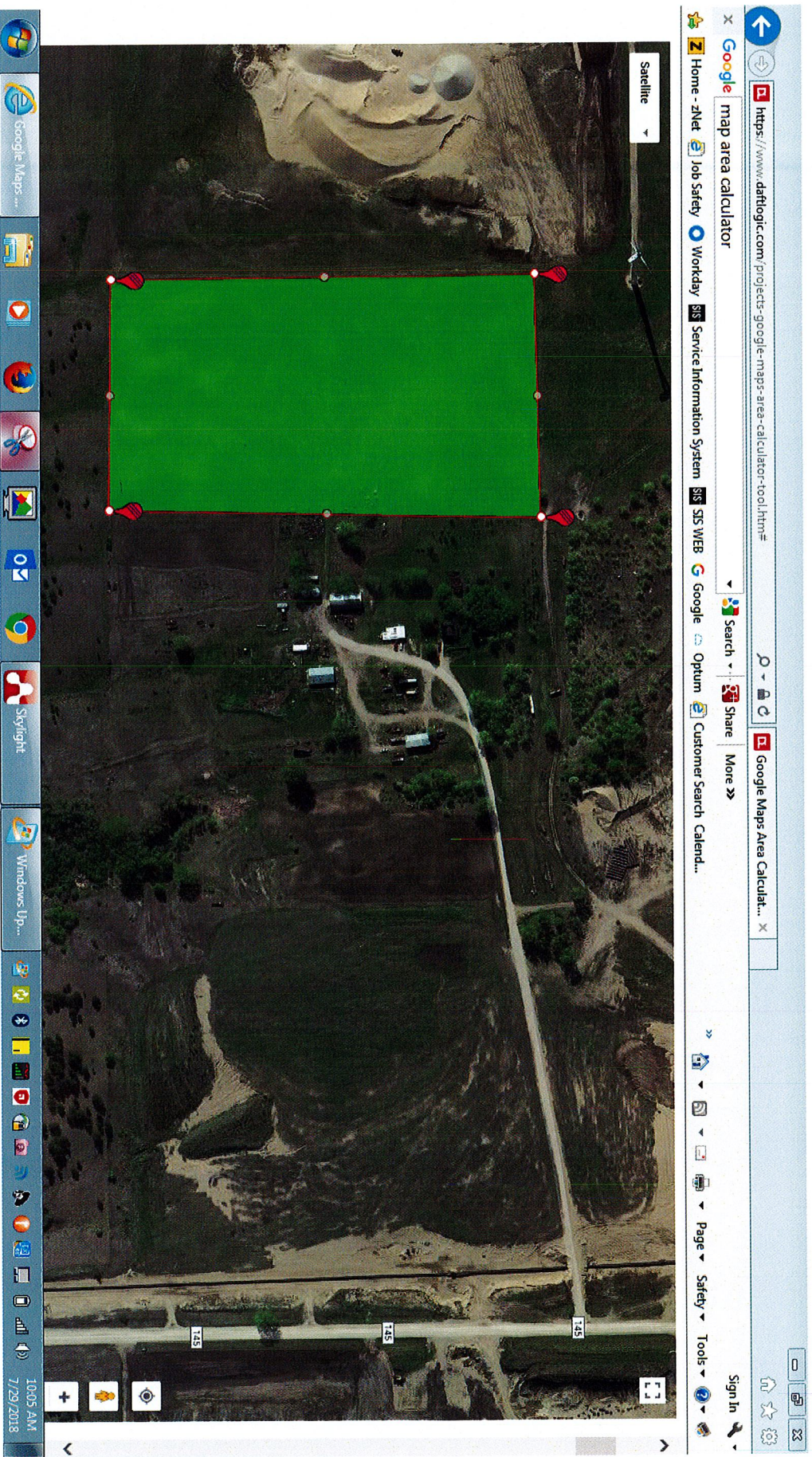
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1:14,977

Date

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





484351

BECKER COUNTY RECORDER-STATE OF MN
Document No. 484351
Date JUL 18 2002 12:30 P.M.
I hereby certify that the within instrument
was recorded in the office of Becker
County Recorder.
M.M. Martinson
County Recorder sl Dpty.

QUIT CLAIM DEED
Individual(s) to Corporation
or Partnership

No delinquent taxes and transfer
entered; Certificate of Real Estate
Value () filed (✓) not required
Certificate of Real Estate Value
No.

July 17 2002
Keith Brekken
County Auditor
by Decker
Deputy

06.6413.000

(reserved for recording data)

STATE DEED TAX DUE HEREON: \$ 1.65

Date: July 15, 2002

FOR VALUABLE CONSIDERATION, Everett Paulson, a single person, Grantor(s), hereby convey(s) and quitclaim(s) to EAP Gravel Hauling, LLC, Grantees, a limited liability corporation under the laws of Minnesota, real property in Becker County, Minnesota, described as follows:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT A

The total consideration for this transfer of property is \$500 or less.

together with all hereditaments and appurtenances belonging thereto.

JUL 17 2002
(Affix Deed Tax Stamp Here)
RECEIPT # 221959
BECKER COUNTY
DEED TAX
AMT. PD. \$ 1.65
BECKER COUNTY TREASURER

Everett Paulson
Everett Paulson

chg
paid c
well
non / std
extra

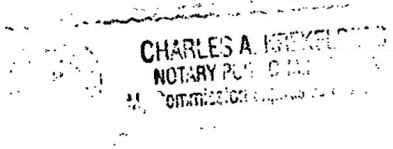
STATE OF MINNESOTA)
) ss.
COUNTY OF OTTER TAIL)

The foregoing instrument was acknowledged before me this 15th day of July, 2002 by Everett Paulson, a single person, Grantor(s).

Notarial Stamp or Seal
(or other title or rank)



SIGNATURE OF PERSON TAKING
ACKNOWLEDGMENT


CHARLES A. KREKELBERG
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2005

Tax Statements for the real
property described in this
instrument should be sent to
(Include name and address of
Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

KREKELBERG & SKONSENG, P.L.L.P.
P.O. Box 353
Pelican Rapids, MN 56572
218-863-6651

To EAP Gravel Hauling, LLC
c/o Everett Paulson
11262 Co. Rd. 145
Pelican Rapids, MN 56572



CHARLES A. KREKELBERG
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2005

EXHIBIT A

That part of the Southeast Quarter of Section 30, Township 138 North of Range 43 West of the 5th P.M., described as follows:

Beginning at the Southwest corner of said SE 1/4; thence North on the West line of said SE 1/4 for a distance of 66 rods; thence at right angles East and on a line parallel to the South line of said SE 1/4 for a distance of 96 rods; thence at right angles South and on a line parallel to the West line of said SE 1/4 for a distance of 66 rods to the South line of said SE 1/4; thence West on said South line a distance of 96 rods to the point of beginning.

COPY

STATE OF MINNESOTA
COUNTY OF BECKER

DISTRICT COURT
SEVENTH JUDICIAL DISTRICT
Court File No. 03-PR-14-1892

In Re: Estate of

Everett Ardean Paulson,

Decedent.

DOCUMENT OF CONVEYANCE BY
INDIVIDUAL PERSONAL
REPRESENTATIVE TO DEVISEE

Pursuant to the terms of the Last Will and Testament of Everett Ardean Paulson dated April 18, 2006, Jay Nelson, as Personal Representative of the Estate of Everett Ardean Paulson, hereby conveys and transfers to Jon Matthew Nelson, the following:

All right, title and interest in the Minnesota limited liability company known as E.A.P. Gravel Hauling, L.L.C. together with all real estate and personal property owned by said limited liability company

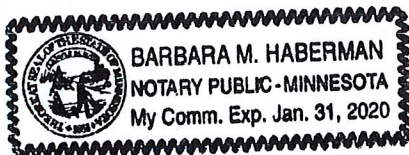
Date: Sept. 24, 2015

Jay C Nelson P.R.
Jay Nelson, Personal Representative of
the Estate of Everett Ardean Paulson

Subscribed and sworn to before me

this 24th day of September, 2015.

Barbara M. Haberman
Notary Public or Other Official



CERTIFICATE OF DEATH

STATE FILE NUMBER

2014-MN-023097

DECEDENT

EVERETT ARDEAN PAULSON

NAME PRIOR TO
FIRST MARRIAGE

ALSO KNOWN AS

BUD

SOCIAL SECURITY NUMBER

474 - 36 - 1103

SEX

MALE

BORN

JULY 27, 1932

PLACE OF BIRTH

CORMORANT TOWNSHIP

MINNESOTA

DATE OF DEATH

JULY 25, 2014

PLACE OF DEATH

CORMORANT TOWNSHIP

BECKER

MINNESOTA

MARITAL STATUS

DIVORCED (AND NOT REMARRIED)

SPOUSE

RESIDENCE

CORMORANT TOWNSHIP

BECKER

MINNESOTA

PARENT

EMMA LARSON

PARENT

ELMER PAULSON

FUNERAL HOME

LARSON FUNERAL HOME

DISPOSITION

CREMATION

CAUSE OF DEATH

IMMEDIATE

METASTATIC ADENO CA OF COLON (LUNG METASTASES)

UNDERLYING

OTHER CONTRIBUTING
CONDITIONS

MANNER

NATURAL

MEDICAL EXAMINER,
CORONER OR PHYSICIAN

GLENN J SHAMDAS, M.D.

2101 NORTH ELM STREET, FARGO, NORTH DAKOTA, 58102

THIS RECORD HAS NOT BEEN AMENDED

THIS IS A TRUE AND CORRECT RECORD OF DEATH REGISTERED IN THE MINNESOTA OFFICE OF VITAL RECORDS.

MR&C Certificate ID
8911353

FILED: JULY 28, 2014

*Molly Mulcahy Crawford*Molly Mulcahy Crawford
STATE REGISTRAR

ISSUED: JULY 31, 2014

OTTER TAIL COUNTY RECORDER

THIS CERTIFICATION IS VALID ONLY WHEN REPRODUCED ON WATERMARKED SECURITY PAPER
WITH A RAISED BORDER AND RAISED STATE SEAL OF MINNESOTA.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Becker County



1:8,000

Date: 8/21/2018

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

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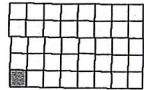
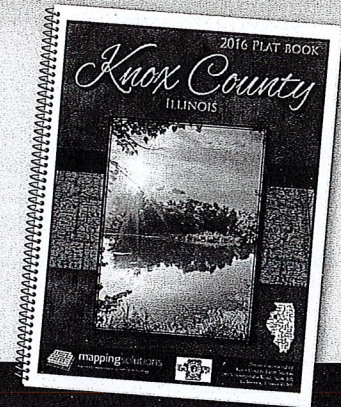
- Alabama
- Arkansas
- Florida
- Illinois
- Indiana
- Iowa
- Kansas
- Louisiana
- Michigan
- Minnesota
- Mississippi
- Missouri
- Oklahoma
- Ohio
- Pennsylvania
- Wisconsin



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Cormorant

Township 138N - Range 43W

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