

OCT - 8 2010

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE
AND INTERIOR DESIGN

In the Matter of Ronald Alwin
PROFESSIONAL LAND SURVEYOR
License Number 17765

STIPULATION AND ORDER
Board File No. 2010-0032
and
Board File No. 2010-0042

TO: Mr. Ronald Alwin
11450 National Court North East
Minneapolis, Minnesota 55449-7000

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2010) and Minnesota Statutes section 326.111 (2010) to review complaints against architects, professional engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Ronald Alwin ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

STIPULATION

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. The Respondent has held a license to practice land surveying

from the Board since May 19, 1986. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:

a. Respondent was first licensed to practice land surveying in the State of Minnesota on May 19, 1986.

b. On June 30, 2008, Respondent's license to practice land surveying in the State of Minnesota expired.

c. On December 29, 2009, Respondent's Minnesota land surveyor license was reinstated.

d. As of the date of this Stipulation, Respondent's Minnesota land surveyor license status is current with an expiration date of June 30, 2012.

e. On December 23, 2009, Respondent self reported to Board Investigator, Lynette DuFresne, that he found out on December 18, 2009 that his land surveyor license had lapsed. Respondent stated that he not knowingly held himself out and practiced as a land surveyor during the time that his license lapsed.

f. Respondent submitted his Application for License/Certificate Reinstatement through June 30, 2010, on December 23, 2009. In the Affidavit for Reinstatement attached to the Application for License/Certificate Reinstatement through June 30, 2010, Respondent modified the language in the affidavit. Respondent stated: "4. I have not knowingly represented myself as an architect, professional engineer, land surveyor, landscape architect, professional geologist,

professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the State of Minnesota, nor will I do so until such time as my license or certificate has been reinstated by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design: and 5. I have not knowingly performed or offered to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior designer services, without proper licensure or certification in the State of Minnesota, nor will I do so until such time as my license or certificate has been issued by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design." A true and correct copy of the Respondent's Application for License/Certificate Reinstatement through June 30, 2010, with the Affidavit for Reinstatement is attached as Exhibit A.

g. In a letter dated January 21, 2010, Respondent states: "1.) I did prepare the plat of "HEADWATER VILLAGE SECOND ADDITION" and signed the plat on June 9th, 2009. (reduction enclosed)." "8.) In regard to other plats or surveys I have prepares several plats that have been recorded during this period.

a.) The plat of 'LYNDES CAFÉ SUBDIVISION" was prepared by my and recorded in Hennepin County on June 24th, 2009. (reduction enclosed)

b. The plat of "HUOT ADDITION" was prepared by me and

recorded in Anoka County on June 24th, 2009. (reduction enclosed)

c. I may have done other surveys during this period but I can not recall them. I have no record of these surveys as my company records have them. I have no record of these surveys as my company records have been sold to M&P which I am no longer an employee of. I do believe that the previous mentioned plats are all that I worked on during this period...[sic]..." A true and correct copy of the January 21, 2010 letter and the drawings is attached as Exhibit B.

h. In a letter dated February 17th, 2010, Respondent states: "2. Projects that I worked on during this period:

A.) I did prepare the plat of "HEADWATERS VILLAGE SECOND ADDITION" and signed the plat on June 9th, 2009. (Reduction enclosed)."

"H.) In regards to other plats or surveys, I have prepared several other plats that have been recorded during this period.

a. The plat of 'LYNDES CAFÉ SUBDIVISION" was prepared by me and recorded in Hennepin County on June 24th, 2009. (reduction enclosed)

b. The plat of "HUOT ADDITION" was prepared by me and recorded in Anoka County on June 24th, 2009. (reduction enclosed)

c. I may have done other surveys during this period but I can not recall them. I have no record of these surveys as my company records have been sold to M&P which I am no longer an employee of. I do believe that the

previous mentioned plats are all that I worked on during this period.

d. At NFront Technologies, during this period, we were setting up the company and only 2 projects have been worked on. The first project is an ALTA Survey for Fenway Investments which has not been completed as yet. The second project was a lot survey for Bossard Construction which was completed. Copies of these 2 surveys are enclosed." A true and correct copy of the February 17, 2010 letter and the drawings is attached as Exhibit C.

I. Respondent prepared, certified and signed the drawings for the Headwaters Village Second Addition on June 9, 2009. A partial copy of the drawing showing the Respondent's certification on that date is attached hereto as Exhibit. D. A true and correct set of drawings is located in the Board office.

J. On July 15, 2010, the Board received a Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines, that Respondent had filed with the U.S. Bankruptcy Court on July 8, 2010, indicating that that the Respondent is a Debtor in a Chapter 7 bankruptcy proceeding.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.02, subdivisions 1 and 4 (2010) and Minnesota Statutes section 326.03, subdivision (1) (2010) and are sufficient grounds for the action specified below.

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

a. Reprimand. Respondent is reprimanded for the foregoing conduct.

b. Civil Penalty. Respondent shall pay to the Board a civil penalty of Five Thousand Dollars (\$5,000.00) to the Board, of which Four Thousand Dollars (\$4,000.00) will be stayed on the condition that Respondent does not violate any Statutes or Rules within the Board's jurisdiction for two (2) years beginning on the date that the Board Chair signs the attached Order. Respondent shall pay a civil penalty of One Thousand Dollars (\$1,000.00) to the Board within sixty days (60) days of the Board's approval of this Stipulation and Order.

5. Additional Discipline for Violations of Order. If Respondent violates this Stipulation and Order, Minnesota Statutes Chapter 326 (2010), or Minnesota Rules Chapter 1800 (2009) or Minnesota Rules Chapter 1805 (2009), the Board may impose additional discipline pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least thirty days prior to the hearing, the Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Within fourteen days after the notice is mailed, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Complaint Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of

adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice or suspension or revocation of Respondent's license.

6. Waiver of Respondent's Rights. For the purpose of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, to dispute the appropriateness of discipline in a contested case proceeding pursuant to Minnesota Statutes Chapter 14 (2010), and to dispute the civil penalty imposed by this Agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of certiorari, or otherwise.

7. Collection. In accordance with Minnesota Statutes section 16D.17 (2010), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(b) above, Respondent agrees that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional proceedings.

8. Board Rejection of Stipulation and Order. In the event the Board in its

discretion does not approve this Stipulation and Order or a lesser remedy than specified herein, this Stipulation and Order shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minnesota Statutes Chapter 14 (2010), Respondent agrees not to object to the Board's initiation of the proceedings and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation and the record.

9. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and Order and which is not directly related to the specific facts and circumstances set forth herein.

10. Record. The Stipulation, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.


11. Data Classification. Under the Minnesota Government Data Practices Act, this Stipulation and Order is classified as public data upon its issuance by the Board, Minnesota Statutes section 13.41, subdivision 5 (2010). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 (2010). They shall not, to

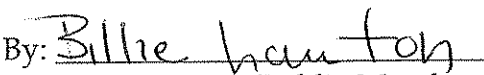
the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank pertaining to the practice of land surveying.

12. Entire Agreement. Respondent has read, understood, and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The Order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

Ronald Alwin

COMPLAINT COMMITTEE
By: 
Billie Lawton, Public Member,
Committee Chair

Dated: Oct. 5th, 2010

Dated: 10-27, 2010

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein, all terms of the Stipulation are approved and hereby issued as an Order of this Board on this the 22nd day of October, 2010.

MINNESOTA BOARD OF
ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND
INTERIOR DESIGN

By: *Kristine A. Kubes*
Kristine A. Kubes, J. D.
Board Chair

DEC 23 2009

PROCESSED
12.31.09

Application for License/Certificate Reinstatement through 6/30/2010

The licensee or certificate holder is responsible for completing ALL sections of this form. If any information is missing or the form is not signed, the application will be considered incomplete and be returned.

Please be advised, reinstating your license does not preclude the possibility that the Board may initiate an investigation of you for possible violations of Minnesota Statute §§ 326.02-326.15, or Minnesota Rule Chapters 1800 and 1805. Please read the enclosed Tennessee Warning.

Personal Information

Name: Ronald P. Alwin
Profession: Land Surveying
License/Certificate #: 17765
Mailing Address: Home Business
Is this a new address? Yes No

Company Name: N Front Technologies
Address 1: 2483 15th Street NW
Address 2: Suite B
City, State, Zip: New Brighton, Mn. 55112
Country: USA
Contact Phone #: 651-493-6819

Continuing Education

Requirement: 24 Professional Development Hours earned on or after July 1, 2006, unless you are exempt. Continuing education requirements can be found at www.aelslagid.state.mn.us/conted.html.

- I am exempt from reporting continuing education for this renewal (select reason below):
 - My MN license/certificate was issued on or after July 1, 2006. (Automatic exemption)
 - I requested an exemption from the Board and it was granted. (Attach Board approval)
- * Exemption requests must be pre-approved. Renewal will not be processed prior to approval.
- * Continuing education cannot be carried over from an exempt period.

State of Minnesota
Board of AELSLAGID

DEC 29 2009

Rec'd 192.00

I am not exempt from the continuing education requirement.
Do not call the Board office to request your carry-over hours!

Total PDH earned 7/1/2006 - 6/30/2008:
Carryover from previous renewal:

Total PDH submitted: 24 RA.

Make checks payable to: MN Board of AELSLAGID
US Funds Only
Your canceled check is your receipt.

Fees and Affidavit

If postmarked on/before 7/1/09: **\$180**
If postmarked on/after 7/1/09: **\$192***

* This licensure fee notice contains an electronic licensing surcharge. The Minnesota Office of Enterprise Technology (OET) recently sponsored and the Minnesota Legislature passed legislation requiring a 10% surcharge of no less than \$5 and no more than \$150 on each business, commercial, professional or occupational license. The funding from this surcharge will go to OET, which will establish an electronic licensing system for the state. The surcharge will be in place through June 30, 2015. See Laws of Minnesota 2009, Chapter 101, Article 2, Section 59.

Since your last renewal, have you had a license disciplined, denied, surrendered, suspended or revoked?
(If yes, provide a statement of explanation.) Yes No

I swear or affirm that I have read the foregoing renewal application and that the statements are true and complete.

Ronald P. Alwin
Signature

12/14/09
Date

The data you furnish on this form will be used by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design to assess your qualifications for renewal of your license and/or certificate. You are not legally required to provide this data; however if you fail to do so, the Board may be unable to renew your license. Information contained on this application is public pursuant to Minnesota Statutes §13.41, Subd. 4.

ralwin@live.com

EXHIBIT A

AFFIDAVIT FOR REINSTATEMENT

State of Minnesota)

County of Anoka)

I, Ronald P. Alwin being duly sworn, do hereby depose and swear that:

1. I have read and will comply with the provisions of Minnesota Statutes §§ 326.02 – 326.15 (2006) and the Rules and Regulations adopted thereunder;
2. I am not now under any disciplinary proceeding or action, pending or otherwise, in any other jurisdiction;
3. I have never been convicted of a felony;
4. I have ^{knowingly} not represented myself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the State of Minnesota, nor will I do so until such time as my license or certificate has been reinstated by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design; and
5. I have ^{knowingly} not performed or offered to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior designer services, without proper licensure or certification in the State of Minnesota, nor will I do so until such time as my license or certificate has been issued by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design.

[Handwritten Signature]

Signature of Applicant

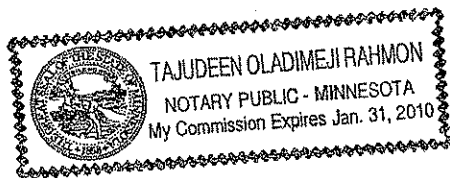
SUBSCRIBED and sworn to before me this 23rd day of December, 2009.

[Handwritten Signature]

Notary Public

My Commission Expires:

Jan 31st 2010



January 21, 2010

The Minnesota Board of Architecture Engineering, Land Surveying, Landscape
Architecture, Geoscience & Interior Design
85 East 7th Place
Suite 160
St. Paul, Mn. 55101

RECEIVED
JAN 27 2010

Attention: Lynette DuFresne

RE: Ronald Alwin, File No. 2010-0032

Dear Ms. DuFresne,

I am in receipt of your letter dated January 12th, 2010 in regards to my expired license. I first want to give my complete apology for this situation. Later in this letter I will give my explanation as to what occurred in this time period which caused this issue. I will now respond to your question as stated in this letter in the order which is given.

- 1.) I did prepare the plat of "HEADWATERS VILLAGE SECOND ADDITION" and signed the plat on June 9th, 2009. (reduction enclosed)
- 2.) The CIC 346 Bossard Condominium project was not recorded and the client decided not to go forward with the project.
- 3.) I did not personally send the CIC 346 Bossard Condominium plat to the county. The plat was actually sent by Alan Irwin with M&P Engineering & Land Surveying Associates, hereinafter referred to as M&P.
- 4.) I did work on the proposed plat of Arcola Bluffs. As of this date the plat has not been recorded. This plat was prepared at M&P and I have not worked at M&P since June 2009. In my correspondence with M&P I have found out that they now have a part time surveyor working with them and they have put her in charge of this plat and removed my name from the plat and added hers. The original boundary survey, for which the plat was prepared, was created by Art Oslon a licensed Minnesota land surveyor. (reduction enclosed)
- 5.) The proposed plat of Arcola Bluffs was sent to the county for review, again, by Alan Irwin.

EXHIBIT 8

- 6.) The proposed plat of Positive has not been recorded. This plat was prepared at M&P at the time that I was leaving the company. I was initially involved with the plat but was not at M&P through the entire review process. It is my understanding that the surveyor that M&P has hired part time is finishing this plat. (reduction enclosed)
- 7.) In my research I found that the proposed plat of Positive was submitted to the county for review, again by Alan Irwin.
- 8.) In regards to other plats or surveys I have prepares several plats that have been recorded during this period.
 - a.) The plat of "LYNDES CAFÉ SUBDIVISION" was prepared by my and recorded in Hennepin County on June 24th, 2009. (reduction enclosed)
 - b.) The plat of "HUOT ADDITION" was prepared by me and recorded in Anoka County on June 24th, 2009. (reduction enclosed)
 - c.) I may have done other surveys during this period but I can not recall them. I have no record of these surveys as my company records have been sold to M&P which I am no longer an employee of. I do believe that the previous mentioned plats are all that I worked on during this period.

Now I would like to go into some detail why this issue occurred.

I started a company called "Metro Land Surveying & Engineering Company, Inc., hereinafter known as "Inc." a land surveying and civil engineering firm, in 1997. This was a very successful company for the first 10 years growing to around 55 employees in 4 offices. I also started another company called "Metro Land Surveying & Engineering Company, LLC, hereinafter known as "LLC". I had purchased an office building in Pine City which was acquired by the LLC and I also built an office/warehouse building in Lino Lakes which was also acquired by the LLC. I was 100% owner of both companies. In September 2008 I was forced to close the doors of the Inc. At that time I had just completed a sale of my Pine City operation to 2 of my former employees.

From the first part of 2008 I knew my companies were in trouble. Most of the Inc.'s work was in the private sector and mostly in the housing development arena. This was a period of time when the housing market was collapsing. I had 3 major clients whom owed the Inc. substantial amounts of money and were unable to pay their bills to the Inc. These 3 accounts accounted for approximately 3 million dollars. The banks simply were not loaning money for housing developments thus

my clients were unable to go forward with their projects. At that time the Inc. owed several banks a large amount of money on lines of credit and equipment loans. These commitments were secured by my receivables which were in major jeopardy. The banks worked with me for several months with the hopes that the economy would change and the banks would begin to loan money to developers again. Unfortunately, the economic conditions changed for the worst and it was inevitable that I would have to close the doors.

During this time my in house accountant person decided to leave the company. I had to turn over my accounting department to her assistant who was far short of the experience which was needed for this position. I simply had no other choices at the time. She was not a person who asked a lot of questions and I was spending every waking hour working with the banks, SBA, my clients and other issues trying to bring closure to both companies.

One of the duties of my accountant person was to go through the mail and send to me what I needed to see. I do remember receiving notice of my license renewal and instructing her that we needed to pay this bill. During this hectic period I simply missed following up that the check was mailed in. The first time that I knew that my licensed had expired is when I received a courtesy call from Bill Brown around Christmas 2009. I instantly called the state board to see if this was in fact true. This was confirmed and I delivered my check to the board immediately.

In addition to my company issues I had family issues at the same time which I choose not to expand on.

Through this period I lost my business, my buildings, my retirement plans and currently am close to losing my home. Financially I have been destroyed not even addressing how this effected my mentally.

Since the closing of my business I have been instrumental in setting up 2 other businesses, M&P and my current employer NFront Technologies. I have not received a regular pay check since March 2009 and am unable to draw unemployment due to owning my own business. I had a small amount left in my 401K from my company which I recently cashed in to bring my bills current including my house payments.

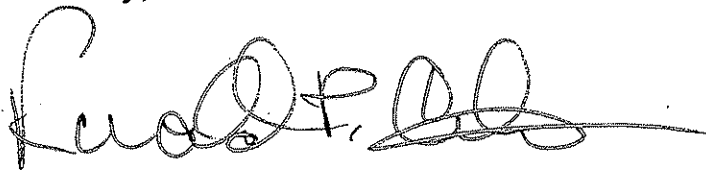
In conclusion, I agree that my license had expired due to not making my renewal payment of \$120. This was an absolute oversight on my part. I have all my pdh's for that period and can provide them if necessary. I have been licensed in Minnesota since 1986 (23 years) and, to my knowledge, have never been reported to the board prior to this issue. I feel that I am a very good surveyor and do

excellent work. This entire investigation, in my eyes, comes down to a \$120 fee which was not paid. I completely acknowledge that this payment was not paid on time but as soon as it was brought to my attention I made the payment. I am with great hopes that the Board will make a favorable conclusion to this issue.

Although these have been very difficult times for me, I have always enjoyed the field of land surveying. It has always been a big part of my life and will continue to be.

If you should need any additional information or if it would be necessary for me to come in and further explain my position please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald P. Alwin', with a long horizontal flourish extending to the right.

Ronald P. Alwin
Minnesota licensed land surveyor no. 17765

Enc.

HEADWATERS VILLAGE SECOND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS, that Emory Investment, Inc., a Minnesota corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20____, by _____, its duly authorized officer, to the City of Forest Lake, County of Washington, State of Minnesota, to wit:

DAVID B. HEADWATERS, Mayor, Washington County, Minnesota.

has caused the same to be surveyed and platted as HEADWATERS VILLAGE SECOND ADDITION.

In witness whereof said Emory Investment, Inc., a Minnesota corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20____, by _____, its duly authorized officer, to the City of Forest Lake, County of Washington, State of Minnesota, to wit:

DAVID B. HEADWATERS, Mayor, Washington County, Minnesota.

has caused the same to be surveyed and platted as HEADWATERS VILLAGE SECOND ADDITION.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Auditor, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Recorder, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Assessor, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Engineer, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Surveyor, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Treasurer, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Commissioner, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

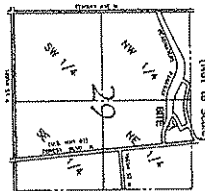
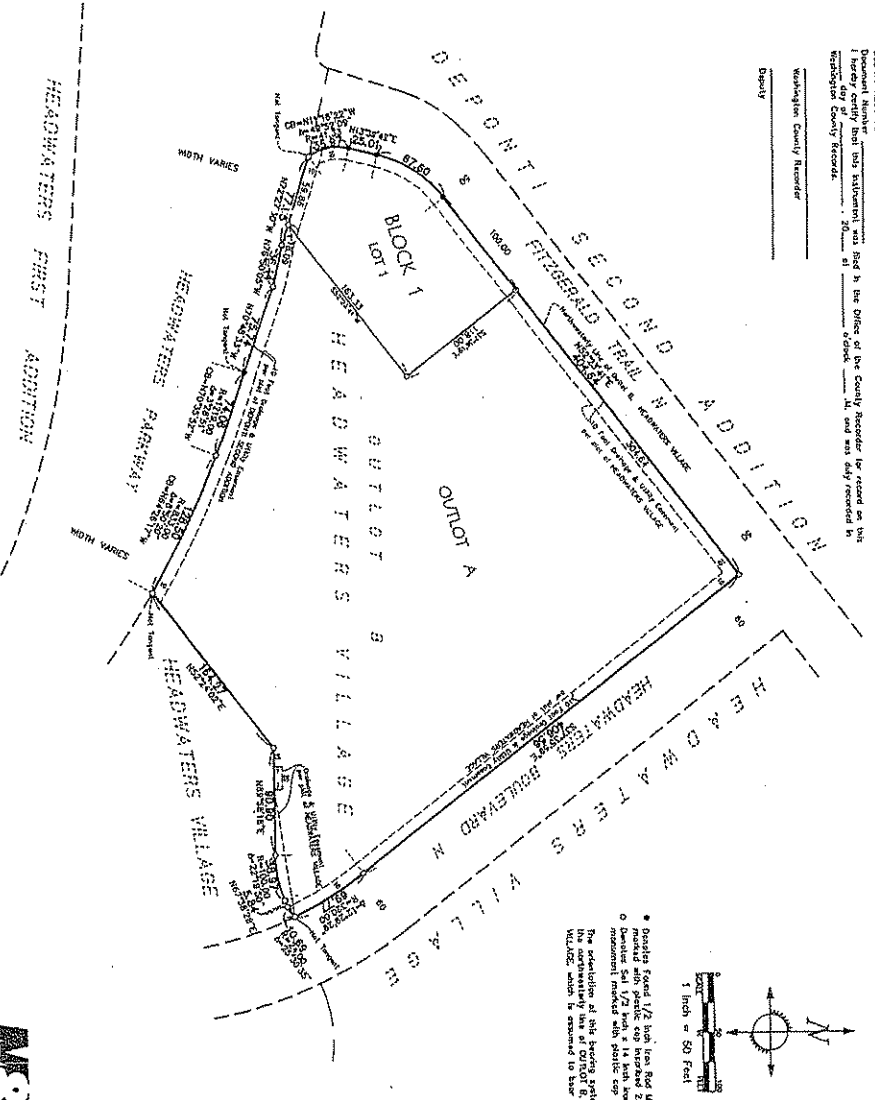
STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

STATE OF MINNESOTA
 COUNTY OF WASHINGTON
 I, _____, County Assessor, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

COUNTY RECORDER
 Document Number _____
 I, _____, County Recorder, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

COUNTY AUDITOR/TREASURER
 I, _____, County Auditor/Treasurer, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.

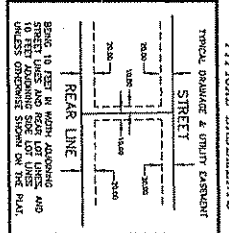
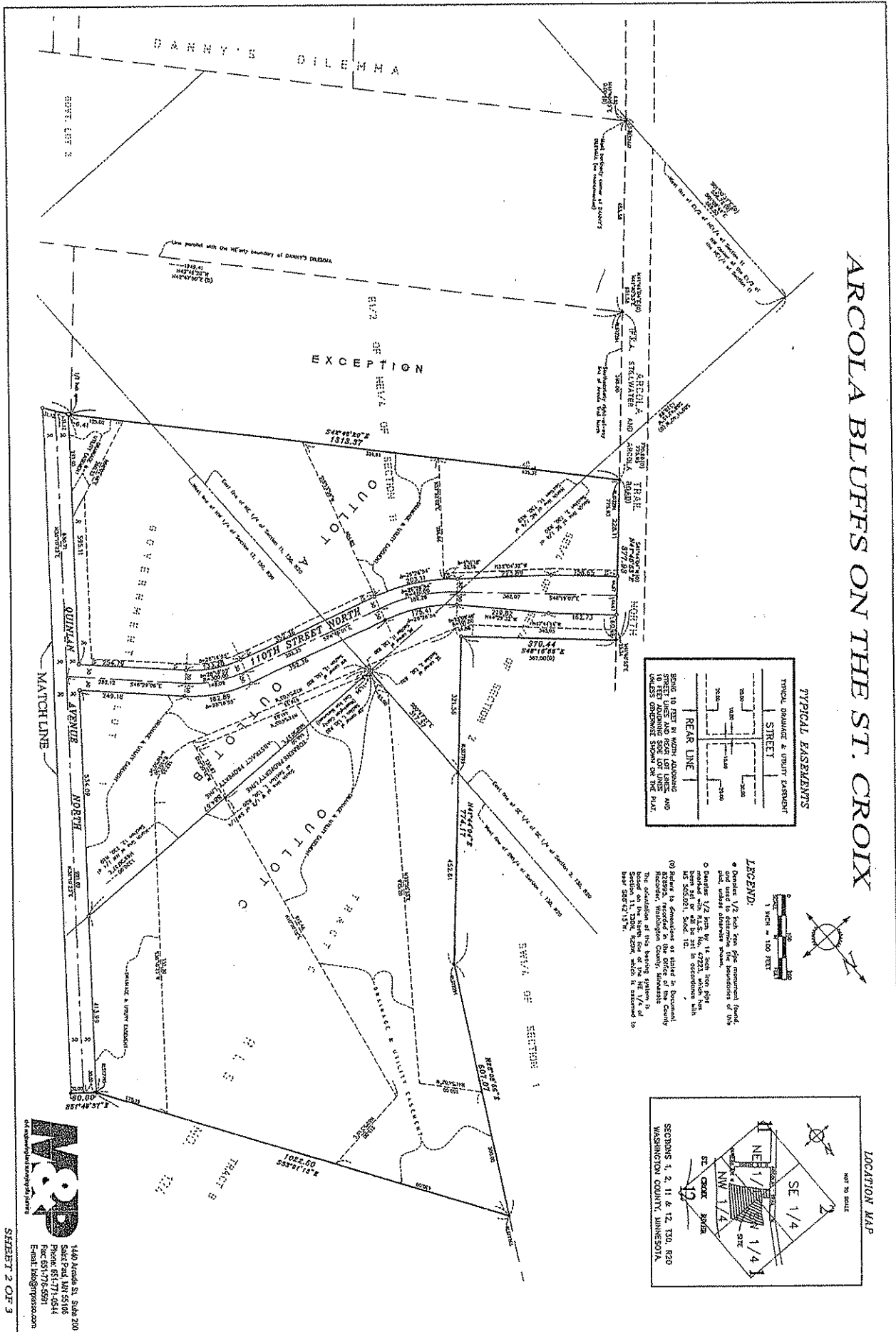
COUNTY ENGINEER
 I, _____, County Engineer, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file in my office.



• Points Fixed 1/2 inch Iron Rod Monument
 • marked with plastic cap hereafter 20021
 • marked with 1/2 inch x 1 1/2 inch iron pipe
 • monument marking with plastic cap hereafter 1715
 The location of this survey system is based on
 NAD83 which is assumed to have a 227341° E
 magnetic declination.

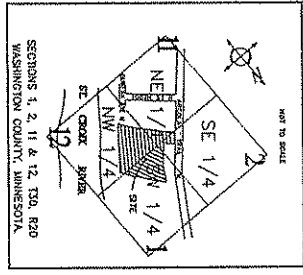
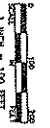


ARCOLA BLUFFS ON THE ST. CROIX



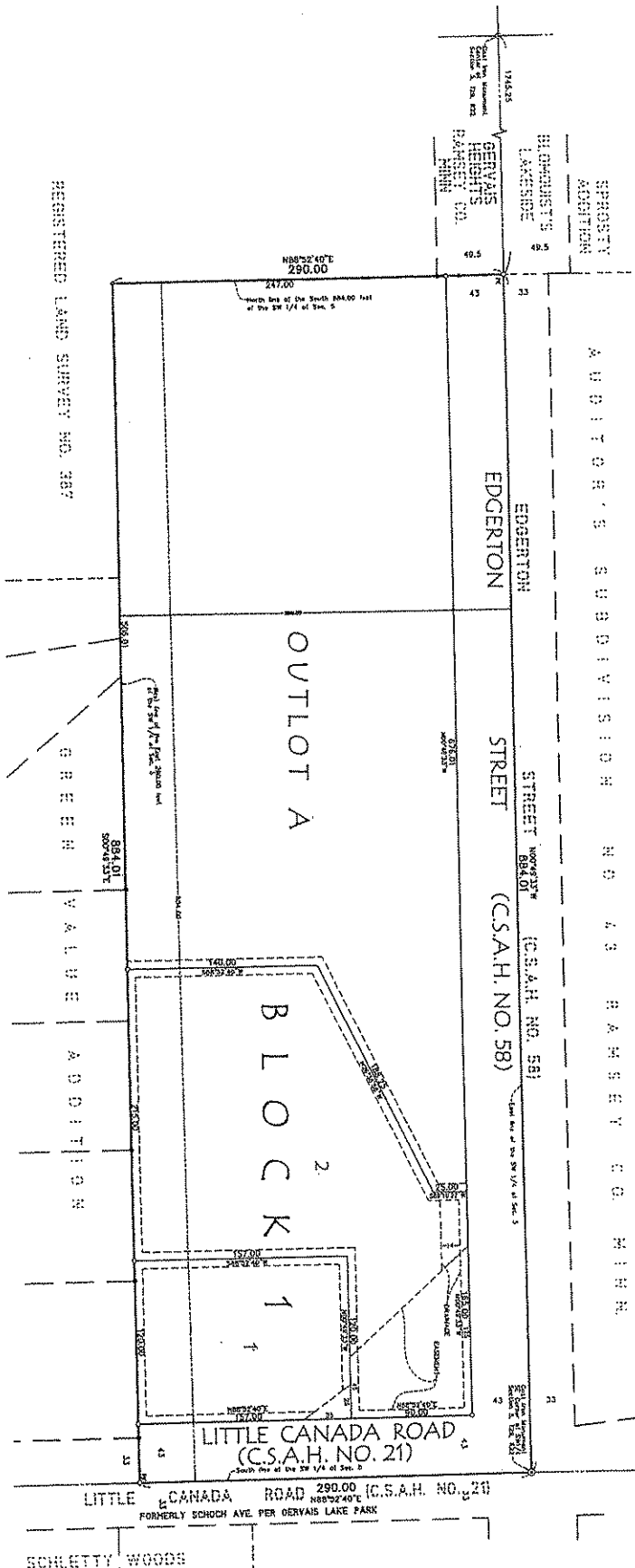
LEGEND:

- Double 1/2 inch iron pipe monument found and used to determine the boundaries of this plat, unless otherwise shown.
- Double 1/2 inch W. 1/4 inch iron pipe monument found and used to determine the boundaries of this plat, unless otherwise shown.
- Refer to monuments as stated in Document Record, Washington County, Minnesota, based on the true line of the NE 1/4 of Sec. 12, T. 112 N., R. 20E., which is shown to bear S82°15'15" W.

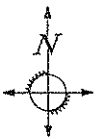
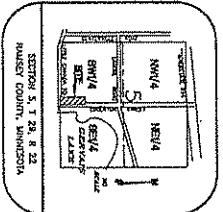


W&P
1400 Grand St. Suite 200
Saint Paul, MN 55105
Phone: 651-771-6544
Fax: 651-778-5591
Email: info@wpsurvey.com

HUOT ADDITION



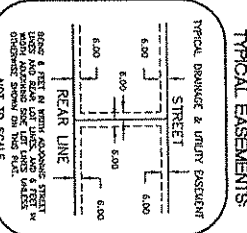
REGISTERED LAND SURVEY NO. 387

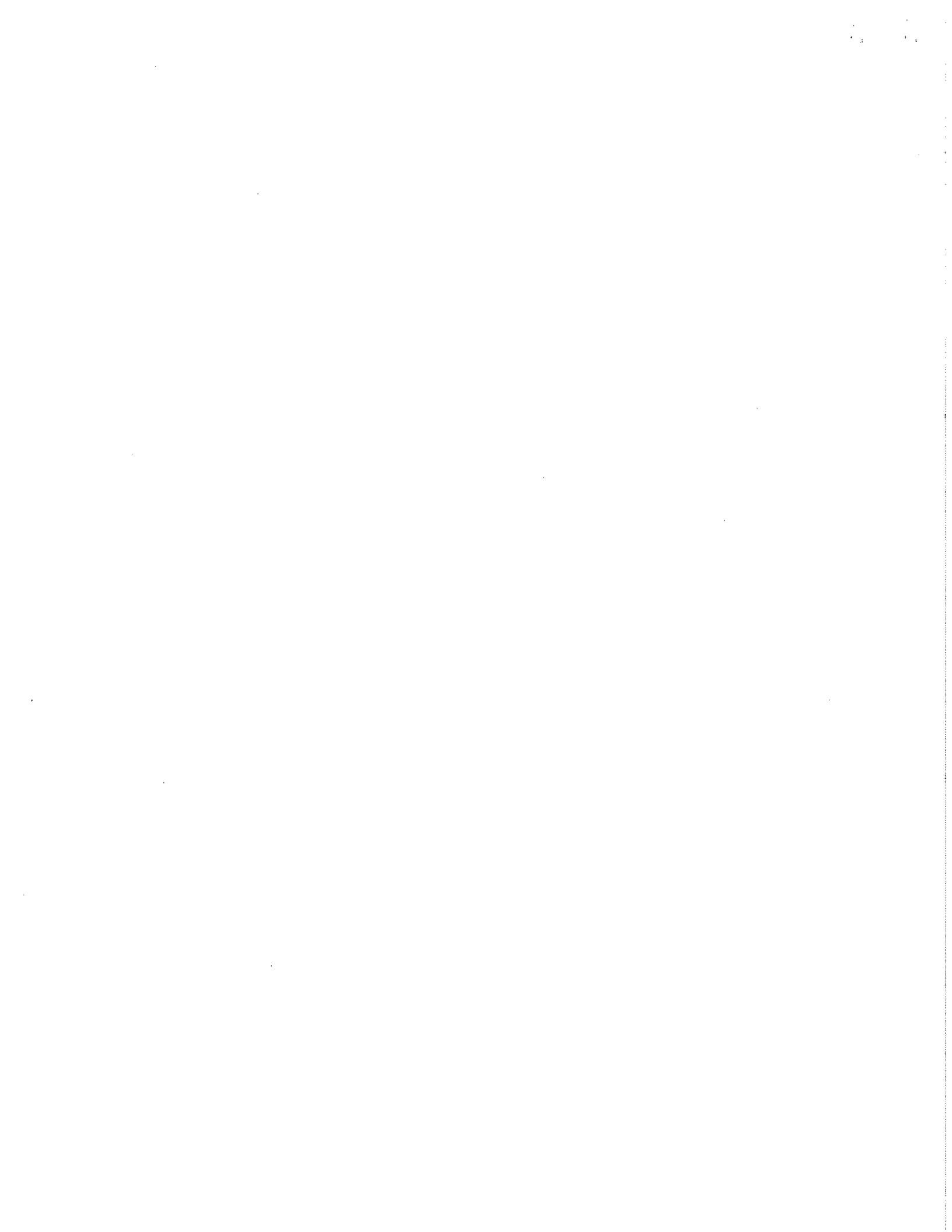


LEGEND

- ⊙ Boundary based on survey conducted from 1900-1905
- ⊙ Boundary based on 1/2 inch scale plan
- ⊙ Boundary 1/2 inch scale plan, 1/4 inch, 1/8 inch, 1/16 inch
- ⊙ Boundary based on field notes and not marked by corners
- ⊙ Boundary marked

All registered boundary measurements on this plan were measured and found correct. Accurate and reliable field notes were used in the preparation of this plan. The accuracy of this survey is based upon the accuracy of the field notes and the accuracy of the measurements made in accordance with the Minnesota Statutes.





FEB 22 2010

February 17th, 2010

The Minnesota Board of Architecture Engineering, Land Surveying, Landscape
Architecture, Geoscience & Interior Design
85 East 7th Place
Suite 160
St. Paul, Mn. 55101

Attention: Lynette DuFresne

RE: Ronald Alwin, File No. 2010-0042

Dear Ms. DuFresne,

I am in receipt of your letter dated February 1st, 2010 in regards to my expired license. I first want to give my complete apology for this situation. Later in this letter I will give my explanation as to what occurred in this time period which caused this issue. I will now respond to your questions as stated in this letter in the order which is given.

1.) During this period I worked at Metro Land Surveying & Engineering, M&P Engineering and Land Surveying Associates and NFront Technologies. I am enclosing my business cards for Metro and NFront but my business cards for M&P have been discarded by me and by M&P. I no longer have letterhead for Metro or M&P. I am enclosing the letterhead for NFront.

2.) Projects that I worked on during this period:

- A.) I did prepare the plat of "HEADWATERS VILLAGE SECOND ADDITION" and signed the plat on June 9th, 2009. (Reduction enclosed)
- B.) The CIC 346 Bossard Condominium project was not recorded and the client decided not to go forward with the project.
- C.) I did not personally send the CIC 346 Bossard Condominium plat to the county. The plat was actually sent by Alan Irwin with M&P Engineering & Land Surveying Associates, hereinafter referred to as M&P.
- D.) I did work on the proposed plat of Arcola Bluffs. As of this date the plat has not been recorded. This plat was prepared at M&P and I have not worked at M&P since June 2009. In my correspondence with M&P I have found out that they now have a part time surveyor working with them and they have put her in charge of this project. She removed my name from the plat and added hers. The original boundary survey, for which the plat was prepared,

EXHIBIT C

was created by Art Oslon a licensed Minnesota land surveyor. (reduction enclosed)

E.)The proposed plat of Arcola Bluffs was sent to the county for review, again, by Alan Irwin.

F.)The proposed plat of Positive has not been recorded. This plat was prepared at M&P at the time that I was leaving the company. I was initially involved with the plat but was not at M&P through the entire review process. It is my understanding that the surveyor that M&P has hired part time is finishing this plat. (Reduction enclosed)

G.)In my research I found that the proposed plat of Positive was submitted to the county for review, again by Alan Irwin.

H.)In regards to other plats or surveys, I have prepared several other plats that have been recorded during this period.

a. The plat of "LYNDES CAFÉ SUBDIVISION" was prepared by me and recorded in Hennepin County on June 24th, 2009. (reduction enclosed)

b. The plat of "HUOT ADDITION" was prepared by me and recorded in Anoka County on June 24th, 2009. (reduction enclosed)

c. I may have done other surveys during this period but I can not recall them. I have no record of these surveys as my company records have been sold to M&P which I am no longer an employee of. I do believe that the previous mentioned plats are all that I worked on during this period.

d. At NFront Technologies, during this period, we were setting up the company and only 2 projects have been worked on. The first project is an ALTA Survey for Fenway Investments which has not been completed as yet. The second project was a lot survey for Bossard Construction which was completed. Copies of these 2 surveys are enclosed.

e. I do not have the invoice information for these projects.

3.) I have not published any professional articles during this period.

Now I would like to go into some detail why this issue occurred.

I started a company called "Metro Land Surveying & Engineering Company, Inc., hereinafter known as "Inc." a land surveying and civil engineering firm, in 1997. This was a very successful company for the first 10 years growing to around 55 employees in 4 offices. I also started another company called "Metro Land Surveying & Engineering Company, LLC, hereinafter known as "LLC". I had purchased an office building in Pine City which was acquired by the LLC and I

also built an office/warehouse building in Lino Lakes which was also acquired by the LLC. I was 100% owner of both companies. In September 2008 I was forced to close the doors of the Inc. At that time I had just completed a sale of my Pine City operation to 2 of my former employees.

From the first part of 2008 I knew my companies were in trouble. Most of the Inc.'s work was in the private sector and mostly in the housing development arena. This was a period of time when the housing market was collapsing. I had 3 major clients whom owed the Inc. substantial amounts of money and were unable to pay their bills to the Inc. These 3 accounts accounted for approximately 3 million dollars of the Inc's receivables. The banks simply were not loaning money for housing developments thus my clients were unable to go forward with their projects. At that time the Inc. owed several banks a large amount of money on lines of credit and equipment loans. These commitments were secured by the Inc.'s receivables which were in major jeopardy. The banks worked with me for several months with the hopes that the economy would change and the banks would begin to loan money to developers again. Unfortunately, the economic conditions changed for the worst and it was inevitable that I would have to close the doors.

During this time my in house accountant person decided to leave the company. I had to turn over my accounting department to her assistant who was far short of the experience which was needed for this position. I simply had no other choices at the time. She was not a person who asked a lot of questions and I was spending every waking hour working with the banks, SBA, my clients and other issues trying to bring closure to both companies.

One of the duties of my accountant person was to go through the mail and send to me what I needed to see. I do remember receiving notice of my license renewal and instructing her that we needed to pay this bill. During this hectic period I simply missed following up that the check was mailed in. The first time that I knew that my licensed had expired is when I received a courtesy call from Bill Brown around Christmas 2009. I instantly called the state board to see if this was in fact true. This was confirmed and I delivered my check to the board immediately.

In addition to my company issues I had family issues at the same time which I choose not to expand on.

Through this period I lost my business, my buildings, my retirement plans and currently am close to losing my home. Financially I have been destroyed not even addressing how this affected me both physically and mentally.

Since the closing of my business I have helped in setting up 2 other businesses, M&P and my current employer NFront Technologies. I have not received a regular pay check since March 2009 and am unable to draw unemployment due to owning

my own business. I had a small amount left in my 401K from my company which I recently cashed in to bring my bills current including my house payments.

In conclusion, I agree that my license had expired due to not making my renewal payment of \$120. This was an absolute oversight on my part and I had no idea that this was the case. At that time as I have mentioned earlier, I was in the process of closing my companies down and that consumed all most all of my working hours. It is unfortunate that in the process of the County Surveyors plat checking procedure that they did not check the status of my licensure. The problem would have still been there but it would have been brought to my attention and addressed much earlier and thus would have been far less issues.

I have all my pdh's for that period and can provide them if necessary. I have been licensed in Minnesota since 1986 (23 years) and, to my knowledge, have never been reported to the board prior to this issue. I feel that I am a very good surveyor and do excellent work. This entire investigation, in my eyes, comes down to a \$120 fee which was not paid. I completely acknowledge that this payment was not paid on time but as soon as it was brought to my attention I made the payment. I am with great hopes that the Board will make a favorable conclusion to this issue.

Although these have been very difficult times for me, I have always enjoyed the profession of land surveying. It has always been a big part of my life and will continue to be.

If you should need any additional information or if it would be necessary for me to come in and further explain my position please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald P. Alwin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ronald P. Alwin
Minnesota licensed land surveyor no. 17765

Enc.



2483 15th Street NW • Suite B • New Brighton, MN 55112-5604
Phone 651.493.6819 • Fax 651.207.4825
www.nfrontech.com

Ronald Alwin
Vice President,
Civil Engineering &
Land Surveying



*Civil, Electrical, Mechanical, Utility
Power Engineering & Land Surveying*

Phone...651.493.6819
Fax.....651.207.4825
Cell651.233.6272
E-mail ...ralwin@nfronttech.com

2483 15th Street NW
Suite B
New Brighton, MN 55112-5604
www.nfronttech.com



Ronald P. Alwin, L.S.
President
Licensed MN, WI

248 Apollo Drive Suite 100
Lino Lakes, MN 55014-3036

Main: (763) 398-6830
Fax: (763) 398-2466

e-mail: ralwin@metrols.com
www.metrols.com

Other Locations

Pine City MN
Phone: (320) 629-3267
Fax: (320) 629-0176

Maple Grove MN
Phone: (763) 428-5130
Fax: (763) 428-5172

HEADWATERS VILLAGE SECOND ADDITION

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Forest Lake, Minnesota, this 30th day of January, 1971.

By _____
 Mayor

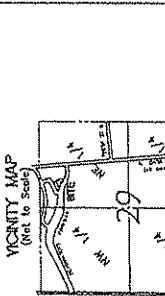
By _____
 Secretary

By _____
 Clerk

By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Deputy



By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

By _____
 Deputy



By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

By _____
 Deputy

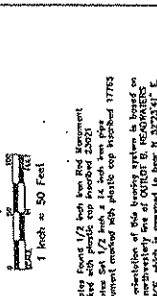


By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

By _____
 Deputy



By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

By _____
 Deputy

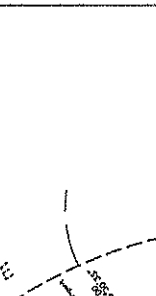


By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

By _____
 Deputy



By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

By _____
 Deputy

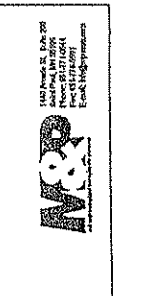


By _____
 Assistant County Surveyor

By _____
 Deputy

By _____
 Assistant County Surveyor

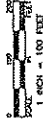
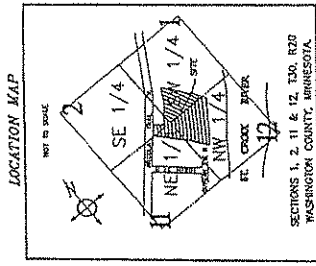
By _____
 Deputy



1400 Avenue B, Suite 200
 Forest Lake, Minnesota 55124
 Phone (612) 770-0042
 M&P Engineering, Inc.

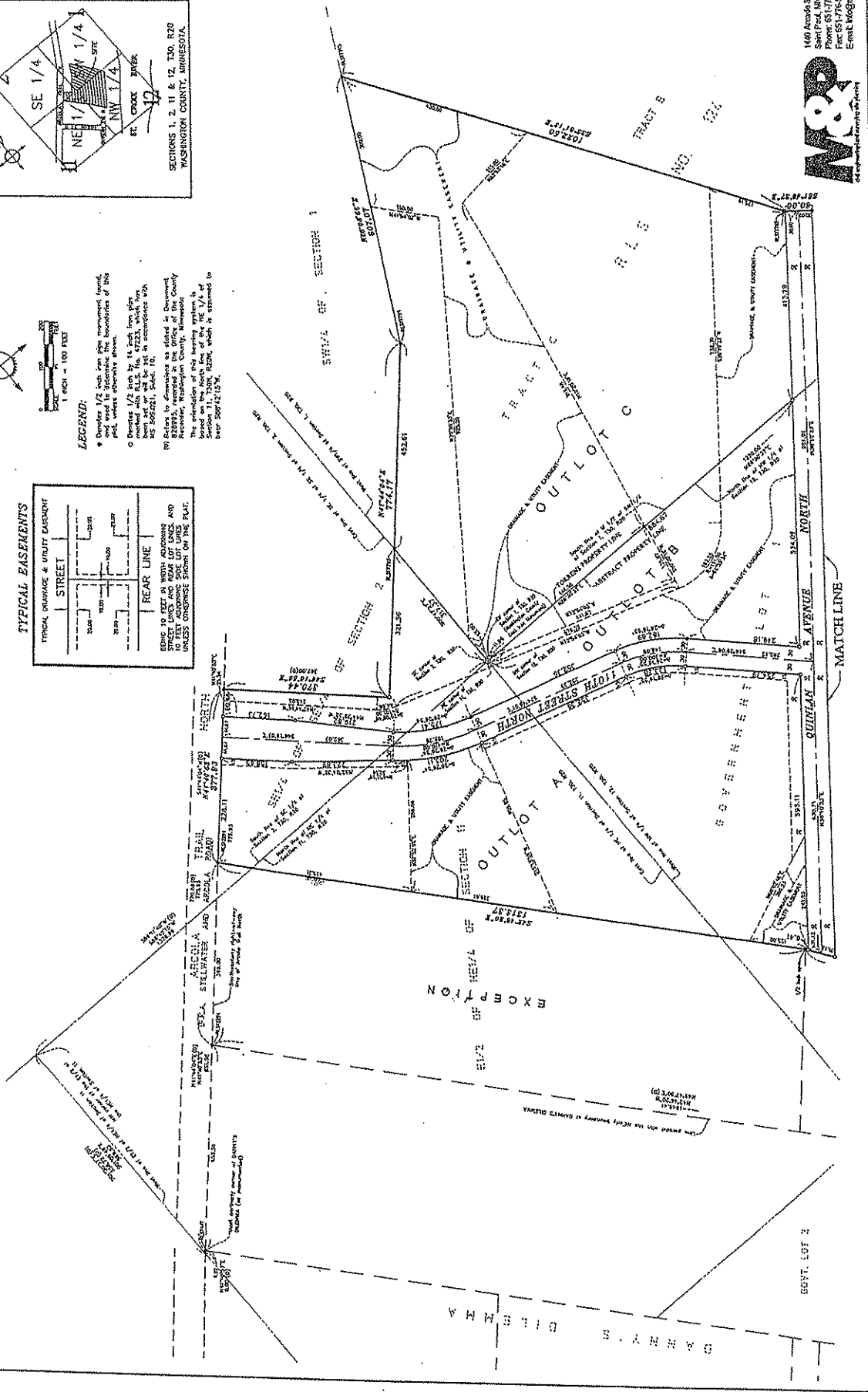
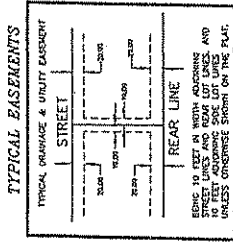
File No. 2010-0042

ARCOLA BLUFFS ON THE ST. CROIX



LEGEND:

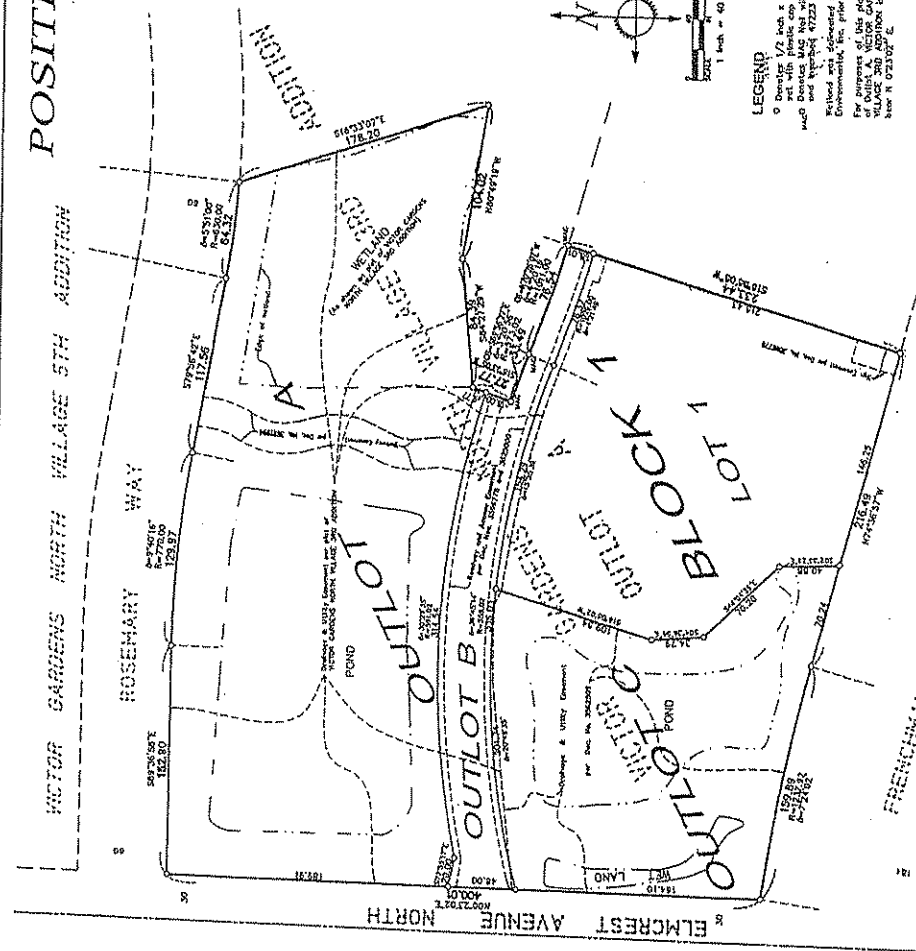
- Quarter 1/4 inch from the monument found, and used to determine the boundaries of the plat, unless otherwise shown.
 - o Dimes 1/2 inch by 1/4 inch from the monument found, and used to determine the boundaries of the plat, unless otherwise shown.
 - o Dimes 1/2 inch by 1/4 inch from the monument found, and used to determine the boundaries of the plat, unless otherwise shown.
 - o Dimes 1/2 inch by 1/4 inch from the monument found, and used to determine the boundaries of the plat, unless otherwise shown.
- By Reference to Commission as stated in Document No. 2005-021, Subd. 16, Washington County, Minnesota. The information of this survey system is based on the North line of the NE 1/4 of Section 1, T30N, R2D, which is assumed to bear S89°42'15"N.



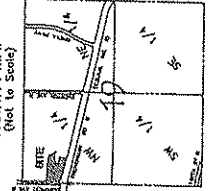
1440 Arcola St., Suite 200
Shelburne, MN 55206
Phone: (507) 776-6644
Fax: (507) 776-6644
Email: k@spasson.com

7.1c No. 2010-032
0042

POSITIVE



VICINITY MAP
(Not to Scale)



Section 19, T31N, R21W

BEFORE ALL PERSONS BY THESE PRESENTS: That Alliance Bank, a Minnesota corporation, for cause of the following described property situated in the City of Minneapolis, State of Minnesota, to wit:

OUTLOT A, VICTOR GARDENS NORTH VILLAGE 5TH ADDITION, according to the record of this course the same to be amended and called as POSITIVE.

in witness whereof Alliance Bank, has caused these presents to be signed by its proper officer this _____ day of _____ 20____.

ALLIANCE BANK

By _____
Name, Title

STATE OF MINNESOTA
COUNTY OF _____

The instrument was acknowledged before me on this _____ day of _____ 20____ by _____ of Alliance Bank, a Minnesota corporation, on behalf of the company.

Notary Public,
County, Minnesota

I hereby certify that I have surveyed and plotted or directly supervised the survey and plotting of the plat of subdivision and subdivision shown on this plat. That the plat is correct, true and accurate, and that the boundaries and area thereon are correct, true and accurate, and that all public ways on which and located on the plat and that all public ways on which and located on the plat.

Dated this _____ day of _____ 20____.

Notary Public,
Minnesota, License No. 47223

STATE OF MINNESOTA
COUNTY OF FARRANT

This instrument was acknowledged before me on this _____ day of _____ 20____ by _____ Theresa K. Fisher, a Licensed Land Surveyor.

Notary Public,
County, Minnesota

CITY COUNCIL OF WOOD
This plat was approved by the City Council of the City of Wood, Minnesota, this _____ day of _____ 20____. and hereby certifies compliance with all requirements set forth in Minnesota Statutes, Section 363.03, subd. 2.

Mayor _____
City Clerk _____

COUNTY SURVEYOR
Pursuant to Chapter 810, Laws of Minnesota, 1971, this plat has been approved (to) _____ day of _____ 20____.

By _____
Assistant County Surveyor

COUNTY AUDITOR/TREASURER
The amount listed due and payable for this year _____ have been paid and transfer has been entered this _____ day of _____ 20____.

By _____
County Auditor/Treasurer

COUNTY RECORDER
Document Number _____
I have read this instrument and find it is the Office of the County Recorder for record on this _____ day of _____ 20____ at _____ o'clock _____ A.M. and was duly filed in Washington County Records.

By _____
Washington County Recorder

Deputy



0042

HUOT ADDITION

KNOW ALL MEN BY THESE PRESENTS, that First Properties, LLC, a Minnesota Limited Liability Company, the owner of the following described property situated in the City of Ullrich County, State of Minnesota:

The South 884' West of the East 250' feet of the Southwest Quarter of Section 5, Township 23 North, Range 22 West, Remsey County, Minnesota.

has caused the same to be surveyed and plotted as HUOT ADDITION and then hereby dedicates or donates to the PUBLIC for public use forever the public ways and the alleys and utility easements as shown on this plat.

In witness whereof said First Properties, LLC, a Minnesota Limited Liability Company, has caused these presents to be signed by its proper officers this _____ day of _____, 2009.

Signed: First Properties, LLC

Kevin Mair Pelly _____
 Manager

Ann Marie Chodiga _____
 Manager

STATE OF MINNESOTA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2009, by Kevin Mair Pelly, as Manager, and Ann Marie Chodiga, as Manager, of First Properties, LLC, a Minnesota Limited Liability Company, on behalf of the company.

Notary Public _____
 My Commission Expires _____ County, Minnesota.

I, Ronald F. Alvin, Professional Land Surveyor, do hereby certify that I have reviewed or directly supervised the survey of the property described on this plat, prepared this plat, or directly supervised the preparation of this plat. This plat is a true and correct copy of the original plat as shown to me by the person or persons who prepared the same. The plat of monuments depicted on this plat have been correctly and truthfully shown to me as defined in Minnesota Statutes, Section 562.01, Subd. 1, or of the date of the surveyor's construction are shown hereon on this plat, and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2009.

Ronald F. Alvin, Professional Land Surveyor
 Minnesota License No. 17122

STATE OF MINNESOTA
 COUNTY OF ANOKA

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2009, by Ronald F. Alvin, a Licensed Land Surveyor.

Notary Public, Anoka County, Minnesota
 My Commission Expires January 31, 2010.

City of Ullrich County
 We, do hereby certify that on the _____ day of _____, 2009, the City Council of the City of Ullrich County, Minnesota, approved this plat. Also, the conditions of Minnesota Statutes, Section 562.01, Subd. 2, have been satisfied.

Mayor _____
 Clerk _____

Department of Property Records and Revenue

Department of Property Records and Revenue
 I hereby certify that this plat complies with the requirements of Minnesota Statutes, Section 562.01, and is approved pursuant to Minnesota Statutes, Section 562.01, Subd. 2, and the plat of monuments described hereon is a true and correct copy of the original plat as shown to me by the person or persons who prepared the same.

Department of Property Records and Revenue

By _____, Deputy

County Surveyor

I hereby certify that this plat complies with the requirements of Minnesota Statutes, Section 562.01, and is approved pursuant to Minnesota Statutes, Section 562.01, Subd. 2, and the plat of monuments described hereon is a true and correct copy of the original plat as shown to me by the person or persons who prepared the same.

David D. Ojopod, P.L.S.
 Ramsey County Surveyor

County Recorder, County of Ramsey, State of Minnesota

I hereby certify that this plat of HUOT ADDITION was filed in the office of the County Recorder for public record on this _____ day of _____, 2009, and was duly filed in Book _____ of Public Papers _____ as Instrument Number _____.

Deputy County Recorder



CERTIFICATE OF SURVEY

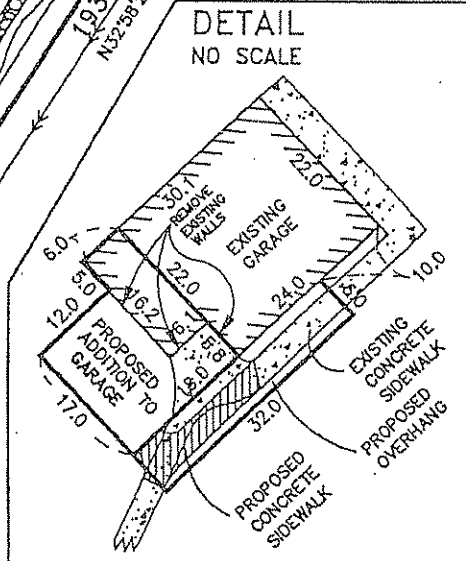
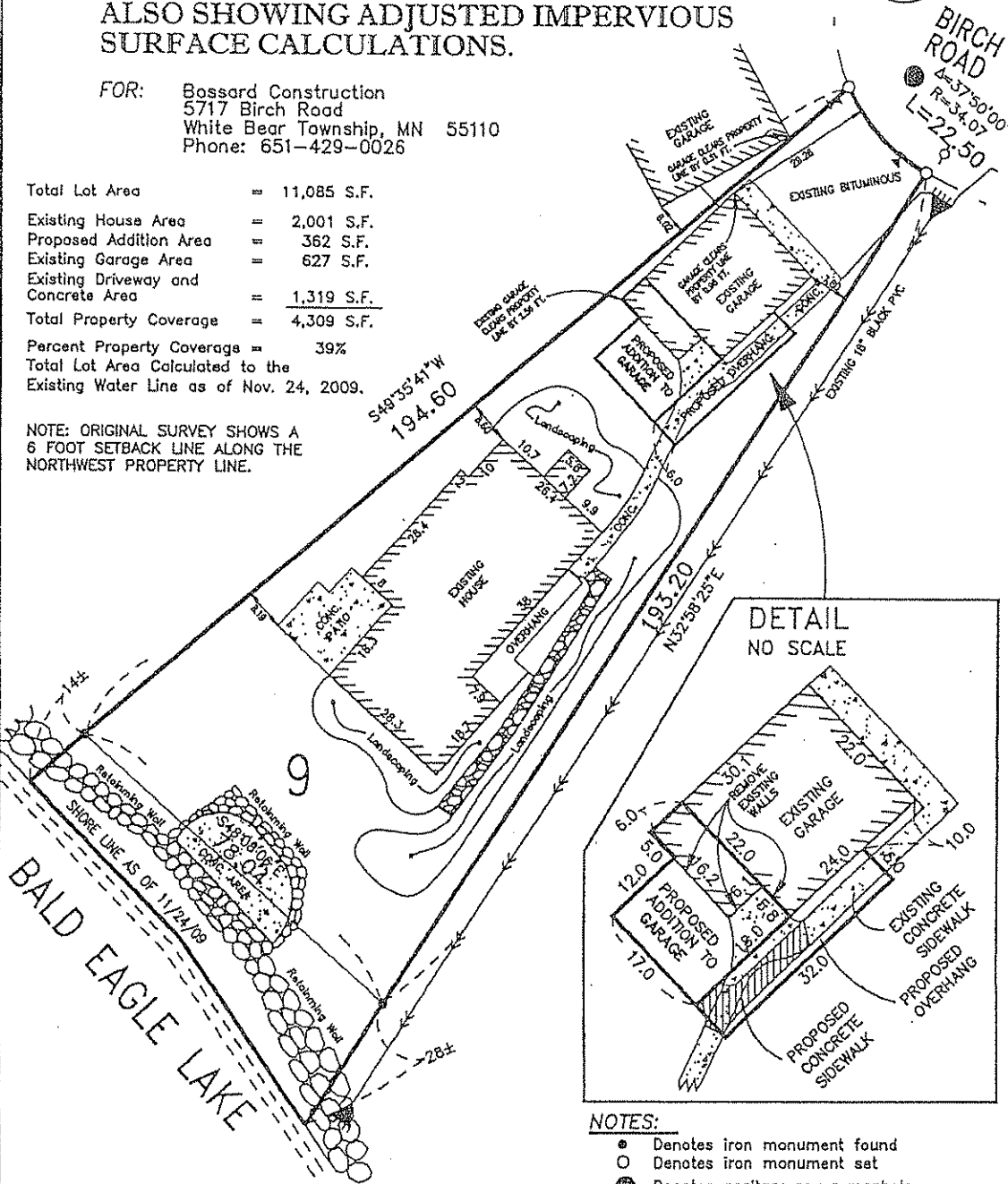
SHOWING PROPOSED GARAGE ADDITION
ALSO SHOWING ADJUSTED IMPERVIOUS
SURFACE CALCULATIONS.



FOR: Bossard Construction
5717 Birch Road
White Bear Township, MN 55110
Phone: 651-429-0026

Total Lot Area = 11,085 S.F.
Existing House Area = 2,001 S.F.
Proposed Addition Area = 362 S.F.
Existing Garage Area = 627 S.F.
Existing Driveway and Concrete Area = 1,319 S.F.
Total Property Coverage = 4,309 S.F.
Percent Property Coverage = 39%
Total Lot Area Calculated to the Existing Water Line as of Nov. 24, 2009.

NOTE: ORIGINAL SURVEY SHOWS A 6 FOOT SETBACK LINE ALONG THE NORTHWEST PROPERTY LINE.



- NOTES:**
- Denotes iron monument found
 - Denotes iron monument set
 - ⊙ Denotes sanitary sewer manhole
 - ⋄ Denotes water valve
 - ⊕ Denotes power pole
- Bearings are on an assumed datum

DESCRIPTION: Lot 9, OVERLAKE Ramsey County, Minnesota.
Subject to assessments of record, if any.

Job No. 102.001 Scale 1"=20'
Drawn by: GSO City WHITE BEAR TWP

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.
Dated this 7th day of December, 2009.
By: Ronald P. Alwin
Ronald P. Alwin, Surveyor
Minnesota License No. 17765.

NFRONT TECHNOLOGIES
ENGINEERING & LAND SURVEYING
2483 15TH STREET N.W.
SUITE B
NEW BRIGHTON, MN 55112
PHONE: 651-493-6819

Roxanne R. Maristuen
 Notary Public, Chicago County, Minnesota.
 My Commission Expires Jan. 31, 2010

I hereby certify that I have surveyed and plotted or directly supervised the survey and plotting of the property described on this plat as HEADWATERS VILLAGE SECOND ADDITION; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been correctly set; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this 9th day of June 2009
Ronald P. Alwin
 Ronald P. Alwin, Land Surveyor
 Minnesota License No. 17765

STATE OF MINNESOTA
 COUNTY OF RAMSEY

This instrument was acknowledged before me on this 9th day of June 2009, by
 Ronald P. Alwin, a Licensed Land Surveyor.

Alan Irwin
 Alan Irwin
 Notary Public, Anoka County, Minnesota.
 My Commission Expires January 31, 2010.

PLANNING COMMISSION OF FOREST LAKE

Approved by the Planning Commission of the City of Forest Lake, Minnesota, this 22nd day of
April 2009

Ronald P. Damiani
 Chair

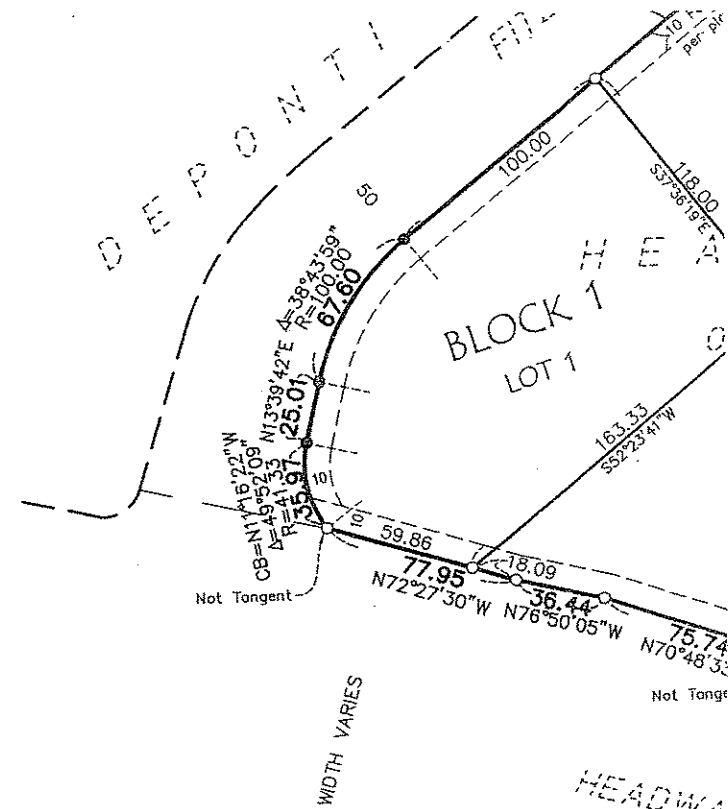
J. J. J.
 Secretary

CITY COUNCIL OF FOREST LAKE

This plat was approved by the City Council of the City of Forest Lake, Minnesota, this 11th day of
May 2009, and hereby certifies compliance with all requirements as set forth in
 Minnesota Statutes, Section 505.03, subd. 2.

Alan Irwin
 Mayor

Ronald P. Alwin
 Clerk



HEADWATERS FIRST
EXHIBIT D

AFFIDAVIT OF SERVICE BY MAIL

RE: In the matter of Ronald Alwin,
LAND SURVEYOR
License Number 17765

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lynette DuFresne, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on this the 25th day of OCTOBER, 2010, she served the attached **Stipulation and Order**, by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class and certified postage prepaid, and addressed to:

Mr. Ronald Alwin
11450 National Court North East
Minneapolis, MN 55449-7000

CERTIFIED MAIL
Return Receipt Requested
7010 0780 0001 5886 1718

Lynette DuFresne
Lynette DuFresne

Subscribed and sworn to before me on
this the 25th day of October, 2010.

Beverly A. Carey
(Notary Public)

