

To Whom it May Concern,

My name is Brittany Smith. We have a purchase agreement on the property address TBD County 1, Park Rapids, parcel number 27.13.00410 and 27.60.02910. Before we buy the property we would like to know if a variance will be approved, in order to build a home on the property. The lot is considered undersized. The previous owner went through all the steps to get a building permit when it was in Hubbard County jurisdiction. They failed to do to the last step of the process, which I believe was attend a meeting for the approval. I have been in contact with the highway department, Itasca Mantrap Electric, GIS, Hubbard County Abstract, Northland Septic, Girtz Excavating, and Ben Olson of Todd Township.

*The Highway Department does not have a problem with the driveway since there is already an approach in place.

*The GIS has no problem adding a fire number next to the current fire number.

*Itasca Mantrap is able to get electric to the lot through the easement.

*Girtz Excavating went to the property and said there will be no problem getting a septic system in place.

*Northland Septic came to the property and did a soil sample for the septic design. The design is attached to the variance application. They also said there will be no problem getting a septic in place.

*Hubbard County Abstract did a title search on the property and there is deeded, legal access to the property. There is an easement to the property, there is also a strip of land, (Outlet C), that we will own and will be used to access the property.

We do not legally own the property, we have a purchase agreement on the land. Again, we want to make sure that we can build on the property before we buy it. We do not have the house plan finalized, we want to make sure it's possible to build before finalizing the design and placement. The Aerial shows the approximate location of the new home. We would like to build a 1,600-2,000 sq ft home. If you need to see a rough draft plan of the home, I can provide that.

Thank you!

Brittany Smith
218-252-3999
Brittanygartner11@gmail.com



VARIANCE PROCESSING AND REVIEW POLICY

In order for Todd Township to comply with Minnesota Statutes, Chapter 15.99 (processing time deadlines for agency action), these policy steps must be fulfilled before the Todd Township Zoning Administrator will accept a variance application as complete:

A. A pre-application meeting must be held between the applicant and Zoning Administrator to determine which of the following additional information items must be provided.

- A topographic survey showing 2 foot contour intervals.
- Location and size, in square feet, of all wetlands
- Location and dimensions of all structures / setbacks noted on plans
- Tier lines indicated for calculating building density
- Individual sewage treatment system site evaluation
- Individual sewage treatment system design submitted with this application
- Well Information from Department of Health
- Other: *Proof of Easement to property*

ALL PROPOSED PROJECT PLANS MUST BE DRAWN TO SCALE AND SUBMITTED AT THE TIME OF APPLICATION.

The pre-application meeting was held on _____ (date). It was agreed that the items checked above would be required for this application to be complete.

- 1.
- 2.
- 3.

Todd Township Zoning Administrator

Date

Brittany Smith

Applicant or Agent

1/31/2024

Date

OFFICE USE ONLY:

Date sent: _____
Date received: _____
60 Day start date: _____

FILE NUMBER:

Copies sent to: _____ File: _____ Landowner: _____ Other: _____
60 Day stop deadline: _____



APPLICATION FOR VARIANCE

Parcel ID Number: 27.13.00410

Name(s) of Applicant: Brittany and Eric Smith

Date: 1/31/2024

Address: 19997 Fairway Trail

Property Address: TBD County 1

City, State, Zip: Park Rapids, MN 56470

Phone: Permanent # 218-252-3999

Seasonal #: _____

Cell: _____

E-Mail Address: brittanygartner11@gmail.com

Legal Description: SECT 13 TWP 140 RANGE 35 .54 AC 13-2A-1 E250 OF W500 OF S100 OF

Section 13 Twp 140 Range 35 Twp Name Todd E 911 # NA (blue sign) ^{NW 1/4 OR NE 1/4}

LOT INFORMATION

Year Septic System was Installed to be installed at future date

Homeowner when Septic System was Installed to be installed at future date

Well Size and Depth to be installed at future date

Date Lot Became Lot of Record _____

Date of Ownership: TBD

Lot Width at Front & Rear: Front: 250

Rear: 250

Lot Depth 100

Lot Area (ft²) 23,522

TOTAL ACRES .54

Minimum Sideyard 10' setback

Road Centerline Setback _____

Right-of-Way Setback 35'

Elevation at Building Setback _____

Building Line Width _____

Total Building Coverage on Lot (ft²) TBD estimated 2,000 sq ft including porches to be

Applicant is: () Owner Buyer Agent Other possible new construct built in 2025

Current Use of the Property: unimproved residential land

Use of Surrounding Property: Golf Course, residential land, 2 homes to the south

Section of the Ordinance from which Variance is Requested: rural residential zoning district -lot size

Discuss Why Variance is Needed: Undersized lot for building permit.

OFFICE USE ONLY:

Date sent: _____
Date received: _____
60 Day start date: _____

FILE NUMBER:

Copies sent to: _____ File: _____ Landowner: _____ Other: _____
60 Day stop deadline: _____



A variance may be granted where the strict enforcement of the Todd Township Zoning Ordinance will result in unnecessary "hardship". Whether a hardship exists will be determined by the following criteria. Please summarize facts as they relate to your property with regard to these 5 factors:

1. Can the property in question be put to a reasonable use if used under the conditions allowed by the official controls?

Yes, if variance is approved, we will be able to build a new home.

2. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?

Yes, a variance is needed because the lot is undersized

3. Will the variance, if granted, alter the essential character of the locality?

No, the home that we want to build will not alter the essential character of the locality.

4. Is the need for the variance justified by more than economic considerations alone?

No

5. For existing developments, is there a conforming sewage treatment system present for the intended use of the property?

It is a bare lot, there is no sewage system present.

The undersigned applicant hereby makes application for a variance as specified above, and agrees to do all work in strict accordance with all Todd Township, Hubbard County, Minnesota, and all Ordinances. The applicant agrees that all plot plans, sketches, and specifications submitted herewith and which are approved by the Todd Township Board of Adjustment shall become part of the permit. The applicant further agrees to grant permission to the Todd Township Zoning Administrator and personnel to enter the applicant's premises at reasonable times during the application process and thereafter to make necessary inspections or to subsequently check for compliance with variance conditions or other applicable County or State ordinances.

The undersigned further states that there are no delinquent property taxes, special assessments, penalties, interest, and/or utility fees due on the parcel to which the application relates.

The applicant understands that it is the applicant's sole responsibility to obtain all other federal, state, or local agency permits which may apply to the above described project.

Brittany Smith

Applicant Signature

1/31/2024

Date

Fee \$ _____ Receipt # _____

() APPROVED () DENIED

ASSISTED BY: _____ DATE: _____

INSPECTED: _____

OFFICE USE ONLY:

Date sent: _____
Date received: _____
60 Day start date: _____

FILE NUMBER:

Copies sent to: _____ File: _____ Landowner: _____ Other: _____
60 Day stop deadline: _____



Todd Township Zoning



SKETCH PLAN

See attached
aerial

***The Site Plan must show, at a minimum, the following features: can attach as a separate sheet or back of page.**

- a. All existing buildings, lot lines and dimensions
- b. Existing and closed wells and septic systems
- c. Driveways, roads and highways
- d. Pertinent information such as distance to a wetland, width of project
- e. If topography is unusual, show elevation levels
- f. Show "Proposed Project" areas / or can use two maps to show existing and proposed
- g. Indicate North point and general slope of land on property

OFFICE USE ONLY:

Date sent:
Date received:
60 Day start date: _____

FILE NUMBER:

Copies sent to: File: ____ Landowner: ____ Other: ____

60 Day stop deadline: _____

**TODD TOWNSHIP
HUBBARD COUNTY
STATE OF MINNESOTA**

RIGHT TO ENTER

I / We Brittany Smith hereby swear that all of the information included in this application with attached materials is true and correct.

We further give the Township and its designated representatives the right to enter said property at reasonable times during the application process and thereafter to make any necessary inspections or to subsequently check for compliance with permit conditions or other applicable Township Ordinances.

Brittany Smith
Applicant Signature

1/31/2024
Date

Applicant Signature

Date

TODD TOWNSHIP

AGREEMENT TO PAY COSTS RELATED TO PROCESSING OF APPLICATION

WHEREAS, Brittany Smith ("Applicant") _____ (____ Agent for Applicant), located at Park Rapids, MN 56470 (PID No. 27.13.00410 in Section 13, Twp 140, Range 35) has applied to Todd Township ("Township") for a Variance; and

WHEREAS, the Town Board desires that the Petitioner pay the costs incurred by the Township in process the Application including, but not limited to, administrative costs, recording costs, Attorney review and Engineer costs, any special meeting costs, and any other professional costs deemed necessary the Town Board for processing the Application, and;

WHEREAS, the Township is willing to process Applicant's Brittany Smith ("Application") provided that said Applicant pays all costs incurred by the Township in processing said Application; and

NOW, THEREFORE, the Township and Applicant agree as follows:

The Township shall process the Application consistent with Minn. Stat. Chapter 462.

Applicant shall escrow with the Township cash or a letter of credit (collectively, "Surety") in the amount of **\$750.00** for use in reimbursing the Township's expenditures in processing the Application and enforcing this Agreement. The Township may draw upon said Surety to reimburse itself for any such expenditure.

The Applicant shall maintain the Surety in the minimum amount of **\$ 750.00** at all times until the Application has been fully processed and shall replenish the Surety as necessary to maintain said minimum amount. In the event that the Surety falls below said minimum, and Applicant fails to replenish the Surety within 10 days after notification by the Township, the Township may take any legal or equitable action it deems necessary against Applicant.

It is understood and agreed that the Applicant will reimburse the Township for all reasonable administrative, legal, planning, engineering and other professional costs incurred in the creation, administration, enforcement or execution of said Application or this Agreement. Applicant agrees to pay all such reasonable costs within 30 days of billing by the Township. Bills not paid within 30 days of billing by the Township shall accrue interest at the rate of 6% per year. Further, if Applicant fails to pay said amounts within the time permitted by this Agreement, then the Township may specially assess such costs against Applicant's property within the Township. Applicant knowingly and voluntarily waives any and all rights to appeal the assessments under applicable statutes, the Constitution, and case law.

Applicant understands that this Agreement shall in no way obligate the Township to approve the Application.

If any provision contained in this Agreement is held invalid, the validity of the remainder of the Agreement shall not be affected thereby.

This Agreement represents the full and complete understanding of the Parties and both Parties represent that neither Party is relying on any prior Agreements or understandings, whether oral or written. This Agreement shall only be modified, if at all, with the signed written consent of both Parties.

OWNER(S)/AGENT

Name: Brittany Smith

Date: 1/31/2024

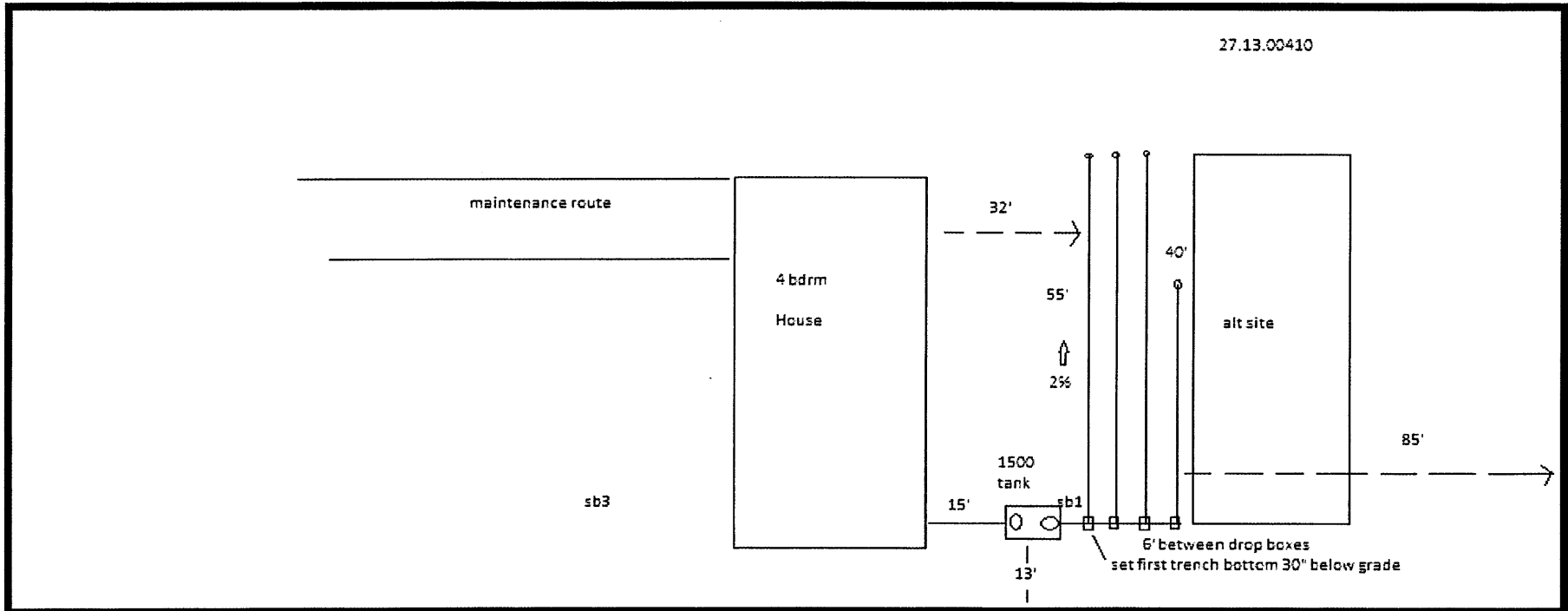
Name: _____

Date: _____

County Rd 1

(N)

27.13.00410



Gravity Trenches Design

(includes pump to gravity)

Property Owner: **SMITH, BRITTANY** Date: **1/24/2024**
 Site Address: **TBD COUNTY 1** PID: **27.13.00410**
 Comments: VACANT LOT, NEW CONSTRUCTION, NO WELL ON SITE
VERIFY SOILS WITH EXCAVATOR PIT BEFORE INSTALLING TRENCHES

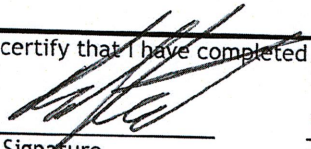
Instructions: = enter data = adjust if desired = computer calculated - DO NOT CHANGE!

- 1) 4 bedroom Type 1 Residential System
- 2) 600 GPD design flow
- 3) No Garbage disposal or pumped to septic
- 4) 1500 Gal Septic tank (code minimum) 1500 Gal Septic tank (design size / LUG req'd)
 Tank options: none
- 5) 0.78 GPD/ft² Soil Loading Rate 12 inches of rock below the pipe
 (must match soil boring log)
615.2 ft² (code minimum) 615 ft² (design size / LUG req'd)
 Distribution media: installers choice rock chamber _____
- 6) 4 desired # of 3' wide trenches, leads to 51.3 ft. Long trenches (avg) 3 @ 55'
 or 205 lineal ft (total) 1 @ 40'
- 7) 72 inches, or 6.00 ft. to Redox or other limiting condition (This must match the soil boring log)
 Treatment zone contains 0 inches 0% soil credit, and 0 inches 50% soil credit
- 8) 36 inches, or 3.00 ft. of vertical separation required SET TRENCH BOTTOM 30" BELOW FLAG
 leads to bottom of rock no more than:
- 9) 36 inches, or 3.0 ft. Below existing grade **CRITICAL FOR FUTURE CERTIFICATIONS!!!**
- 10) Overall Dimensions: 4 Trenches 3 ft. wide by 51.3 ft. Long
 or 205 lineal ft (total)
- 11) Rock materials:
12 ft. by 51.3 ft. by 18 inches total, plus 20% gives 42 yd³ or *1.4= 59 ton

For pump to gravity systems:

- 12) 4.0 doses per day (4 minimum)
13) 150 gallons per dose (treatment volume)
- 14) 0 feet of 2.0 inch supply line leads to 0 gallons of drainback volume
(Tip: "top feed" manifold to control drainback)
- 15) 150 gallons TOTAL pump out volume. (treatment + drainback)
- 16) 0 feet vertical lift from pump to highest trench, leads to a
17) 20 GPM @ 0 feet of head, Pump requirement
(10-45 gpm)
- 18) 500 gal Dose tank (code min) 0 gal Dose tank (design size / LUG req'd) at 0 gpi
- 19) leads to a: (this delivers Average flow, =70% of Peak design flow)
Optional Time Dosing of:
- 20) ##### inch swing on Demand float, 7.5 min ON
21) 12 inches from bottom of tank to "pump OFF" float, 8.4 hrs OFF
22) ##### inches from bottom of tank to "pump ON" float, or 12 inches to "timer ON" float
inches from bottom of tank to "Hi Level" float, or ##### inches to "Hi Level" float
- 23) ##### gallons reserve capacity (after HLA activation-demand dosed)

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.


Designer Signature

NORTHLAND
Company

549
License#

1/24/2024
Date

No delinquent taxes and transfer entered; Certificate of Real Estate Value (X) filed () not required; Certificate of Real Estate Value No. 8299
October 6, 2004
Pam Hansen
County Auditor
by Jed
27.13.00400 27.60.02900 Deputy

A000302922

OFFICE OF THE COUNTY RECORDER
HUBBARD COUNTY, MINNESOTA

CERTIFIED, FILED, AND/OR
RECORDED ON
10/05/2004 10:33AM

AS DOC #: A000302922

NICOLE K. LUETH
HUBBARD COUNTY RECORDER

BY NKL DEPUTY

PAGES: 2 HEAC

(Reserved for recording data)

Form No. 1-M-WARRANTY DEED

Individual(s) to Individual(s)

STATE DEED TAX DUE HEREON: \$ 108.90

Date: October 4, 2004

FOR VALUABLE CONSIDERATION, Ronald Husby and JanaKaye Husby,
Husband and Wife, Grantor(s),
(marital status)

hereby convey(s) and warrant(s) to Bruce L. Otto and Kirsten J. Otto, Husband and Wife, as joint tenants, an undivided one-half interest as tenants in common; and to Marilyn Y. Klettenberg, a single person, an undivided one-half interest as tenants in common, Grantee(s), real property in Hubbard County, Minnesota, described as follows:

The East 250 feet of the West 500 feet of the South 100 feet of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Thirteen (13), Township One Hundred Forty (140), Range Thirty-five (35) and the East 250 feet of Outlot C, Country Club Estates, according to the plat thereof on file and of record in the office of the County Recorder in and for the County of Hubbard and the State of Minnesota, together with an easement for ingress and egress and utilities over the South 25 feet of the following described property:

The West 500 feet of the South 100 feet of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section Thirteen (13), Township One Hundred Forty (140), Range Thirty-five (35), less the East 250 feet thereof, and Outlot C, Country Club Estates, according to the plat thereof on file and of record in the office of the County Recorder in and for the County of Hubbard and the State of Minnesota, less the East 250 feet thereof.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: Easements, restrictions and reservations of record, if any.

- The Seller certifies that the seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- 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.

HUBBARD COUNTY
 Deed Tax Hereon of
 \$ 108.90 Paid
 10-06-04 Date No. 26433
Ram Heeren

Affix Deed Tax Stamp Here

Ronald Husby

 Ronald Husby

JanaKaye Husby

 JanaKaye Husby

STATE OF MINNESOTA)
) ss.
 COUNTY OF HUBBARD)

The foregoing instrument was acknowledged before me this 4th day of October, 2004, by Ronald Husby and JanaKaye Husby,

 Husband and Wife, _____, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

Rebecca Holmen

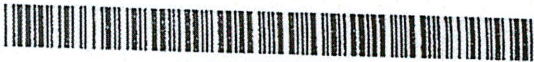
 SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT



Tax Statements for the real property described in this instrument should be sent to:

THIS INSTRUMENT WAS DRAFTED BY:
 James B. Wallace, #113931
 WALLACE & TIFFANY
 Attorneys at Law
 201 East First Street
 P. O. Box 27
 Park Rapids, MN 56470
 (218) 732-7279

Bruce L. & Kirsten J. Otto
 Marilyn Y. Klettenberg
 19740 County #1
 Park Rapids, MN 56470



A000362036

OFFICE OF THE COUNTY RECORDER
HUBBARD COUNTY, MINNESOTA
CERTIFIED, FILED, AND/OR
RECORDED ON

10/29/2012 2:35:37 PM
AS DOC #: A000362036

NICOLE K. LUETH
HUBBARD COUNTY RECORDER
BY LMS Dep

PAGES: 2
Well Disc Recd

No delinquent taxes and transfer entered; Certificate of Real Estate Value () filed (X) not required
Certificate of Real Estate Value No. October 29, 2012
Pam Heeren
County Auditor
by 27.60.02910 Juh Deputy

HAC 4

(Top 3 inches reserved for recording data)

M/D 1894 Miller/Davis Company - millerdavis.com

QUIT CLAIM DEED
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks
Form 10.3.1 (2011)

DEED TAX DUE: \$1.65

DATE: 10/26/12
(month/day/year)

FOR VALUABLE CONSIDERATION, Kirsten J. Otto, a single person
(insert name and marital status of each Grantor)

hereby conveys and quitclaims to Carol Sievers ("Grantor"),
(insert name of each Grantee)

in Hubbard County, Minnesota, legally described as follows: ("Grantee"), real property

An undivided one-half interest in: The East 250 feet of Outlot C, Country Club Estates, according to the plat thereof on file and of record in the office of the County Recorder in and for the County of Hubbard and the State of Minnesota

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

together with all hereditaments and appurtenances.

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: _____)
- 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.

Grantor

Kirsten J. Otto
(signature) Kirsten J. Otto

(signature)

HUBBARD COUNTY
Deed Tax

\$ 1.65 Paid

Date 10/29/12 No. 37480

Pam Heeren Co. Aud/Treas

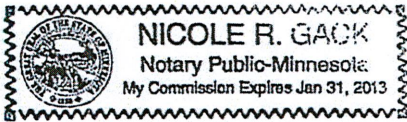
RD Deputy

State of Minnesota, County of Hubbard

This instrument was acknowledged before me on 10/26/12, by Kirsten J. Otto, a single person
(month/day/year)

(insert name and marital status of each Grantor)

(Seal, if any)



Nicole R. Gack
(signature of notarial officer)

Title (and Rank): Notary Public

My commission expires: 1-31-13
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

John A. Masog, Atty at Law

602 Pleasant Ave. South

Park Rapids, MN 56470

(218) 732-9771

68299

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)

Carol Sievers

15558 Explorer Circle

Park Rapids, MN 56470

A000427555
HUBBARD COUNTY, MINNESOTA

**CERTIFIED, FILED, AND/OR
RECORDED ON**

11/22/2022 10:13:49 AM

**LAUREN ANDERSON
HUBBARD COUNTY RECORDER**

BY RLB Dep PAGES: 3

WELL DISCL RECD _____

MTG REG TAX PD \$ 0.00

DEED TAX PD \$ 1.65

TAX EXEMPT _____

DOCUMENT RECORDED ELECTRONICALLY

Transfer Entered On 11/22/2022
() eCRV (x) N/A
(x) No Delinquent Taxes () N/A
() Current Taxes Paid In Full (x) N/A
Lauren Anderson, Hubbard County Recorder
By DLH, Deputy
Parcel No. 27.13.00410
27.60.02910

(Top 3 inches reserved for recording data)

QUIT CLAIM DEED
Individual(s) to Joint Tenants

Minnesota Uniform Conveyancing Blanks
Form 10.3.3 (2013)

DEED TAX DUE: \$1.65

DATE: November 18, 2022
(month/day/year)

FOR VALUABLE CONSIDERATION, Marliyn Y. Klettenberg, a single person ("Grantor(s)"), hereby conveys and quitclaims to Maryilyn Y. Klettenberg, Steven M. Klettenberg and Paul H. Klettenberg ("Grantee"), as joint tenants, real property in Hubbard County, Minnesota, legally described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

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

together with all hereditaments and appurtenances belonging thereto.

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: _____.)
- 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.

Grantor

Marilyn Klettenberg by Paul Klettenberg AIF
Marilyn Y. Klettenberg by Paul Klettenberg as Attorney in Fact

State of Minnesota, County of Hubbard

This instrument was acknowledged before me on 18 day of November, 2022, by Marilyn Y. Klettenberg, a single person by Paul Klettenberg as Attorney in Fact

(Seal, if any)



Linda J. Hirsch
(signature of notarial officer)

Title (and Rank): *Sr. Escrow Officer*

My commission expires: *1-31-2028*

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Linda Hirsch
LEER Title Services
104 Park Avenue N, Suite 103
Park Rapids, MN 56470

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)
Maryilyn Y. Klettenberg, Steven M. Klettengerg and Paul H. Klettenberg
6647 Sitio Palmas
Carlsbad, CA 92009

**EXHIBIT "A"
LEGAL DESCRIPTION**

AN undivided 1/2 interest in:

The East 250 feet of the West 500 feet of the South 100 feet of the Northwest Quarter of the Northeast Quarter (NW¼ of NE¼), Section Thirteen (13), Township One Hundred Forty (140), Range Thirty-five (35);

AND

The East 250 feet of Outlot C, Country Club Estates; LESS that part thereof lying Easterly of the Northerly extension of the West line of Lot 7, Block 3, Country Club Estates.

Together with an easement for ingress, egress and utilities over the South 25 feet of the following described property: The West 500 feet of the South 100 feet of the Northwest Quarter of the Northeast Quarter, Section 13, Township 140, Range 35, less the East 250 feet thereof, and Outlot C, Country Club Estates, less the East 250 feet thereof.

Hubbard County, Minnesota

WALLACE LAW OFFICE

**JAMES B. WALLACE
ATTORNEY AT LAW**

MAILING ADDRESS
P.O. Box 27
PARK RAPIDS, MN 56470

LOCATED AT
201 EAST FIRST STREET
PARK RAPIDS, MN 56470

TELEPHONE (218) 732-7279
TELEFAX (218) 732-8177
wandt1@unitelc.com

June 1, 2007

Steve Smith
Todd Township Zoning Administrator
17771 Enchanted Drive
Park Rapids, MN 56470

RE: Ron Husby
Our File No. 3239

Dear Steve:

Enclosed is a copy of the Deed Restriction that has been signed by the Husbys. I have not recorded the original. Has the rezoning been completed? I would appreciate a letter from the Township confirming that once the zoning is completed and the Deed Restriction recorded, that the property is considered a buildable lot.

Sincerely,



James B. Wallace

JBW/tlb

Enclosure

COPY

DEED RESTRICTION

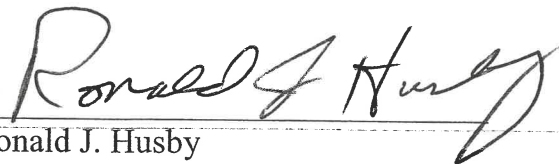
THIS AGREEMENT entered into this 29 day of May, 2007 by:
Ronald J. Husby and JanaKaye F. Husby, Husband and Wife, Record Fee Owners and Todd
Township, Hubbard County, Minnesota.

AGREEMENT: For good and valuable consideration, the undersigned hereby agree that
the two below described parcels shall be treated as one parcel and that there shall be no
further divisions within the described parcels, except as may be permitted by Todd
Township's Zoning Ordinance and/or amendments thereto.

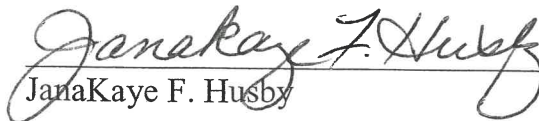
LEGAL DESCRIPTION OF RESTRICTED PARCELS:

SEE EXHIBIT A:

OWNER(S) SIGNATURES:



Ronald J. Husby

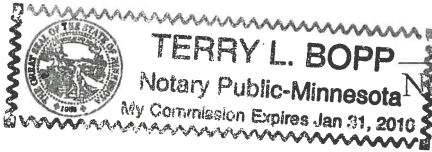


JanaKaye F. Husby

COPY

STATE OF MINNESOTA)
) s.s.
COUNTY OF HUBBARD)

Subscribed and sworn to before me this 29 day of May, 2007 by Ronald J. Husby.



Terry L. Bopp
Notary Public

STATE OF MINNESOTA)
) s.s.
COUNTY OF HUBBARD)

Subscribed and sworn to before me this 29 day of May, 2007 by JanaKaye F. Husby



Terry L. Bopp
Notary Public

This instrument was drafted by:
Couri, MacArthur, & Ruppe PLLP
705 Central Ave. East
P.O. Box 369
St. Michael, MN 55376
(763) 497-1930

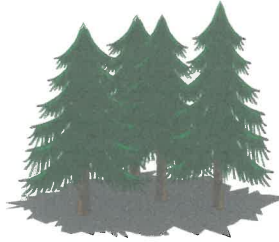
COPY

EXHIBIT A

Parcel 1: The West 500 feet of the South 100 feet of the Northwest Quarter of the Northeast Quarter of Section 13, Township 140, Range 35, less the East 250 feet thereof; and

Parcel 2: Outlot C, Country Club Estates, according to the plat thereof on file and of record in the office of the County Recorder in and for the County of Hubbard and the State of Minnesota, less the East 250 feet thereof.

Fax Cover Sheet



Todd Township

"Where the good living begins"

Steve Smith, Zoning Administrator

17771 Enchanted Drive

Park Rapids, MN 56470

Tele. 218-252-1338 (voice mail)

E-mail – maurersmith@hotmail.com

Send to: Couri, MacArthur & Ruppe, P.L.L.P.	From: Steve Smith,
Attention: Kyle Hartnett	Date: June 4, 2007
Office Location: St. Michael, MN	Office Location: Park Rapids, MN
Fax Number: (763) 497-2599	Phone Number: (218) 255-1338

Urgent
Reply ASAP
Please comment
Please Review
X For your information

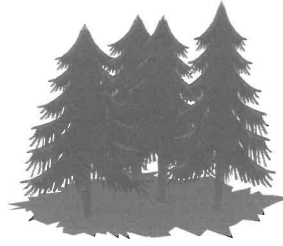
Total pages, including cover: 5

Comments:

Kyle,

Here ya go!!

Thanks - Steve



Todd Township
Hubbard County, State of Minnesota
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June 13, 2007

James B. Wallace
201 East First Street
Park Rapids, MN 56470

RE: Your letter of June 1, 2007 concerning Husby's Deed Restriction for
Parcels # 27.13.00400 & #27.60.02900

Dear Jim,

The Township Ordinance rewrite was adopted in March, 2007 and the above listed parcels are now both classified as Rural Residential Land Use. The recorded deed restriction prepared by Couri, MacArthur, & Ruppe PLLP meets the requirements of the Ordinance as to Section 8.02.3 governing non-conforming uses.

Addressing your request for a "buildable lot" letter; any owner, present or future, may apply for a land use permit to build a single family dwelling on the combined property. To the extent that said application conforms to the requirements of the new Township Ordinance and, in particular, continues to comply with Section **8.0 NON-CONFORMING USES**, a permit would be issued.

I hope this letter satisfies your concerns in this matter and the Husby's can move forward with their plans.

Respectfully,

Steve Smith

Cc: file, Couri, MacArthur & Ruppe PLLP, Town Clerk