

Park Land Committee Summary and Recommendations 7/14/22

Introduction:

The Park Land Committee was established to recommend options for the future status of four parcels of land, as well as the platted streets that exist in the original 1928 Rearrangement Eagle Nest Plat. The lakeshore parcels are Outlots 2, 5, and 7, and Lot 1, Block 1 and were to be dedicated "to the public ... for park and recreational purposes", often referred to as Park Land. We believe that the Park Land was set aside to provide public land near the multiple 50' X 100' small lots that would be sold for single family houses in what could have become a small townsite. Over the years, that townsite did not develop and instead, many small lots have been grouped together to form larger plats of land, housing more rural summer home or permanent home sites. At some time in the past, owners of the land adjacent to that set aside for such park and recreational purposes began to use the public space as their own property with docks and lifts, lawns, furniture, and out buildings, in place, despite them not owning the property.

According to information received, until 2012, at least some of these adjacent landowners may have paid property taxes as if they had lakeshore access. This was likely the result of the Township Assessor's error at the time, but that changed in 2012 when the St. Louis County Assessor's office took over as assessors and none have paid lakeshore property taxes since that time. The issue of these Park Lands has been before the Eagles Nest Town Board on many occasions but there has never been a comprehensive recommendation as to what to do for the future, leaving many disputes among landowners about who has what rights and other citizens who have paid taxes on their lakeshore property, feeling as if some of these residents have gotten "something for nothing". Eleanor Fuller's property is different since she has one parcel that is to the west of the Park Land that is fully taxed at lakeshore rates.

The committee was established in 2017 and has accomplished several tasks, including the first formal survey to establish property lines and to determine what encroachments may exist. More recently, beginning in 2020, the committee has met on a number of occasions and has made recommendations, the first of which was to recommend that Spruce Street be built from the Bear Head State Park Road to Eagles Nest Lake #1. That recommendation is nearly implemented for fire department water access, emergency egress, and access to the Park Land in the Rearrangement of 1928. The Committee has toured the land in question, has met with the adjacent and back lot landowners, and has reviewed information provided by the Township attorney, Minnesota Association of Township (MAT) attorneys, and attorneys representing the adjacent landowners. The Committee has been actively dealing with the potential heirs to the property still shown as owned by Asa Ryan adjacent to Outlot #7. They have retained counsel and are in the process of obtaining ownership and have asked how they can have additional time to deal with the building that is clearly within Outlot #7. As of this writing, the heirship issues have not yet been resolved and we await further information from their attorney.

