

# Community Overview



**SPIDER LAKE**  
*Preserve*

ON THE GULL LAKE CHAIN

 Spider Lake on Gull Lake Chain	 Outdoor Fireplace
 Outdoor Patio	 Pickleball Court
 Grill/Cookouts	 Cart to Boat or Out for Dinner
 Bike in the Beautiful Surroundings	 Boat Ramp on Gull Lake
 Dining: Zorbaz, Lost Lake Lodge	 Great Hiking & Walking

SPIDERLAKEPRESERVE.COM



**Spider Lake**



**David Mernin** | REALTOR  
**218-820-4668**

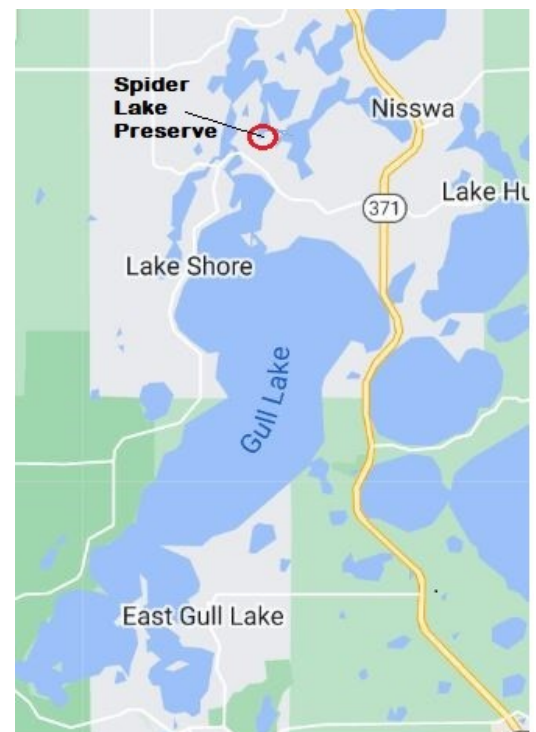
**Joe Enge** | REALTOR  
**218-839-3104**



## General Information

Spider Lake Preserve on The Gull Lake Chain of Lakes (“Spider Lake Preserve”) is a single-family residential lake shore development located in Lake Shore, Minnesota. The name and address of the developer of Spider Lake Preserve is TJS, LLC, a Minnesota limited liability corporation (the “Developer”), 207 N. Chestnut St., Chaska, MN 55418. Exclusive builder for the community is Thomas Allen Homes LLC, whom has current Brainerd Lakes Area building projects in The Meadows, Spruce Reserve and Pine Trails Nisswa. The address for Thomas Allen Homes, LLC, a MN limited liability corporation (the “Builder”) is 17821 Highway 371 N, Brainerd, MN 56401.

When fully developed, Spider Lake Preserve is planned to contain a total of nine (9) lake homes. Each of the lake homes within the community will be located within a separate platted



lot (each a "Unit"). A brief recap of community amenities, infrastructure and features are as follows:

- Gull Lake Chain of Lakes marina/dock & lift located SE Corner of Spider Lake
- Permanent dock system ready for 7 Lifts and 1 day mooring for guests (2 lake homes are w/o a licensed lift slip and offered long term dock lease across road at Lost Lake Lodge)
- Dock specifications as follows:
  - o 25' Extension from shore to main boardwalk
  - o Boardwalk area is 93' in length
  - o Each slip inside dimension (dock on side and front) is 12'x25'
  - o Titan Aluminum dock system w/maintenance free decking
- Crush Granite Golf Cart Path down to marina/dock area with parking near docks
- Outdoor lake side patio (20'x30' with fire pit just short of docks with own cart parking
- Pickle Ball Court located at SW corner of property, oversized 34x64 w/8' end fencing and 4' side fencing.
- Paved entrance and private roads to service each unit
- 21 acres in the community, with rolling slopes and amazing wildlife and views
- To minimize environmental impact, the 9 lake homes are located on the west 5 acre of property
- 7 lake homes on walk out lots, 2 on flatter 1 or 2 level lots
- City sewer
- Community based well and irrigation system
- HOA coordinated lawn and snow removal service
- Electric, natural gas and high-speed internet at each lot
- Popular lake home options such as 3<sup>rd</sup> stall garage, sunroom, deck and patio are planned with each build.

## **Gull Lake Highlights**

The Gull Chain of Lakes is located just minutes from Brainerd, Minnesota and is just over 2 hours from Minneapolis. This chain consists of 8 lakes, connecting channels, and covers over 13,000 acres. The Gull Lake Chain is one of the state's finest waters with many activities for all ages and interests. Boat, fish, swim, ski, board, sail, golf, dine, snowmobile...this 15 mile long lake is arguably, Minnesota's premier lake.



**Spring, Summer, Fall and Winter wonderland!**

- **Boatable Dining and Entertainment** – Many of us believe that driving a car to dinner or lunch should be made illegal! Here’s a little recap of some of the fun that await you via your Boat, Pontoon or PWC: Gull Chain of Lakes Establishments : Lost Lake Lodge (across the street), Zorbaz (down the street), Bar Harbor, Ernie’s on Gull, Grandview Lodge Restaurants, Dock 77, Mission Pointe, and more. Boat to downtown Niswaga to: Bix Ax Brewing, Main Street Ale House, Rafferty’s Pizza and more.
- **Minnesota’s #1 Golf Destination** is The Brainerd Lakes Area. The area has dozens of distinctive and recognized golf courses. Courses designed by Tom Lehman, Robert Trent Jones Jr., Arnold Palmer, Joel Goldstrand, and others are concentrated in our area. Here are just those courses which we directly attribute and associate with The Gull Lake Chain of Lakes. Area courses: The Pines (5 minutes), The Classic (20 minutes), The Legacy Courses (20 minutes), The Preserve (15 minutes), Gravel Pit Golf (20 minutes), and many more.
- **Hunting and Fishing** – Gull Lake Chain provides amazing opportunities for fishing in a beautiful and tranquil setting. Bait your lines for walleye, northern pike, trophy-sized bass, crappie and panfish. The area has an abundance of public and private hunting and shooting areas (grouse, duck, turkey, deer, you name it!)
- **Hike, Bike, Ski, Snowmobile** – Trails Are Everywhere! Many acres of natural woodland surround Gull Lake and our properties are close to many walking and biking trails:

- East Gull Lake, Fairview Township, Lake Shore and Nisswa have expanded its bike trails in recent years, Bike, Run, Walk, Snowmobile the new 49 -mile loop.
- The Paul Bunyan Trail is the longest MN Bike trail at 120-miles and it connects the Heartland Trail, the Blue Ox Trail and the Cuyuna State Trail, (Bike, Run, Walk, Snowmobile).
- Pillsbury State Park (connected to Gull Lake) is a heavily wooded and dotted with small lakes, fantastic for cross-country skiing, mountain biking, hunting and walking all while enjoying nature and wildlife
- Endless Snowmobile Trails throughout the area.
- Mount Ski Gull is the area's ski resort
- **Annual Lake Events** – You are never too old to par-take in a few of Gull Lake Annual events. Mark your calendars for Brainerd Jaycess Ice Fishing Extravaganza, Gull Lake Frozen Fore, Fishing Opener, Oktoberfest Pub Crawl, 4<sup>th</sup> of July Firework in at least 4 location over 3 nights, fishing tournaments, sailing events, parades and more.

### **Developer Performance Contract to Unsure Community Amenity Completion**

The City of Lake Shore and TJS Development LLC have entered into a performance contract which is secured with a Irrevocable Letter of Credit from First National Bank in Baxter, MN. This contract ensures the completion of infrastructure not yet installed or paid for by the Developer. All roads, erosion control, drainage plans, water supply, sewer facilities, sewer hookup to City of Lake Shore system, final lift of pavement once all units sold, etc. all fall within the terms and coverage of this contract. Please refer to Development Agreement for further details.

### **Highlighted Items from HOA Document Package Ensuring Your Enjoyment**

- 7 Lots w/Licensed Dock Slip included with in the build agreement (first come first serve)
  - Association maintained
  - Auto transferred upon future sale of property
  - Has own Rules and Regulation to assure private enjoyment
- 2 Lots w/available LT Boat Slip Rental Agreement (across road @ Lost Lake Lodge)
- Renting lake home for transient purpose not-allowed, leasing of home is allowed (lease typically refers to >=30 days)
- Assure quality of setting by not allowing the storage or parking outside of: Trailers, unlicensed vehicles, commercial vehicles, motor homes, etc. (motor homes and boats allowed for pack and unpack related purposes.)
- Domestic pets allowed in accordance with local regulations.
- No back yard fencing of properties boundaries, sections allowed as part of landscape plans.
- Permanent Conservation Agreement granted to City of Lakeshore to ensure preservation of open spaces.
- Lighting on lake homes to be Dark Sky Compliant w/ downcast lighting
- Landscape on each home to be completed within 6 months of occupancy

- Architectural Committee in place to ensure home exterior condition and character
- Common elements maintained
- Community lawn/snow services and irrigation system

### **Description of Homeowner Association and Services**

Spider Lake Preserve will be governed by The Spider Lake Preserve Homeowners Association (the “Association”), which has been formed as a Minnesota nonprofit corporation, whose members consist of all Unit owners. The primary legal document which will establish and govern the community is the Declaration of Covenants, Conditions, Restrictions and Easements of Spider Lake Preserve (the “Declaration”), which will be recorded against all property that is or becomes a part of the community. The Declaration contains a variety of covenants and restrictions which are designed to assure the proper maintenance of Spider Lake Preserve property and the efficient operation of the community. A copy of the filed Declaration and copies of the Bylaws and Articles of Incorporation of the Association are attached to this Project Summary as Exhibits A, B and C. Spider Lake Preserve is not subject to the Minnesota Common Interest Ownership Act, Minnesota Statutes 515B by reason of the exemption contained in Minnesota Statutes Section 515B.1-102(e)(2).

The following are some additional facts concerning the structure and operation of Spider Lake Preserve:

1. Each homeowner will automatically be a member of the Association when the homeowner acquires a Unit. Each Unit is allocated one vote in the affairs of the Association and an equal share of the expenses incurred by or on behalf of the Association incident to its operation, subject to certain exceptions as described in Section 6 of the Declaration.
2. The affairs of the Association are administered by a Board of Directors (the “Board”). The first Board will be appointed by the Developer and will serve until (i) voluntary surrender of control by the Developer, or (ii) the date when Developer no longer owns a Unit for sale. Thereafter, directors will be elected by the owners in accordance with the Bylaws. The officers of the Association will be elected annually by the Board.
3. The Association, acting through the Board, has the power to levy common expense assessments on the Units to fund the Association’s operating expenses. These assessments will be allocated equally among the Units subject to the Declaration, except as otherwise provided in Section 6 of the Declaration. The Board has authority to increase or decrease the assessments, at its discretion. The initial annual assessment for the Association has been established based upon the Association’s projected budget prepared for Developer. A copy of the budget is attached to this Project Summary as Exhibit D. Until the first assessment is levied, the Developer will pay all of the Association’s operating costs. No assessment has been levied at this time. The Board will

levy the first assessment once there are a sufficient number of homes within Spider Lake Preserve constructed and occupied, in the Board's judgment, to justify the levy and will provide the owners thirty (30) days' notice prior to levying the first assessment. Once levied, assessments are payable directly to the Association at intervals prescribed by the Board.

4. The Association shall operate and manage the property for the purposes of (i) administering and enforcing the covenants, restrictions, easements, charges and liens set forth in the Declaration; (ii) maintaining, repairing and replacing the common elements owned by the Association within Spider Lake Preserve community and any other property for which it is responsible; (iii) providing for routine lawn maintenance on the yard areas of the Units (excluding trees, shrubs and similar plantings), for the watering of lawns, and for snow removal on the driveways and walkways; and (iv) preserving the architectural character of Spider Lake Preserve property. Please refer to Section 9 of the Declaration for a more detailed description of the maintenance services to be performed by the Association. The homeowners will be responsible for the maintenance of their respective homes and Units.

### **Association Budget**

The projected annual budget for the Association for the first year of operation is attached to this Project Summary as Exhibit D. The budget contains line items attributable to each category of expense which it is anticipated that the Association will incur. The budget was prepared based upon estimates as to future expenses; however, it is difficult to anticipate future increases in certain budget items such operations, maintenance, insurance and utilities. Accordingly, there are no guarantees as to the future costs and possible budget increases. The Board is authorized to change the budget for future years, as needed to accommodate rising costs.

### **Architectural Guidelines**

The Declaration, at Section 8, contains provisions establishing architectural standards and procedures for the approval of improvements to the Units. These standard and procedures will be administered by the Board or a committee appointed by the Board. Following the initial construction of the homes, subsequent exterior changes to the homes or the Units will be subject to review and approval by the Board or a committee appointed by it as provided in the Declaration. Reference should be made to Section 8 of the Declaration for the procedures and requirements relating to these architectural guidelines. The architectural guideline may be changed from time to time. These changes may affect, among other matters, size and style of homes being built, features of and materials used in the construction of homes being built, home prices, project, street or amenity layout and any other items or uses which are currently planned for Spider Lake Preserve. No representations or warranties are made that Spider Lake Preserve will be built exactly as originally planned.

### **Insurance Coverage**

The Association will carry public liability insurance, in the minimum amount of \$1,000,000 per occurrence, covering death, bodily injury and property damage occurring on the common elements (if any) or arising out of the Association's activities. The Association will also carry property insurance covering risks of physical loss to insurable improvements (if any) located on the common elements (if any) and insurance against dishonest acts on the part of officers, directors, managers and other persons who are responsible for the handling of funds belonging to or administered by the Association. The Association may carry other insurance if required by the Declaration or by law, including directors' and officers' liability insurance. The amounts of insurance coverage and the deductible amounts are determined by the Board.

The Association's policies do not cover the homeowners' homes, the homeowners' personal property, wherever located including, without limitation, the dock slips, nor the homeowners' personal liability for accidents or damages occurring in their homes or elsewhere on their Units. Homeowners are strongly advised to consult a qualified insurance agent and obtain their own liability insurance coverage and property coverage on their dwellings and their Units. It is recommended that prospective purchasers review Section 10 of the Declaration, which details the insurance policies and coverages carried by the Association.

### **Construction Procedure**

The homes within Spider Lake Preserve must be constructed by Thomas Allen Homes LLC who is preapproved by the Developer. As a condition to approval by Developer, the builder is required to agree to comply with job site rules and to adhere to the architectural requirements of Spider Lake Preserve among other matters. All warranties and other construction obligations with respect to the homes and other Unit improvements are exclusively between the purchaser and the builder.

### **Construction Schedule**

The Developer is responsible for the overall development of Spider Lake Preserve, including obtaining of governmental approvals, and the construction of roadways, paths, utilities, other common infrastructure, and improvements. Spider Lake Preserve will continue to be developed as Units are sold and homes are completed. As a result, construction activities will continue to occur in the community during this development process. However, no representation, warranty or assurance is made regarding the timing of the development of homesites in and around Spider Lake Preserve community.

The schedule for commencement and completion of individual dwellings in Spider Lake Preserve is the responsibility of Thomas Allen Homes LLC (not the Developer), and will vary, depending upon the party responsible for the construction, market demand, weather conditions, availability of materials and the purchaser's construction agreement.

The Developer's development plan is to market the Units within Spider Lake Preserve in response to demand.

## **Location and Adjoining Land Use**

Spider Lake Preserve development is located in a developing area. Consequently, the types of activities which are likely to be conducted on adjoining property may be rural or commercial in nature, and will likely include future development, all of which will give rise to sights, sounds, dust and smells customarily associated with such activities. No representations or warranties concerning the current or future zoning or land use in the areas located in the vicinity of Spider Lake community. Furthermore, no representation, warranty or assurance is made regarding the current or future development of homesites in and around Spider Lake community.

## **Overview of involved parties**

Thomas Allen Homes, LLC (“TAH”) is a Brainerd Lakes Area home builder offering multiple home options for starting families, growing families, downsizers and Lake Homes. Homes range from 2-bed/2-bath one-level homes to 5-bed/3-bath multi-level homes.

TAH’s lake homes will attract a nice mix of families. This mix is expected to be first time Lake Home buyers, to Lake Home down sizers, to remote home based working professionals who are moving into our area. Their interest in building out this residential planned unit community is based on the potential quality of the setting and the interest in enjoying the Gull Lake Chain of Lakes. This community is not in competition with its other developments and will be a nice complement to the area. It is in TAH’s plans to add one or two more smaller communities to leverage their quality of staff and talent, which is why they are the exclusive builder for Spider Lake Preserve. TAH will be starting construction of a model home as soon as a building permit becomes available, preliminary community grading is completed, and roadways are established.

## **Who is Thomas Allen Homes?:**

**Builder:** In 1985 with a business degree from the University of MN in hand, Tom Dehn headed home to continue working the family farm. In 1988 he moved to Ft. Worth, TX to begin his building career. With a crew of skilled craftsman and a dream of building custom homes, Tom moved back home and started Mega Homes, Inc. in 1991. Mega Homes, Inc. built over 200 high end custom homes in the Northern Metro areas. The business’ success was based on quality, fulfillment of completion dates, and never missing a single closing date. In 2010, Tom sold his shares in Mega Homes Inc. to concentrate on Land Development and Power Lodge.

While operating Mega Homes, Tom quickly learned the value of developing his own land and controlling a neighborhoods success. In 2000, Tom began developing his own land and neighborhoods. He has since developed 1,000 single family lot in a variety of projects. Tom’s passion for the entire residential building process drew him to create Thomas Allen Homes, LLC.

Tom’s many accomplishments have been concentrated in three main areas...home building, land development, and power sports. He currently acts as owner of 3-Dehns, Inc. (development company), Sundance Development (development company), Thomas Allen Homes, LLC (home builder), and Power Lodge with stores in Brainerd, Onamia, Ramsey and



Naples. His current development and building projects include: The Meadows, Spruce Reserve and Pine Trails Nisswa in the Brainerd Lakes Area; Brentwood Hills in the St. Cloud/Rockville Area; and Sundance Woods, Sundance Greens, Edgewater, and 3 more coming soon in the Northwest metro area.

Thomas Allen Homes' goal is to provide new home options for a wide range of single-family homes for starting, growing and downsizing family needs. With current construction costs and a limited supply of Brainerd Lakes single family homes, Tom's experience and knowledge is a necessity in providing these new home options. Tom resides in both Brainerd and Andover, with his wife Denise and their 5 children.

**Sales:** David Mernin, Realtor with Edina Realty manages the sales operations and works with homeowners from the time of their initial interest through to their date of occupancy. Sales coordination includes helping with the process of what to build; how to finance; home pricing; available options; and actual home selections. Throughout the build process, the primary relationship and communication is maintained through the sales staff. Utilizing the sales team start to finish frees up Thomas Allen Homes to do what it does best, build homes efficiently.

David has been involved in Real Estate directly and indirectly for more than 32 years. After a long period of enjoying part time cabin life in the lakes area, he made the area his full-time home 13 years ago. In the past 8 years, he has focused on regenerating new construction housing opportunities which had all but ceased in the greater Brainerd Lakes Area outside of custom building. David resides in East Gull Lake with his wife Patti and is usually anxious for the next weekend visit from his 2 children and granddaughter.

Sales efforts and functions are complemented and enhanced by the assistance of Joe Enge whom is also a real estate agent, also with Edina Realty. Joe has strong local connections as a member of the community and serves as a captain on the Brainerd Fire Department. Joe brings amazing work ethic to our team and is married with 2 children. Supporting David and Joe is an administrative team which assists with various sales support and real estate transaction tasks.

**Operations:** Cory Hendricks, Lead Project Manager is involved with Business Development and Operations at Thomas Allen Homes. Cory has been in the residential construction industry for 31 years. His experience started in the field as a construction laborer and has progressed from a carpenter, foreman/ superintendent to his current position as project Manager. He has worked with companies such as Norson, Vercon, KC Builders, as well as owning his own residential construction business. His dedication to exceptional service, quality and performance has earned him respect and trust by his clients and colleagues. In addition, Cory treats all co-workers, employees, subs and vendors with dignity and respect. Cory was born and raised in the Brainerd Lakes area and loves spending time with family, is an avid fisherman, hunter and enjoys anything outdoors.

TAH is fortunate to have these 3 individuals at its core which adds to the experience and professionalism in our day to day operations.

### **TO LEARN MORE...**

Call or Email David Mernin @ 218-820-4668 [dave@lakesareahoms.mn](mailto:dave@lakesareahoms.mn) -or- Check out our WEBSITE for community information, home plans and to see out team: [www.Thomas-Allen-Homes.com](http://www.Thomas-Allen-Homes.com)

### **Detailed exhibits available upon request**

The following Exhibits are included to complement this Project Summary:

- A Declaration of Covenants, Conditions, Restrictions and Easements - Spider Lake Preserve
- B Spider Lake Preserve Homeowners' Association, Inc - Bylaws
- C Articles of Incorporation of the Association
- D Spider Ridge Annual Homeowners' Association Projected Budget

### **Other Details available upon request**

1. Boat Slip License Agreement (7 lots, coming soon)
2. Boat Slip Rental Agreement (2 lots)
3. Developer's Agreement w/City of Lake Shore
4. Permanent Conservation Agreement
5. Wetland Delineation Report
6. Irrevocable Letter of Credit
7. Proposed Drainage Spider Lake Preserve
8. Various site plans (general, grading, utility, SWPPP, drainage, docks, well)