

City Hall: 218-692-2688
Planning & Zoning: 218-692-2689
Fax: 218-692-2687



13888 Daggett Bay Rd
Crosslake, Minnesota 56442
www.cityofcrosslake.org

CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT

September 24, 2021

9:00 A.M.

Crosslake City Hall
13888 Daggett Bay Rd, Crosslake MN 56442
(218) 692-2689

PUBLIC HEARING NOTICE

Applicant: The 4 current owners in Carabau Pointe

Authorized Agent: Tim Thone

Site Location: East Shore Blvd, Carabau Pointe, Crosslake, MN 56442 on Crosslake-GD

Request:

- Subdivision of property

To:

- Subdivide parcel #14290577, 14200505, 14290576, 14200504, 14200503 involving .82 acres into 4 tracts; eliminating the commons area

Notification: Pursuant to Minnesota Statutes Chapter 462 and the City of Crosslake Zoning Ordinance, you are hereby notified of a public hearing before the City of Crosslake Planning Commission/Board of Adjustment. Property owners have been notified according to MN State Statute 462 and has been published in the local newspaper. Please share this notice with any of your neighbors who may not have been notified by mail.

Information: Copies of the application and all maps, diagrams or documents are available at Crosslake City Hall or by contacting the Crosslake Planning & Zoning staff at 218-692-2689. Please submit your comments in writing including your name and mailing address to Crosslake City Hall or (crosslakepz@crosslake.net).



STAFF REPORT

Property Owner/Applicant: The 4 current owners in Carabau Pointe

Parcel Number(s): 14290577, 14200505, 14290576, 14200504, 14200503

Application Submitted: August 9, 2021

Action Deadline: October 7, 2021

City 60 Day Extension Letter sent/ Deadline: N/A / N/A

Applicant Extension Received / Request: N/A / N/A

City Council Date: October 11, 2021

Authorized Agent: Tim Thone

Request: To subdivide parcel #14290577, 14200505, 14290576, 14200504, 14200503 involving .82 acres into 4 tracts; eliminating the commons area

Current Zoning: Shoreland District

Adjacent Land Use/Zoning:

North – Cross Lake

South – Crosslake

East – Crosslake

West – Cross Lake

Development Review Team Minutes held on 6-8-2021:

- Properties are located off East Shore Blvd in the plat of Carabau Point
- Proposed to amend the plat into 4 parcels and no common area
- Survey will be done by Chad Connor at Wideth
- 4 authorized agent forms (1 from each owner) is needed if Christenson is the rep
- Access within the plat by an easement (same as current driveways) to be shown; added to the legals and recorded (existing & new full legals needed on the survey)
- Independent surveyor to check the final plat
- Title commitment – shows current legal description
- City sewer connection is completed
- Amended plat to have recorded covenants/easement requirements/limitations if applicable
- Wetland Delineation is a requirement for a variance or a no wetland statement/letter
- Planning Commission/Board of Adjustment will make a recommendation to the Crosslake City Council
- Failure to record a signed deed(s)/mylar within 2 (two) years of subdivision approval by the city council shall void the approval of this plat
- Discussed plat amendment procedure; timeline; fee for both preliminary & final

Property owner was informed that before they could be placed on a public hearing agenda the following information is required:

1. A certificate of survey meeting the requirements outlined in Chapter 44 of the Code of Ordinances of the City of Crosslake
2. An authorized agent form completed, signed and dated
3. Wetland delineation or a no wetland statement/letter
4. A complete Subdivisions application with all required paperwork
5. The residential public hearing fee: \$500 + \$100 per new lot; Final \$500 + \$25 per new lot (no new lots will be created-reconfiguring the current lots)
6. Upon recommendation from the Planning Commission/Board of Adjustment to the City Council and before the city council meeting a park dedication fee of \$1,500.00 or 10% of land per new lot or a combination thereof as outlined in Chapter 44, Sec. 44-402 is required for newly created lots – NOT Applicable

Parcel History:

- Carabau Pointe established in 2002
- April 2002 – CIC PUD - REQUEST a CUP to convert a former resort, Lucky Strike Resort into a residential planned unit development and a preliminary plat as stated below:
- **SUBJECT PROPERTY:** The property is currently being used as a common land ownership development with 4 single-family units located on one common property. The use is functioning essentially as a planned unit development. Carabau Pointe was developed prior to any formal approval requirement by the City of Crosslake; therefore it is a legally non-conforming use. This means that the neighborhood and its components could continue in the current state unless damaged to an extent greater than 50% of its market value. The applicants are applying for the planned unit development to bring the development into conformance and therefore eliminate the risk of losing property due to damage and not having the ability to rebuild.
- Various variances and permits for each structure has been applied for
- All four residence are on city sewer

City Ordinance:

Land subdivision must be accomplished in a manner that contributes to an attractive, orderly, stable and wholesome community environment with adequate public services and safe streets. All land subdivisions, including plats, shall fully comply with the regulations in this chapter and as may be addressed in other chapters of this Code. (Sec. 44.1)

City Community Plan:

Encourage sustainable development, that would maintain the communities character and respects the environment including natural topography, suitable soils and avoids such areas as wetland, flood plains erodible steep slopes and bluffs; strengthen the distinction between urban growth and rural countryside and guide new development in ways that promote and enhance land use compatibility; support the infill and redevelopment of areas within the city in an effort to leverage existing infrastructure investment; identify areas and phases of development in a manner that addresses the cost of providing public services; identify and prioritize significant view-sheds and develop alternative approaches to preserve them while permitting reasonable use and development of privately owned lands (page 19)

Agencies Notified and Responses Received:

County Highway: N/A

DNR: No comments were received as of 9-9-2021

City Engineer: No comments were received as of 9-9-2021

City Attorney: No comments were received as of 9-9-2021

Lake Association: No comments were received as of 9-9-2021

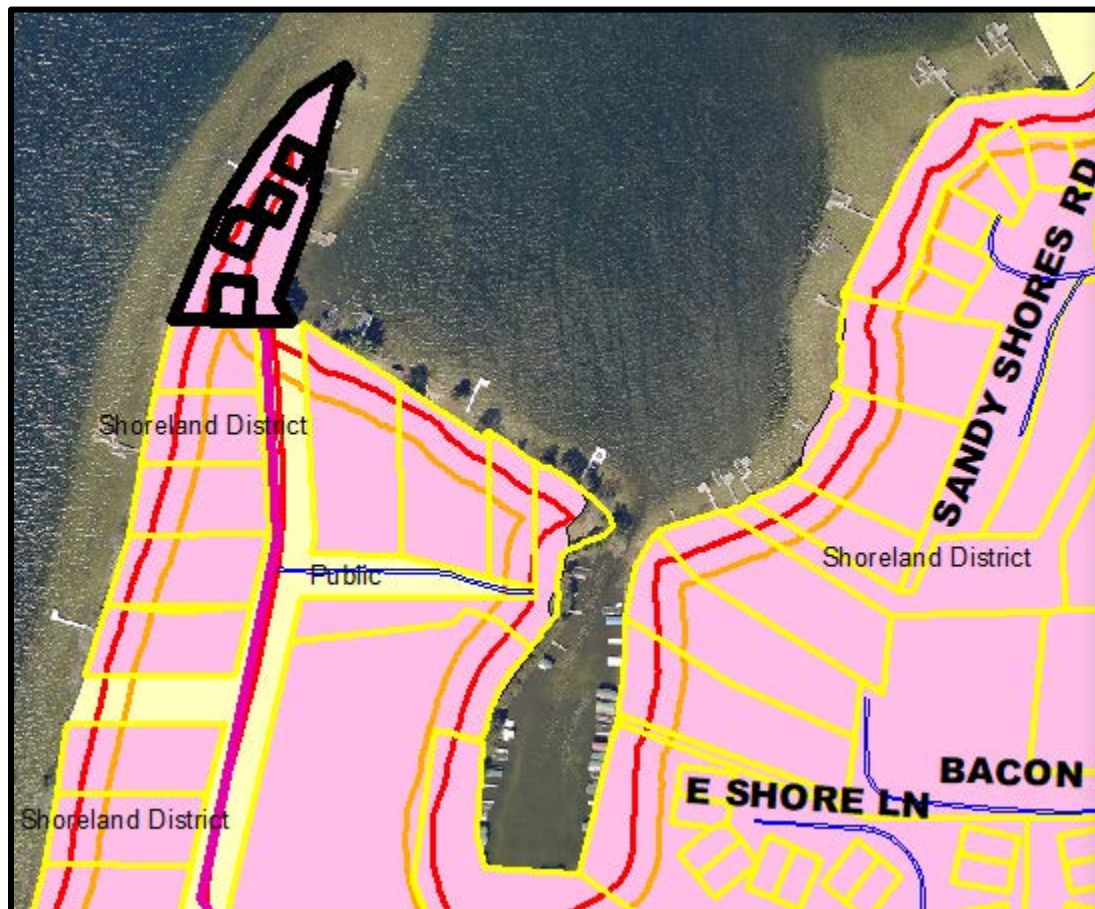
Crosslake Public Works: No comments were received as of 9-9-2021

Crosslake Park, Recreation & Library: N/A

Concerned Parties: No comments were received as of 9-9-2021

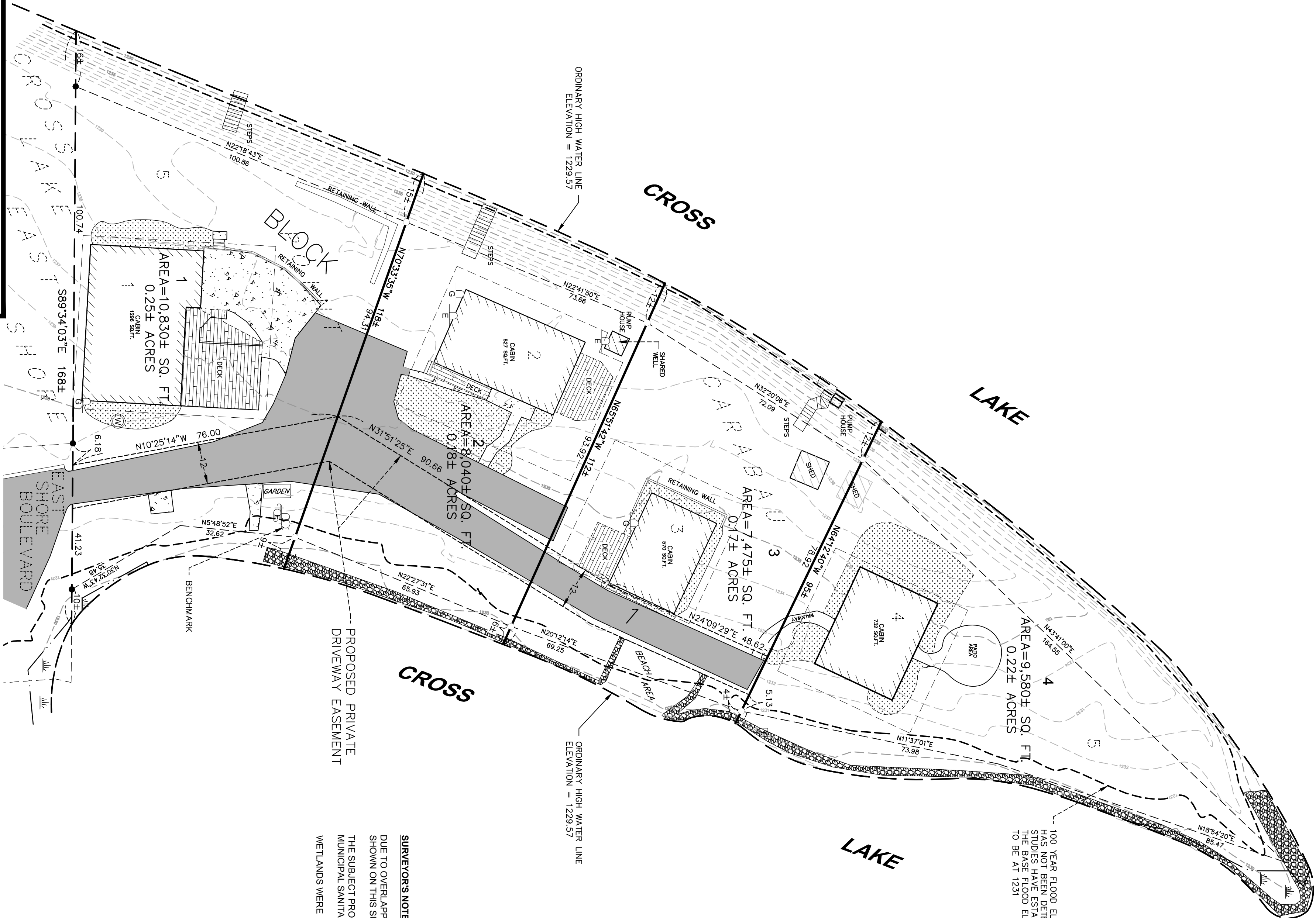
POSSIBLE MOTION:

To make a recommendation to the Crosslake City Council to approve/table/deny the subdivision of parcel #14290577, 14200505, 14290576, 14200504, 14200503 involving .82 acres into 4 tracts; eliminating the commons area located off of East Shore Blvd, Carabau Pointe, Sec 20, City of Crosslake



PRELIMINARY PLAT of *Smith J. Jones*

CARABAU POINTE FIRST ADDITION



100 YEAR FLOOD ELEVATION
HAS NOT BEEN DETERMINED
STUDIES HAVE ESTABLISHED
THAT THE FLOOD ELEVATION
TO BE AT 1231

OWNER/APPLICANT:	TIM THONE 34993 EAST SHORE BOULEVARD CROSS LAKE, MN 56442
DESCRIPTION:	LOTS 1-5, BLOCK 1, CARABAU POINTE PLDS 1423057, 1423076, 14200505, 14200504, AND 14200503
SURVEYOR:	CHAD M. CONNER WIDSETH 7804 INDUSTRIAL PARK ROAD BAXTER, MN 56425
AREA:	TOTAL AREA= 36,925± SQ. FT. (0.82± ACRES)
ZONING:	SHORELAND DISTRICT
DATE:	SEPTEMBER 13, 2021

IMPERVIOUS CALCULATIONS:

TOTAL AREA = 36,925± SQ. FT. (0.82± ACRES)

EXISTING CONDITIONS (LOTS 1-5):

IMPERVIOUS COVERAGE = 9,165 SQ. FT.

BUILDINGS = 494 SQ. FT.

CONCRETE = 1,379 SQ. FT.

BITUMINOUS = 3,814 SQ. FT.

PAVERS = 388 SQ. FT.

IMPERVIOUS PERCENTAGE = 25.48%

(9,165 / 36,925 = 0.2548)

PROPOSED CONDITIONS LOT 1: AREA= 10,830 SQ. FT.

IMPERVIOUS COVERAGE = 4,063 SQ. FT.

BUILDINGS = 1,295 SQ. FT.

CONCRETE = 1,288 SQ. FT.

BITUMINOUS = 1,479 SQ. FT.

IMPERVIOUS PERCENTAGE = 37.52 %

(4,063 / 10,830 = 0.3752)

PROPOSED CONDITIONS LOT 2: AREA= 8,040 SQ. FT.

IMPERVIOUS COVERAGE = 2,765 SQ. FT.

BUILDINGS = 855 SQ. FT.

CONCRETE = 204 SQ. FT.

BITUMINOUS = 1,706 SQ. FT.

IMPERVIOUS PERCENTAGE = 34.39 %

(2,765 / 8,040 = 0.3439)

PROPOSED CONDITIONS LOT 3: AREA= 7,475 SQ. FT.

IMPERVIOUS COVERAGE = 1,330 SQ. FT.

BUILDINGS = 670 SQ. FT.

BITUMINOUS = 668 SQ. FT.

PAVERS = 12 SQ. FT.

IMPERVIOUS PERCENTAGE = 17.79 %

(1,330 / 7,475 = 0.1779)

PROPOSED CONDITIONS LOT 4: AREA= 9,580 SQ. FT.

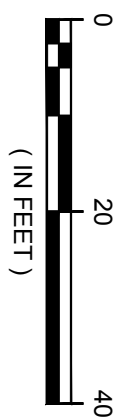
IMPERVIOUS COVERAGE = 1,110 SQ. FT.

BUILDINGS = 774 SQ. FT.

PAVERS = 336 SQ. FT.

IMPERVIOUS PERCENTAGE = 11.59 %

(1,110 / 9,580 = 0.1159)



ORIENTATION OF THIS BEARING SYSTEMS
BASED ON THE PLAT OF CARABAU POINT
ELEVATIONS ARE BASED ON THE NATIONAL
GEODETIC VERTICAL DATUM OF 1929
(NAD 29)

BENCHMARK

SPIKE IN POWER POLE

ELEVATION = 1232.06

• = DENOTES FOUND IRON MONUMENT

○ = SET AND MARKED R.I.S. # 41643

⊙ = DENOTES LIGHT POLE

⊙ = DENOTES ELECTRIC METER

⊙ = DENOTES POWER POLE

⊙ = DENOTES WELL

⊙ = DENOTES GAS METER

⊙ = DENOTES TELEPHONE PEDESTAL

⊙ = DENOTES WETLAND

⊙ = DENOTES BITUMINOUS SURFACE

⊙ = DENOTES CONCRETE SURFACE

⊙ = DENOTES LANDSCAPING

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**CARABAU POINTE REPLAT
DEVELOPMENT REVIEW TEAM MEETING APPLICATION**

LISTING OF PROPERTY OWNERS:

Lot 1

Address: 34993 East Shore Boulevard, Crosslake, MN
Owner: TMT Rental I, LLC
Property ID #: 14290577

Lot 2

Address: 34995 East Shore Boulevard, Crosslake, MN
Owner: Hollenbeck Properties, Inc.
Property ID #: 14290576

Lot 3

Address: 34997 East Shore Boulevard, Crosslake, MN
Owner: Louis & Bonnie Robideau
Property ID #: 14200505

Lot 4

Address: 34999 East Shore Boulevard, Crosslake, MN
Owner: Tim & Mary Collin
Property ID #: 14200504



Chicago Title Insurance Company

Transaction Identification Data for reference only:

Issuing Agent: Lakes Area Title Services, LLC
Issuing Office: 35756 Allen Avenue, Crosslake, MN 56442
Issuing Office's ALTA® Registry ID: 1180481
Loan ID Number:
Commitment Number: 2097-21
Issuing Office File Number: 2097-21
Property Address: 34993 East Shore Boulevard, Crosslake, MN 56442-2789
Revision Number

SCHEDULE A

1. Commitment Date: April 7, 2021 at 12:00 AM
2. Policy to be issued:
 - (a) ALTA Owners Policy (06/17/06)
Proposed Insured: TMT Rental I, LLC
Proposed Policy Amount: \$ 810,000.00
 - (b) ALTA Loan Policy (06/17/06)
Proposed Insured: Alliance Bank, its successors and/or assigns as their respective interests may appear.
Proposed Policy Amount: \$ 810,000.00
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. The Title is, at the Commitment Date, vested in:
Steve Nelson and LuAnn Nelson, husband and wife ✓
5. The Land is described as follows: ✓
Lot 1, Block 1 and 32% interest in Lot 5, Block 1, Carabau Pointe, Crow Wing County, Minnesota.
Abstract Property

CHICAGO TITLE INSURANCE COMPANY

By: _____

Lakes Area Title Services, LLC
Authorized Agent

Chicago Title Insurance Company

By: _____

ATTENT

President

Majorie Hemmick

Secretary

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Commitment for Title Insurance - Adopted 08-01-2016 Technical Corrections 04-02-2018

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(2097-21 PFD/2097-21/9)



Chicago Title Insurance Company

SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Warranty Deed from Steve Nelson and Luann Nelson, Married to each other to TMT Rental I, LLC a Limited Liability Company under the laws of the State of Minnesota
 - b. Mortgage from TMT Rental I, LLC to Alliance Bank, securing the principal amount of \$810,000.00 ✓
5. Conveyance of the estate or interest in land as described in Schedule A from the party or parties recited at Item 4 of Schedule A to the Proposed Insured (Owner). NOTE: The following must accompany the deed for filing: A) A Certificate of Real Estate Value containing the social security number or the federal tax identification number of each of the grantors and grantees. All grantors and grantees must have obtained a social security number or a federal tax identification number prior to closing. No deed can be recorded without a fully completed Certificate of Real Estate Value. B) One of the following statements must be made within the deed: 1) The Seller certifies that the Seller does not know of any wells on the described real property. 2) A well disclosure certificate accompanies this document. 3) 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 certificate.
6. NOTE: Conveyance must recite marital status of grantor(s). If grantor(s) is/are married, spouse must join in the conveyance.
7. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
8. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractor, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor and material.
9. If the transaction is closed by Chicago Title Insurance Company or its agents, the Social Security number of Seller or Federal ID number of seller entities and forwarding address must be provided at or prior to closing to comply with the Tax Reform Act of 1986 and the 1099S Form executed at closing unless the Seller is a corporation or a governmental unit. ✓
10. Provide standard form Residential Affidavit signed by the appropriate parties.
11. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities. ✓
12. The Company will require the following documents for review prior to the issuance of any predicated upon a conveyance or encumbrance from the following Limited Liability Company: TMT Rental I, LLC. A) A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member. B) If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendments thereto with the appropriate filing stamps. C) If the Limited Liability Company is member-managed, a full and complete current list of members certified by the ✓

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SCHEDULE B - PART B I
(Continued)

appropriate manager or member D) If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company, that it was validly formed, is in good standing and authorized to do business in the state of origin. E) If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing F) Certificate of Existence. The Company reserves the right to add the additional items or make further requirements after review of the requested documentation.

13. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.

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Chicago Title Insurance Company

SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land
4. Easements, or claims of easements, not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records.
7. Real estate taxes for 2021 due and payable in the year 2021 in the amount of \$4,964.00, first half payable on or before May 15, 2021, second half payable on or before October 15, 2021.
Base Tax: \$4,949.00, Homestead. No representation is made regarding subsequent years' homestead tax status. ✓
Property Tax Identification No. 14290577.
8. Any levied or pending special assessments now of record.
9. Drainage and utility easements(s) as shown on the recorded Plat of Carabau Pointe.
10. Subject to minerals and mineral rights, if any.
11. Terms and conditions of Plat of Carabau Pointe, dated August 23, 2002, recorded October 24, 2002, as Document No. 621196.
12. Terms and conditions of Resolution No. PZ-2011-013, City of Cross Lake, Planning and Zoning Commission / Board of Zoning Adjustment, dated August 26, 2011, recorded November 18, 2011, as Document No. 804166.
13. Terms and conditions of Plat of Cross Lake East Shore, dated June 2, 1927, recorded July 27, 1927, as Document No. 89390.
14. Rights of the state and the public in the part of the subject property lying below the ordinary high water mark of the adjacent body of water.
15. INFORMATIONAL NOTES:

The Company is not in possession of an Abstract of Title for the property.

This form does not cover utility bills against the subject property not shown on tax or assessment records.

The following sets forth the names of all parties in the chain of title for the last 24 months for the insured property as disclosed by the records of the office of the County Recorder.

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SCHEDULE B - PART II
(Continued)

Steve Nelson and LuAnn Nelson, husband and wife, as joint tenants, by Warranty Deed dated September 9, 2014, filed of record September 9, 2014, as Document No A-849320.

This is provided as an informational note only and will not appear on any policy issued.

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TITLE SEARCH REPORT
ISSUED BY
TitleWave Real Estate Solutions

THE ATTACHED TITLE SEARCH REPORT IS ISSUED FOR USE OF THE AGENT LISTED, HEREIN 'THE AGENT', A POLICY ISSUING AGENT FOR THE FIDELITY GROUP OF TITLE INSURANCE COMPANIES, HEREIN 'THE COMPANY', AND IS TO BE USED BY THE AGENT IN THE EXAMINATION AND DETERMINATION OF THE INSURABILITY OF TITLE TO THE PROPERTY DESCRIBED HEREIN IN CONJUNCTION WITH THE ISSUANCE OF THE COMPANY'S COMMITMENTS, POLICIES AND ENDORSEMENTS.

The Agent who examines this Title Search Report must follow all underwriting guidelines set forth in the underwriting manual and bulletins issued by the Company. The Agent is responsible for obtaining proper "High-Liability" approval, when applicable, in accordance with their agency contract. The agent is responsible for obtaining appropriate updates or continuations of this Title Search Report prior to the issuance of any commitment or policy in accordance with prudent underwriting practices and the Company's guidelines. The Agent is responsible for any errors, omissions, defect, liens, encumbrances or adverse matters not shown by this Title Search Report but known to or discovered by the Agent prior to the issuance of the Company's commitment, policy or endorsement.

The Title Search Report does not provide or offer any title insurance, liability coverage or errors and omissions coverage. No assurance is given as to the insurability or status of title. The Title Search Report does not insure or guarantee the validity or sufficiency of any documents attached, nor is it to be considered a title insurance commitment and/or title insurance policy, an opinion of title, an ownership and encumbrance report, a property information report, a guarantee of title or as any other form of guarantee or warranty of title and should not be relied upon as such.

LIABILITY UNDER THE ATTACHED TITLE SEARCH REPORT IS LIMITED TO THE LIABILITY UNDER THE COMPANY'S COMMITMENTS, POLICY OR POLICIES ISSUED PURSUANT TO THIS TITLE SEARCH REPORT. IN THE EVENT THE ATTACHED TITLE SEARCH REPORT IS USED FOR ANY PURPOSE OTHER THAN IN CONJUNCTION WITH THE ISSUANCE OF THE COMPANY'S COMMITMENTS, POLICIES OR ENDORSEMENTS, THE TOTAL AGGREGATE LIABILITY OF THE COMPANY, ITS EMPLOYEES, AGENTS AND SUBCONTRACTORS SHALL NOT EXCEED THE COMPANY'S TOTAL FEE FOR THIS REPORT.

TitleWave Real Estate Solutions
TITLE SEARCH REPORT

Order Number: 9752408
Reference Number: 2377-21

Lakes Area Title Services, LLC
35756 Allen Ave, PO Box 162
Crosslake, MN 56442
Phone: 218-692-1473
Fax: 218-692-1475

1. PERIOD SEARCHED:

The period covered in the search commenced with the Base Title as determined by Company and ends on: August 06, 2021 at 7:00 AM

2. Policy or Policies to be issued:

A. ALTA Owner's Policy (6/17/06)

Proposed Insured: Tim Collin and Mary Collin TMT Rental I, LLC
Hollenbeck Properties, Inc. Louis A. Sinko and Bonnie L. Robideau-Sinko, Trustees, or their successors in interest, of the Louis A. Sinko and Bonnie L. Robideau-Sinko Living Trust dated June 2, 2021
Amount of Insurance:

B. ALTA Loan Policy (6/17/06)

Proposed Insured: Lender with a contractual obligation under a loan agreement with the Proposed Insured for an Owner's Policy Amount of Insurance:

3. The estate or interest in the land described or referred to in this report is:

Fee Simple

4. Last grantee of record for the period searched:

TMT Rental I, LLC by Warranty Deed dated April 23, 2021, filed of record April 28, 2021, as Document No. 951329. (Parcel 1)

and

Hollenbeck Properties, Inc. by Trustees Deed dated August 05, 2020, filed of record August 20, 2020, as Document No. 937455. (Parcel 2)

and

Louis A. Sinko and Bonnie L. Robideau-Sinko, Trustees, or their successors in interest, of the Louis A. Sinko and Bonnie L. Robideau-Sinko Living Trust dated June 2, 2021 by Quit Claim Deed dated June 25, 2021, filed of record June 30, 2021, as Document No. 954736. (Parcel 3)

and

Tim Collin and Mary Collin by Quit Claim Deed dated November 14, 2002, filed of record November 14, 2002, as Document No. 0622680. (Parcel 4)

5. The land is described as follows:

See Attached Exhibit "A"

Note for Information: Property is Abstract

Subject Property Address: 34993 34995 34997 and 34999 E Shore Blvd, Crosslake, MN 56442

Countersigned:

A handwritten signature in cursive script, appearing to read "Robert G. Anderson", written in black ink.

Authorized Signatory

Title Search Report Mortgages, Liens, Other Title Defects

1. Instrument creating the estate or interest to be insured must be executed and filed for record, to-wit:
 - A. Conveyance of the estate or interest in land as described in Schedule A from the party or parties recited at Item 4 of Schedule A to the Proposed Insured (Owner).
NOTE: The following must accompany the deed for filing: A) A Certificate of Real Estate Value containing the social security number or the federal tax identification number of each of the grantors and grantees. All grantors and grantees must have obtained a social security number or a federal tax identification number prior to closing. No deed can be recorded without a fully completed Certificate of Real Estate Value. B) One of the following statements must be made within the deed: 1) The Seller certifies that the Seller does not know of any wells on the described real property. 2) A well disclosure certificate accompanies this document. 3) 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 certificate.

NOTE: Conveyance must recite marital status of grantor(s). If grantor(s) is/are married, spouse must join in the conveyance.
 - B. Mortgage encumbering the estate or interest in land as described on Schedule A executed by Tim Collin and Mary Collin, each stating marital status, with joinder by spouses, if any (Parcel 4); TMT Rental I, LLC (Parcel 1); Hollenbeck Properties, Inc. (Parcel 2); Louis A. Sinko and Bonnie L. Robideau-Sinko, Trustees, or their successors in interest, of the Louis A. Sinko and Bonnie L. Robideau-Sinko Living Trust dated June 2, 2021 (Parcel 3); to Proposed Insured (Lender) to secure the payment of a note in a principal amount equal to the amount insured hereunder.
2. Pay the full consideration to, or for the account, of the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractor, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor and material.
5. If the transaction is closed by Chicago Title Insurance Company or its agents, the Social Security number of Seller or Federal ID number of seller entities and forwarding address must be provided at or prior to closing to comply with the Tax Reform Act of 1986 and the 1099S Form executed at closing unless the Seller is a corporation or a governmental unit.
6. Provide standard form Seller's/Borrower's Affidavit in recordable form. If provided Items 2 and 4 of Schedule B - Section 2 will be deleted from the Policy to be issued pursuant to this form.
7. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company

Title Search Report Mortgages, Liens, Other Title Defects, continued

is not able to close or insure any transaction involving Land that is associated with these activities.

8. The Company will require the following documents for review prior to the issuance of any predicated upon a conveyance or encumbrance from the following Limited Liability Company: TMT Rental I, LLC. A) A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member. B) If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendments thereto with the appropriate filing stamps. C) If the Limited Liability Company is member-managed, a full and complete current list of members certified by the appropriate manager or member. D) If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company, that it was validly formed, is in good standing and authorized to do business in the state of origin. E) If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing. F) Certificate of Existence. The Company reserves the right to add the additional items or make further requirements after review of the requested documentation.
9. The Company will require the following documents for review prior to the issuance of any title assurance predicated upon a conveyance or encumbrance by the following Corporation: Hollenbeck Properties, Inc.. A) A Copy of the corporation By-laws and Articles of Incorporation. B) An original or certified copy of a resolution authorizing the transaction contemplated herein. C) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and Bylaws of the parent. The Company reserves the right to add additional items or make further requirements after review of the requested documentation.
10. Obtain and file of record the above referenced Trust, or a Certificate of Trust in conformance with Minnesota Statute Section 501C. (Parcel 3)
11. Obtain and file of record an Affidavit of Trustee in conformance with Minnesota Statute 501C. (Parcel 3)
12. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence. (Parcel 2)
13. Pay and satisfy of record the following Mortgage(s):
 - A. Mortgage dated December 30, 2011, recorded January 10, 2012, as Document No. 0806410 executed by Louis A. Sinko and Bonnie L. Robideau-Sinko, husband and wife as joint tenants who acquired title as Louis A. Sinko and Bonnie Robideau-Sinko, husband and wife as joint tenants, to Wells Fargo Bank, N.A., a United States National Association in the original principal amount of \$173,993.66. (Parcel 3)
 - B. Mortgage dated February 22, 2021, recorded March 03, 2021, as Document No. 948480 executed by Tim Collin and Mary Collin, husband and wife, to Mortgage Electronic Registration Systems, Inc., as nominee for Connexus Credit Union, Wisconsin Credit Union in the original principal amount of \$231,000.00. (Parcel 4)

Title Search Report
Mortgages, Liens, Other Title Defects, continued

- C. Mortgage dated April 23, 2021, recorded April 28, 2021, as Document No. 951330 executed by TMT Rental 1, LLC, a Minnesota Limited Liability Company, to Alliance Bank in the original principal amount of \$810,000.00. (Parcel 1)
- 14. The Company should be provided a statement from the borrower(s) relative to any mortgage shown on Schedule B disclosing whether the borrower(s) have entered into any forbearance or loan modification agreement with the lender relative to delayed or postponed payments or other restructuring of the debt secured by the mortgage.

Title Search Report
Easements, Restrictions and Other Matters Affecting Title Searched

1. Defects, liens, encumbrances, adverse claims or other matters, if any, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this form.
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete survey of the Land.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records.
7. Real estate taxes for 2021 due and payable in the year 2021 in the amount of \$4,964.00, first half paid, second half payable on or before October 15, 2021.
Base Tax: \$4,949.00, Homestead. No representation is made regarding subsequent years' homestead tax status.
Property Tax Identification No. 14290577 (Parcel 1)
8. Real estate taxes for 2021 due and payable in the year 2021 in the amount of \$2,676.00, first half paid, second half payable on or before October 15, 2021.
Base Tax: \$2,661.00, Non-Homestead.
Property Tax Identification No. 14290576 (Parcel 2)
9. Real estate taxes for 2021 due and payable in the year 2021 in the amount of \$2,838.00, first half paid, second half payable on or before October 15, 2021.
Base Tax: \$2,823.00, Non-Homestead.
Property Tax Identification No. 14200505 (Parcel 3)
10. Real estate taxes for 2021 due and payable in the year 2021 in the amount of \$3,786.00, first half paid, second half payable on or before October 15, 2021.
Base Tax: \$3,771.00, Homestead. No representation is made regarding subsequent years' homestead tax status.
Property Tax Identification No. 14200504 (Parcel 4)
11. Real estate taxes for 2021 due and payable in the year 2021 now shown as "Exempt" on County tax records.
Note: Pursuant to Minnesota Statutes Sec. 272.02, the property may be subject to loss of exemption and imposition of full tax for taxes for and payable in the year 2021 the amount whereof is not presently available.
Property Tax Identification No. (Lot 5/Common Ground) 14200503.
12. Any levied or pending special assessments now of record.
13. Drainage and utility easements(s) as shown on the recorded Plat of Carabau Point.
14. Subject to minerals and mineral rights, if any.

Title Search Report
Easements, Restrictions and Other Matters Affecting Title Searched, continued

15. Terms and conditions of Plat of Cross Lake East Shore, dated June 2, 1927, recorded July 27, 1927, as Document No. 89390.
16. Terms and conditions of Plat for Carabau Pointe, dated August 23, 2002, recorded October 24, 2002, as Document No. 0621196.
17. Terms and conditions of Resolution No. PZ-2011-013, City of Cross Lake, Planning and Zoning Commission / Board of Zoning Adjustment, dated August 26, 2011, recorded November 18, 2011, as Document No. 804166. (Parcel 1)
18. Terms and conditions of Planning and Zoning Commission/Board of Zoning Adjustment, Resolution No. PZ-2011-017, dated September 23, 2011, recorded November 18, 2011, as Document No. 0804169. (Parcel 4)
19. Rights of the state and the public in the part of the subject property lying below the ordinary high water mark of the adjacent body of water.

NOTES

20. The Company is not in possession of an Abstract of Title for the property.
21. This form does not cover utility bills against the subject property not shown on tax or assessment records.
22. Item 1 of Schedule B - Section 2 will be deleted if Chicago Title Insurance Company conducts an insured closing under written instructions from the Proposed Insured (Lender).

The Policy to be issued will insure against any loss or damage, which arises by reason of any intervening liens or encumbrances between the Date of Commitment and the recording date of the instruments creating the insured interest.

23. The Policy(ies) to be issued pursuant to this Commitment will contain the following endorsement:
 - A. ALTA Form 8.1 - Environmental Protection Lien
 - B. ALTA Form 9 - Comprehensive
 - C. Location

Title Search Report Legal Description

Parcel 1: Lot 1, Block 1, and a 32% interest in Lot 5, Block 1, Carabau Point, Crow Wing County, Minnesota.

Parcel 2: Lot Two (2), Block One (1), Carabau Pointe and an undivided 22% interest in Lot Five (5), Block One (1), Carabau Pointe, Crow Wing County, Minnesota.

Parcel 3: Lot 3, Block 1 and 19% interest in Lot 5, Block 1, Carabau Pointe, Crow Wing County, Minnesota.

Parcel 4: Lot 4, Block 1 and 27% of Lot 5 (which lies within lot 4), Lot 12, Cross Lake East Shores, Plat of record, Crow Wing County, Minnesota, and that part of East shore road, said Plat lying north of the easterly extension of the south line of said Lot 12, and that part of Government Lot 3, Section 20, Township 137 North, Range 27 West, lying adjacent and north of the north line of said Plat.

Abstract Property



Subdivisions Application
Planning and Zoning Department
13888 Daggett Bay Rd, Crosslake, MN 56442
218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.com

Receipt Number: 98552
Property Owner(s): See Attached List
Mailing Address: 2242 Cottage Grove Alcove, Woodbury, MN 55129
Site Address: 34993, 34995, 34997 and 34999 East Shore Blvd.
Crosslake, MN 56442
Phone Number: 612-202-3582
E-Mail Address: tim@thoneddevelopment.com
Parcel Number(s): 14290577, 14200505, 14290576, 14200504 and
14200503
Legal Description: Lots 1-5, CARABAU POINTE, Abstract Property
Sec 20 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐
Land Involved: Width: 100 Length: 400 Acres: 0.82
Lake/River Name: Cross Lake
Do you own land adjacent to this parcel(s)? Yes ☒ No
If yes, list Parcel Number(s) _____
Authorized Agent: Tim Thone
Agent Address: 2242 Cottage Grove Alcove, Woodbury, MN 55129
Agent Phone Number: 612-202-3582
Signature of Property Owner(s) _____ Date 8-5-21
Signature of Authorized Agent(s) _____ Date _____

Permit Number: 2101765

Subdivision Type

(Check applicable request)

- ☐ Metes and Bounds-Record
within 90 days of approval
☒ Residential Preliminary Plat
☒ Residential Final Plat
☐ Commercial Preliminary Plat
☐ Commercial Final Plat

Development

- 4 Number of proposed lots
0 Number of proposed outlots

Access

- ☐ Public Road
☒ Easement
Easement recorded: Yes ☐ No

Septic

- Compliance _____
SSTS Design City of Crosslake
Site Suitability _____

- ☐ All applications must be accompanied by signed Certificate of Survey
☒ Residential Fee: Preliminary \$500 + \$100 per lot; Final \$500 + \$25 per lot Payable to "City of Crosslake"
☐ Commercial Fee: Preliminary \$750 + \$150 per lot; Final \$750 + \$50 per lot Payable to "City of Crosslake"
☐ Metes & Bounds: \$100 + \$75 per lot Payable to "City of Crosslake"
☒ **Above Fees will require additional Park Dedication Fees of \$1,500 per unit/lot or 10% of buildable land as measured pre-plat for park purposes or a combination of both Payable to "City of Crosslake"**
☐ No decisions were made on an applicant's request at the DRT meeting. Submittal of an application after DRT does not constitute approval. Approval or denial of application is determined at a public meeting by the City Council after a recommendation from the Planning Commission/Board of Adjustment per Minnesota Statute 462 and the City of Crosslake Land Use Ordinance.

For Office Use:

Application accepted by DL Date 8/9/21 Land Use District ED Lake Class ED Park, Rec, Lib AA

Preliminary Plat \$500 + 100(4) = \$900
400

Final Plat \$500 + 25(4) = \$600
100



City of Crosslake Planning Commission/Board of Adjustment

Findings of Fact

Supporting/Denying a Preliminary Plat

Findings should be made in either recommending for or against a plat, and should reference Chapter 44 of the City Subdivision Ordinance. The following questions are to be considered, but are not limited to:

1. Does the proposed plat conform to the City's Comprehensive Plan?
Yes No

2. Is the proposed plat consistent with the existing City Subdivision Ordinance? Specify the applicable sections of the ordinance.
Yes No

3. Are there any other standards, rules or requirements that this plat must meet?
Yes No Specify other required standards.

4. Is the proposed plat compatible with the present land uses in the area of the proposal?
Yes No Zoning District

5. Does the plat conform to all applicable performance standards in Article 2 of the Subdivision Ordinance?

Yes No

6. How are the potential environmental impacts being resolved? (Does the plat meet the following City Standards?)

Stormwater

Erosion /Sediment Control

Wetlands

Floodplain

Shoreland

Septic Systems

7. Have the potential public health, safety or traffic generation impacts been addressed?

Yes No

8. Other issues pertinent to this matter.