

In Re the Matter of:

REC'D BY
MAB

JUN 22 2005

The Petition of 169 DQ, Inc., a Minnesota corporation, Victor G. Rohloff, James E. Rohloff, Mary Ellen Rohloff, and Robert A. Rohloff, Daniel Remes, Marlen D. Quern and Margaret J. Quern and Steele & Associates, LLC requesting the annexation of certain property to the City of Le Sueur, pursuant to M.S.A. 414.033, Subd. 5.

WAIVER AND CONSENT

TO: The City of Le Sueur, Minnesota and the State of Minnesota, Office of Administration.

PROPOSED ANNEXATION TO THE CITY OF LE SUEUR
DOCKET NUMBER A-7301

The Town Board of Tyrone Township, Le Sueur County, Minnesota, pursuant to a resolution duly adopted by the Town Board on the 13 day of JUNE, 2005, hereby states that Tyrone Township has no objection to the annexation of the following described premises situated in the County of Le Sueur and State of Minnesota and described as follows, to-wit:

See attached Exhibit "A", "B", "C", "D" and "E"

and does hereby consent to such annexation and waives the 90 day period from the date of service to submit written objections to such annexation.

Dated this 13 day of JUNE, 2005.

TOWNSHIP OF TYRONE

By:

[Handwritten Signature]
ITS
CHAIRMAN.

ATTEST:

Renald Way, Clerk of Tyrone
Township Clerk

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Parcel "A"

Beginning at the intersection of the Westerly right of way line of the U.S. Highway #169 and the Section line between Sections 17 and 20, Township 112 North, Range 25 West, said point being 804.8 feet East of the Northwest Corner of said Section 20; thence North 35 degrees 32 minutes East, a distance of 202.0 feet; thence North 54 degrees 28 minutes West, a distance of 150.00 feet; thence South 35 degrees 32 minutes West, a distance of 300.0 feet; thence South 54 degrees 28 minutes East, a distance of 150 feet to the Westerly right of way line of said Highway; thence North 35 degrees 32 minutes East a distance of 98.0 feet to the place of beginning. All of said lands lying and being in the County of Le Sueur and State of Minnesota. Subject to easements of record.

Parcel "B"

Commencing at the intersection of the westerly right of way line of U.S. Highway #169 and the section line between Section 17 and Section 20, Township 112 North, Range 25 West, Le Sueur County, Minnesota, said point being 804.8 feet East of the Northwest Corner of said Section 20; proceeding thence North 35 degrees 32 minutes East a distance of 202.0 feet; proceeding thence North 54 degrees 28 minutes West a distance of 150 feet to a point; which point is hereby designated as the place of beginning; proceeding thence South 35 degrees 32 minutes West a distance of 300 feet to a point; proceeding thence North 54 degrees 28 minutes West a distance of 150 feet to a point; proceeding thence North 35 degrees 32 minutes East a distance of 300 feet to a point; proceeding thence South 54 degrees 28 minutes East a distance of 150 feet to the place of beginning, the same consisting of a portion of Section 17, Township 112 North, Range 25 West, Le Sueur County, Minnesota.

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TRACT A:

1. The Southwest Quarter of the Northeast Quarter of Section 17, save and except the following portions thereof:

Tract I:

Beginning at the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 17, Township 112 North, Range 25 West, Le Sueur County, Minnesota; thence running South 7 rods to a point; thence South 88.5 degrees West 12 rods to a point; thence North 74.5 degrees West 24 rods to a point in the North line of said Southwest Quarter of the Northeast Quarter; thence East on the North line of said Southwest Quarter of the Northeast Quarter of Section 17 to the point of beginning, containing one (1) acre of land, more or less, in Section 17, Township 112 North, Range 25 West, Le Sueur County, Minnesota.

Tract II:

Beginning at the northeast corner of said Southwest Quarter of the Northeast Quarter; thence run south, 7 rods; thence South 88.5 degrees West, 12 rods; thence North 74.5 degrees West, 24 rods to the north line of said Southwest Quarter of the Northeast Quarter; thence east along said north line to the point of beginning; also excepting therefrom the right of way of Trunk Highway No. 169 as now located and established.

which lies within a distance of 205 feet northwesterly of Line 1 described below:

Line 1. From a point on the west line of Section 20, Township 112 North, Range 25 West, distant 1273 feet north of the west quarter corner thereof, run northeasterly at an angle of 37 degrees 47 minutes 00 seconds from said west line (measured from north to east) for 6182 feet to the point of beginning of Line 1 to be described; thence run northeasterly on the last described course for 80 feet and there terminating; containing 0.06 acres, more or less.

lying and being Westerly of the Highway right-of-way as located in 1995.

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2. Southwest Quarter of the Southwest Quarter of Section 17; the Southeast of the Southwest Quarter of Section 17; the Northwest Quarter of the Northwest Quarter of Section 20, Township 112 North Range 25 West, Le Sueur County, Minnesota save and except the following portions thereof:

Tract I:

Beginning at the Northwest corner of Section 20, Township 112 North, Range 25 West, Le Sueur County, Minnesota; thence North 79 degrees 25 minutes East 512.40 feet; thence South 54 degrees 28 minutes East 300.00 feet to the Westerly right-of-way line of Minnesota Trunk Highway Number 169; thence South 35 degrees 32 minutes West on said right-of-way line 1233.60 feet to the West line of said Section Number 20; thence North 01 degrees 38 minutes West on said west line 1084.60 feet to place of beginning. Being 0.70 acres of the Southwest Quarter of the Southwest Quarter of Section Number 17 and 9.84 acres of the Northwest Quarter of the Northwest Quarter of Section Number 20 of said Township and Range. Said description being in accordance with the recorded maps and plats thereof on file and of record in the Office of the County Recorder in and for Le Sueur County, Minnesota.

Tract II:

Beginning at the intersection of the Westerly right of way line of the U.S. Highway #169 and the Section line between Sections 17 and 20, Township 112 North, Range 25 West, said point being 804.8 feet East of the Northwest Corner of said Section 20; thence North 35 degrees 32 minutes East, a distance of 202.00 feet; thence North 54 degrees 28 minutes West, a distance of 150.00 feet; thence South 35 degrees 32 minutes West, a distance of 300.0 feet; thence South 54 degrees 28 minutes East, a distance of 150 feet to the Westerly right of way line of said Highway; thence North 35 degrees 32 minutes East a distance of 98.0 feet to the place of beginning. All of said lands lying and being in the County of Le Sueur and State of Minnesota. Subject to easements of record.

Tract III:

Commencing at the intersection of the westerly right of way line of U. S. Highway 169 and the section line between Section 17 and Section 20, Township 112 North, Range 25 West, Le Sueur County, Minnesota, said point being 804.8 feet East of the Northwest Corner of said Section 20; proceeding thence north 35 degrees 32 minutes east a distance of 202.0 feet; proceeding thence North 54 degrees 28 minutes West a distance of 150 feet to a point; which point is hereby designated as the place of beginning; proceeding thence South 35 degrees 32 minutes West a distance of 300 feet to a point; proceeding thence North 54 degrees 28 minutes West a distance of 150 feet to a point; proceeding thence North 35 degrees 32

minutes East a distance of 300 feet to a point; proceeding thence South 54 degrees 28 minutes East a distance of 150 feet to the place of beginning, the same consisting of a portion of Section 17, Township 112 North, Range 25 West, Le Sueur County, Minnesota.

lying and being Westerly of the Highway right-of-way as located in 1995.

TRACT B:

3. The Southeast Quarter of the Northwest Quarter of Section 17, Township 112 North, Range 25 West, Le Sueur County, Minnesota.

TRACT C:

North Half of the Southwest Quarter of Section 17, Township 112 North, Range 25 West, Le Sueur County, Minnesota lying and being Westerly of the Highway right-of-way as located in the year 2002 EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

Part of the Southeast Quarter of the Northwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 17, Township 112, Range 25, Le Sueur County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter of Section 17; thence on an assumed bearing of South 00 degrees 09 minutes 40 seconds West along the North and South one quarter line of said Section 17, a distance of 2739.01 feet; thence South 36 degrees 58 minutes 23 seconds West 651.31 feet to the point of beginning of the tract to be described; thence continuing South 36 degrees 58 minutes 23 seconds West 66.02 feet; thence North 54 degrees 40 minutes 47 seconds West 298.44 feet; thence South 44 degrees 49 minutes 21 seconds West 104.46 feet; thence North 49 degrees 15 minutes 43 seconds West 374.44 feet; thence North 44 degrees 09 minutes 32 seconds East 560.88 feet; thence South 49 degrees 46 minutes 45 seconds East 316.70 feet; thence Southerly 36 degrees 10 minutes 15 seconds West 393.53 feet; thence South 54 degrees 40 minutes 47 seconds East 294.47 feet to the point of beginning. This tract contains 5.00 acres of land and is subject to any and all easements of record and is subject to an easement for roadway purposes and the right of ingress and egress over, under and across a 66.00 foot wide strip of land, the northeasterly line of said 66.00 foot wide easement being described as follows: Commencing at the northeast corner of said Northwest Quarter of Section 17; thence on an assumed bearing of South 00 degrees 09 minutes 40 seconds West along the North and South one quarter line of said Section 17, a distance of 2739.01 feet; thence South 36 degrees 58 minutes 23 seconds West 651.31 feet to a point on the northeasterly edge of said 66.00 foot wide road easement, said point being the point of beginning of the line to be described; thence North 54 degrees 40 minutes 47 seconds West 100.00 feet and said line and easement there terminating.

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Exhibit "C"

Part of the Northwest Quarter of Section 20, Township 112, Range 25, Le Sueur County, Minnesota, described as follows: Commencing at the southwest corner of said Northwest Quarter of Section 20; thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds East along the West line of said Northwest Quarter 1060.00 feet to the point of beginning of the tract to be described; thence North 65 degrees 33 minutes 54 seconds East 739.49 feet; thence North 64 degrees 08 minutes 06 seconds East 93.32 feet to the centerline of old U.S. Highway No. 169; thence North 20 degrees 57 minutes 00 seconds East along said centerline 948.10 feet; thence North 52 degrees 52 minutes 00 seconds West along the right-of-way line of new U.S. Highway No. 169 a distance 144.40 feet; thence South 37 degrees 08 minutes 00 seconds West along the southerly right-of-way line of new U.S. Highway No. 169 a distance of 1625.60 feet to the West line of said Northwest Quarter; thence South 00 degrees 00 minutes 00 seconds West along said West line 23.30 feet to the point of beginning.

Exhibit "D"

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Beginning at the NW corner of Sec. 20-112-25, Le Sueur County, Minnesota, thence North 79°25' East 512.40'; thence South 54°28' East 300.00' to the westerly right-of-way line of Minnesota Trunk Highway No. 169; thence South 35°32' West on said right-of-way line 1233.60' to the West line of said Sec. 20; thence North 01°38' West on said west line 1084.60' to place of beginning. Said description being in accordance with the recorded maps and plats thereof on file and of record in the County Recorder's Office, Le Sueur County, Minnesota.

Said land consisting of 0.70 acres of the SW¼ of the SW¼ of Sec. 17 and 9.84 acres of the NW¼ of the NW¼ of Sec. 20 of said township and range.

Exhibit "E"

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All that part of the West Half of the Northwest Quarter of Section No. 20, Township No. 112 North, Range No. 25 West, Le Sueur County, Minnesota, described as follows: Assuming that the West line of the Northwest Quarter of said Section No. 20 is North and South beginning at the West one-quarter corner of said Section No. 20; thence North on the West line of said Northwest Quarter 494.10 feet; thence North 53 degrees 04 minutes East 505.60 feet; thence North 30 degrees 07 minutes East 703.70 feet to the center of old Trunk Highway No. 169; thence South 20 degrees 59 minutes West along said road centerline 1504.50 feet to the South line of said Northwest Quarter; thence South 89 degrees 30 minutes West on said South line 218.50 feet to place of beginning. Containing 6.15 acres. This property is subject to easements for road purposes.

ALSO

Part of the Northwest Quarter of Section 20, Township 112, Range 25, Le Sueur County, Minnesota, described as follows: Commencing at the Southwest corner of said Northwest Quarter of Section 20; thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds West along the West line of said Northwest Quarter 494.10 feet to the point of beginning of the tract to be described; thence North 53 degrees 04 minutes 00 seconds East, 505.60 feet; thence North 30 degrees 07 minutes 00 seconds East 703.70 feet; thence South 64 degrees 08 minutes 06 seconds West 93.32 feet; thence South 65 degrees 33 minutes 54 seconds West 739.49 feet to the West line of said Northwest Quarter; thence South 00 degrees 00 minutes 00 seconds East along said West line 565.90 to the point of beginning. This tract contains 6.49 acres of land and is subject to any and all easements of record.