



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street
Saint Paul, Minnesota 55101

Mailing Address:
P.O. Box 64620
St. Paul, Minnesota 55164-0620

Voice: (651) 361-7900
TTY: (651) 361-7878
Fax: (651) 361-7936

June 21, 2012

L. Wayne Larson
Anderson Larson Hanson and Saunders
331 Professional Plaza
331 SW Third Street
Willmar, MN 56201

VIA E-MAIL
(wayne@willmarlaw.com)

Re: A-7807 Spicer/Green Lake Township (Ordinance No. 177.20)

Dear Mr. Larson:

This is in response to your letter dated June 12, 2012, concerning the above-referenced annexation by ordinance pursuant to Minn. Stat. § 414.033, Subd. 2 (3). The ordinance, approved by the Office of Administrative Hearings on June 12, 2012, contains the following provision:

"4. The City of Spicer, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the Property, hereby annexed, shall make a cash payment to the Town of Green Lake equal to the property taxes collected by the Township in the last year it collected property taxes on the Property (2011) which total \$77.48. The payment will be made in accordance with the following schedule:

- a. In the first year following the year in which the City of Spicer could first levy on the annexed area, an amount equal to \$38.74; and*
- b. In the second and final year, an amount equal to \$38.74."*

Attached to your letter dated June 13, 2012, is a letter to the Office of Administrative Hearings dated June 12, 2012, and authored by Mr. Gregory Erickson, Vice Chairman /Supervisor for Green Lake Township. Mr. Erickson objects to the City of Spicer's annexation on two grounds. First, he states that the west half of 90th Street Northeast is a township road and, because the township did not join in the annexation petition, implicitly asserts that the annexation did not meet one of the conditions set forth in Minn. Stat. § 414.033, Subd. 2(3). The pertinent language regarding that condition is that the petition for annexation comes from "all the property owners of the land." Second, in his letter, Mr. Erickson states that "...the town board does not believe

that the City of Spicer has adequately provided for the reimbursement of lost taxes to Green Lake Township.”

On June 19, 2012, Mr. Adam Ripple sent a responsive email and attachments to the Office of Administrative Hearings. My understanding is that you have received that email and its attachments. Mr. Ripple agrees that the annexed property runs to the centerline of 90th Street Northeast. He asserts, however, that the petition for annexation included the signature of the landowner who has title to the property in question, that this landowner is the “property owner” as defined in Minn. Stat. § 414.011, Subd. 5, and that this property owner’s title runs to the centerline of 90th Street Northeast.

Minn. Stat. § 414.033, Subd. 2 states, in part:

“Subd. 2. Conditions. A municipal council may by ordinance declare land annexed to the municipality and any such land is deemed to be urban or suburban in character or about to become so if: ... (3) the land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality receives a petition for annexation from all the property owners of the land. Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property previously annexed under this clause within the preceding 12 months if the property is owned by the same owners and annexation would cumulatively exceed 120 acres; or ...”

Minn. Stat. § 414.011, Subd. 5 states:

“Subd. 5. Property owner. "Property owner" means the fee owner of land, or the beneficial owner of land whose interest is primarily one of possession and enjoyment. The term includes, but is not limited to, vendees under a contract for deed, and mortgagors. Any reference to a percentage of property owners shall mean in number.”

Minn. Stat. § 414.036 states, in part:

“414.036 MUNICIPAL REIMBURSEMENT TO TOWN FOR ANNEXED TAXABLE PROPERTY. *Unless otherwise agreed to by the annexing municipality and the affected town, when an order or other approval under this chapter annexes part of a town to a municipality, the order or other approval must provide a reimbursement from the municipality to the town for all or part of the taxable property annexed as part of the order.*

The reimbursement shall be completed in substantially equal payments over not less than two nor more than eight years from the time of annexation.”

L. Wayne Larson
A-7807 Spicer/Green Lake Township
Page Three

On June 12, 2012, the Office of Administrative Hearings found that the City of Spicer Ordinance No. 177.20 was in accord with Minn. Stat. Chapter 414. The undersigned has reviewed the information provided by you, Mr. Erickson and Mr. Ripple. The June 12, 2012, approval of the ordinance stands.

If you have any questions, please contact me or Star Holman at 651-361-7909 or star.holman@state.mn.us.

Sincerely,



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit

TJO:sjh

c: Gregory Erickson, Green Lake Township Vice Chairman/Supervisor
Kristine Bengtson, Green Lake Township Clerk
Adam Ripple, Attorney for the City of Spicer
Leslie Valiant, Spicer City Administrator

Holman, Star (OAH)

From: Adam Ripple <ARipple@rinkenoonan.com>
Sent: Tuesday, June 19, 2012 11:34 AM
To: Holman, Star (OAH)
Cc: Leslie Valiant; Julie Fincher
Subject: City of Spicer Annexation
Attachments: County Map (Rock'n D (PID 18-010-0010)).pdf; Deeds.pdf; Deed Exhibits (Highlighted).pdf

Star,

This email is a follow up to our discussion last week and your discussion with Leslie yesterday regarding Spicer's annexation ordinance 177.20 adopted on May 15, 2012. The annexed property is depicted in the first attachment ("County Map (Rock'n D (PID 18-010-0010)).pdf").

The title records are complicated, so here is my best attempt to provide a concise summary:

1. The petitioner (or its predecessors) previously owned the entire NE1/4 of Section 10 in Green Lake Township.
2. The NE1/4 was split numerous times without completely platting all property as illustrated by the deeds in the second attachment ("Deeds.pdf").
3. The annexed property is the remnant left over after the multiple subdivisions. Rather than have a 5+ page legal description with multiple "less and excepts" the petitioner provided the City with a surveyor-prepared legal description that was used in both the annexation petition and annexation ordinance.
4. The legal description for the annexed property runs to the centerline of 90th St NE (and the centerline of CSAH 8). This is depicted in the third attachment ("Deed Exhibits (Highlighted).pdf") which includes 2 surveyed drawings that are exhibits in the deeds of the 2nd attachment.
5. It is the City of Spicer's understanding that (1) the petitioner owns fee title to the center of the road, (2) the legal description in both the annexation petition and annexation ordinance include only the land owned by the petitioner, (3) Green Lake Township does not own fee title of any portion of the annexed property, and (4) any property interest held by Green Lake Township in the annexed property is limited to an easement interest, which does not make Green Lake Township a "property owner" as defined by MN Stat 414.011 Subd 5.

I hope that makes sense. Please contact me with any questions or concerns. THANKS

Adam A. Ripple
Attorney

RINKE NOONAN
Suite 300, US Bank Plaza
P.O. Box 1497
St. Cloud, MN 56302
(320) 251-6700 General
(320) 257-3868 Direct
(320) 656-3500 Fax

[website](#) | [email](#) | [bio](#) | [map](#)

For prompt assistance, please contact my paralegal,
Julie Fincher at (320) 656-3527 or jfincher@rinkenoonan.com

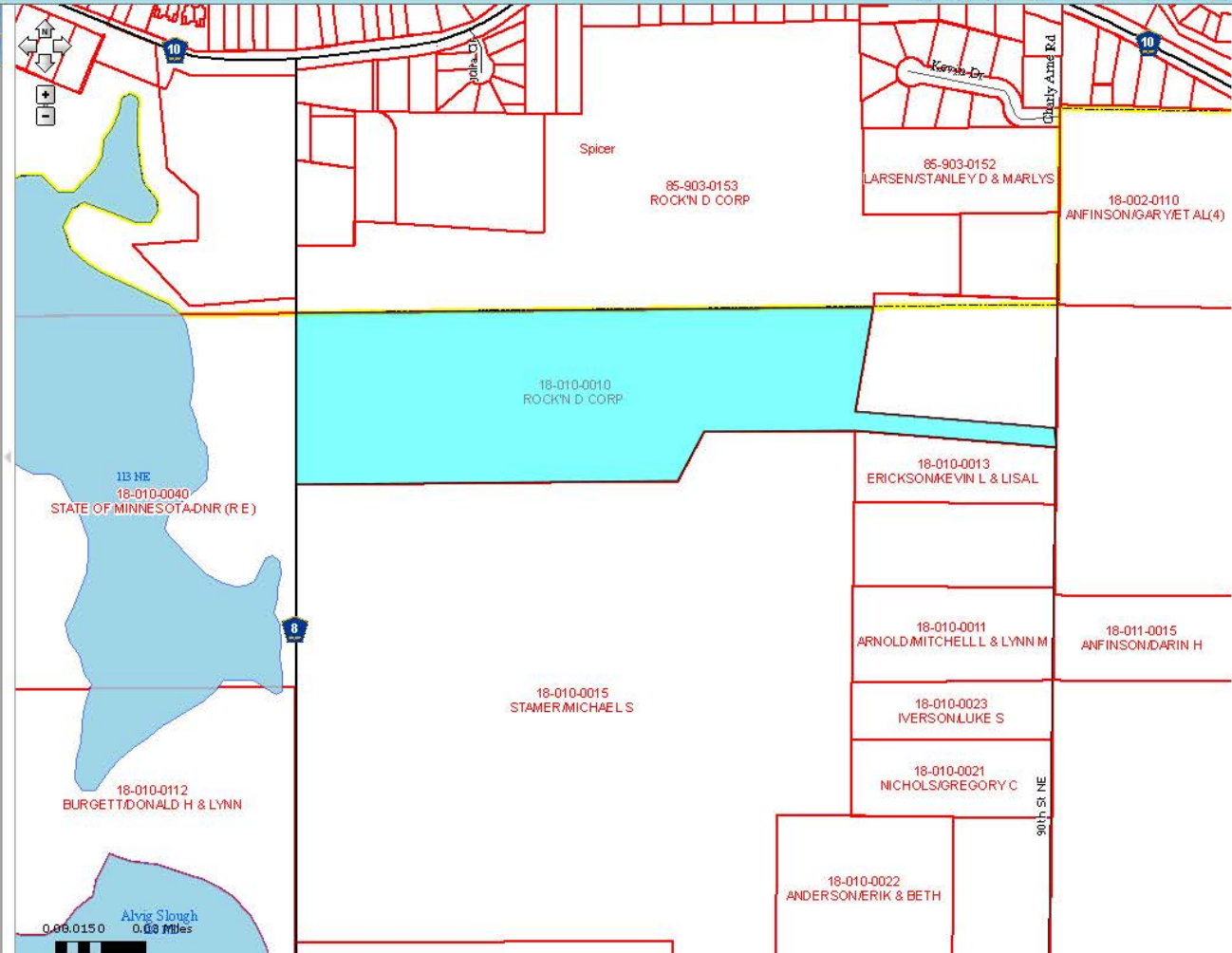
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GIS Mapping

Print | Parcel By PIN | Find Section | Find Address

- Results
- Map Contents
 - Kandiyohi
 - Road
 - Railroad
 - HouseAddresses
 - Waters-Lakes
 - Ditches
 - Parcels
 - Sections
 - County Zoning
 - Building Code
 - UrbanGrowthBoundary
 - City Zoning
 - Watersheds
 - Soil Map
 - Feedlots
 - Wildlife
 - SchoolDistricts 09
 - VoterDist 08
 - City Limits
 - City Limits
 - City Limits
 - Township
 - Wetlands - FWS
 - FEMA Flood Map Data
 - Aerial Photos
 - 24K Topo Quad
 - Pictometry
 - 2011
 - 2008



✓ 1871 46⁰⁰ CJ7 (92⁰⁰)

570865

OFFICE OF COUNTY RECORDER
KANDIYOHI COUNTY MINNESOTA

FILED AND/OR
RECORDED ON

04/15/2009 04:14PM

SPLIT PARCEL

No delinquent taxes and transfer entered. Certificate
of Real Estate Value (X) filed () not required
Certificate of Real Estate Value No 049433

April 15 2009
SAM MODDERMAN
County Auditor/Treasurer

by Dave Fellman
18-010-0010/0020
Split to: 18-010-0015

JULIE KALKBRENNER
COUNTY RECORDER

BY Julie R. Xuene
DEPUTY
CJF

Form No. 7-M - WARRANTY DEED

Corporation, Partnership or Limited Liability Company to Individual(s) 20

STATE DEED TAX DUE HEREON: ~~REMOVED~~ \$951.59

Date: April 13, 2009

FOR VALUABLE CONSIDERATION, Rock'N D Corporation, a Minnesota corporation, under the laws of the State of Minnesota, Grantor, hereby conveys and warrants to Michael Stamer Grantee(s), real property in Kandiyohi County, Minnesota, described as follows:

SEE ATTACHED EXHIBIT A

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Affix Deed Tax Stamp Here

DATE 4/15/09
DEED TAX HEREON OF \$ 951.59 PAID
THE ASSURER'S RECEIPT NO. 240272
SAM MODDERMAN, COUNTY AUDITOR/TREASURER
Dave Fellman
DEPUTY AUDITOR/TREASURER


By: [Signature]
Rock'N D Corporation
Its: Chief Executive Officer

By: [Signature]
Its: Chief Financial Officer

STATE OF MINNESOTA } ss.
COUNTY OF Kandiyohi

This instrument was acknowledged before me on April 13, 2009, by Douglas Dietz and Alan J. Dietz, the Chief Executive Officer and Chief Financial Officer of Rock'N D Corporation, a Minnesota corporation, under the laws of Minnesota on behalf of the Corporation.

NOTARIAL STAMP OR SEAL (FOR OTHER TITLE OR RANK)

 GLETUS J. FRANK
Notary Public
Minnesota
My Commission Expires Jan. 31, 2010

[Signature]
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens)
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee)

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS)
Stewart Title of Minnesota, Inc.
DBA Alliance Title Company
155 Lake Avenue North
Spicer, Minnesota 56288

Michael Stamer
13259 - 15th Street SW
Willmar, MN 56201

Current Taxes Paid in Full
Date 4/15/09
SAM MODDERMAN, Co. Auditor/Treasurer
Dave Fellman
Deputy Auditor/Treasurer
18-010-0010/0020

T: 89998

EXHIBIT A

That part of the NE $\frac{1}{4}$ of Section 10, Township 120, Range 34, Kandiyohi County, Minnesota, described as follows; Commencing at the Southeast corner of said NE $\frac{1}{4}$; thence on an assumed bearing of N 00 degrees 22 minutes 05 seconds E along the East line of said NE $\frac{1}{4}$, a distance of 833.00 feet; thence on a bearing of N 89 degrees 37 minutes 55 seconds W, 703.48 feet to the West line of the East 703.48 feet of said NE $\frac{1}{4}$, said point being the point of beginning of the tract herein described; thence continue on a bearing of N 89 degrees 37 minutes 55 seconds W, 255.52 feet; thence on a bearing of S 00 degrees 22 minutes 05 seconds W, 851.92 feet to the South line of said NE $\frac{1}{4}$; thence on a bearing of S 89 degrees 14 minutes 16 seconds W along last said line, 356.95 feet to the East line of the SW $\frac{1}{4}$ of said NE $\frac{1}{4}$; thence on a bearing of N 00 degrees 01 minutes 50 seconds E along last said line, 413.75 feet to the North line of the South 413.71 feet of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence on a bearing of S 89 degrees 14 minutes 16 seconds W along last said line 1318.59 feet to the West line of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence on a bearing of N 00 degrees 18 minutes 29 seconds W along last said line, 1771.46 feet, to a point that is 431.16 feet South of the Northwest corner of said NE $\frac{1}{4}$ as measured along the West line thereof; thence on a bearing of N 89 degrees 01 minutes 48 seconds E, 1954.61 feet to a point that is on the West line of the East 703.48 feet of said NE $\frac{1}{4}$, said point being 1345.74 feet North of the point of beginning as measured along last said line; thence on a bearing of S 00 degrees 22 minutes 05 seconds W along last said line, 1345.74 feet to the point of beginning.

V42789 4600 STOM Rec'd ATCS (9200)
563037

SPLIT PARCEL

OFFICE OF COUNTY RECORDER
KANDIYOHI COUNTY MINNESOTA

FILED AND/OR
RECORDED ON

06/20/2008 09:44AM

JULIE KALKBRENNER
COUNTY RECORDER

BY Judy A. Baker
DEPUTY STOM

No delinquent taxes or other entered Certificate
of Real Estate Value (X) filed () not required
Certificate of Real Estate Value No. 046744

June 17 2008
Sam Modderman
County Auditor/Treasurer
BY Jim Cula
Deputy

Split to
18-010-0010
18-010-0014

Form No. 7-M - WARRANTY DEED

Corporation, Partnership or Limited Liability Company to individual(s) Joint tenants

STATE DEED TAX DUE HEREON: \$131.12

Date: June 17 2008

FOR VALUABLE CONSIDERATION, Rock'N D Corporation, a Minnesota corporation, under the laws of Minnesota, Grantor, hereby conveys and warrants to Scott M. Harlow and Kari L. Harlow Grantee(s), real property in Kandiyohi County, Minnesota, described as follows:
\$05 Joint tenants

That part of the NE 1/4 of the NE 1/4 of Section 10, Township 120, Range 34, Kandiyohi County, Minnesota, described as follows: Commencing at the Northeast corner of said Section 10; thence on an assumed bearing of S 00°22'05" W along the East line of said Section 10, a distance of 697.98 feet to the point of beginning of the tract herein described; thence continue on a bearing of S 00°22'05" W along last said line, 292.85 feet; thence on a bearing of N 89°40'55" W, 703.48 feet to the West line of the East 703.48 feet of said NE 1/4 of the NE 1/4; thence on a bearing of N 00°22'05" E along last said line, 293.46 feet to its intersection with a line bearing N 89°37'55" W from the point of beginning; thence on a bearing of S 89°37'55" E along last said line, 703.48 Feet to the point of beginning.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: None

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

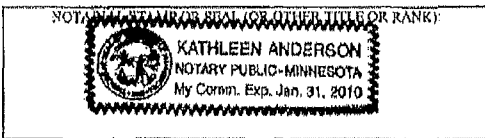
DATE 6/17/08
DEED TAX HEREON OF \$ 131.12 PAID
TREASURER'S RECEIPT NO. 230965
SAM MODDERMAN, CO. AUDITOR/TREASURER
Judy A. Baker
Deputy

By: [Signature]
Rock'N D Corporation
Its: Chief Executive Officer
By: [Signature]
Its: Chief Financial Officer

Stewart Title of Minnesota
3200 Main Street, Suite 230
Coon Rapids, MN, 55448
52-779

STATE OF MINNESOTA }
COUNTY OF Kandiyohi } ss.

This instrument was acknowledged before me on June 17, 2008, by Douglas Dietz and Alan J. Dietz, the Chief Executive Officer and Chief Financial Officer of Rock'N D Corporation, a Minnesota corporation, under the laws of Minnesota on behalf of the Corporation.



[Signature]
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens)
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):
Stewart Title of Minnesota, Inc.
DBA Alliance Title Company
155 Lake Avenue North
Spicer, Minnesota 56288

Scott M. Harlow
200 5th Avenue N
Spicer, Minnesota 56288
AND
Concorde Bank
1102 S 1st Street
Willmar, Minnesota 56201.

Current Taxes Paid In Full
Date June 17, 2008
Sam Modderman, Co. Auditor/Treasurer
[Signature]
Deputy Auditor/Treasurer

T: 78294

v 42-143 #54666 Stewart Title of Minnesota Inc Recd: ATCS

SPLIT PARCEL

No delinquent taxes and transfer entered to indicate of Real Estate Value (X) filed () not required Certificate of Real Estate Value No. 048219

November 29, 2007
Sam Madgesman
County Auditor/Treasurer
by [Signature] Deputy

18-010-0010
Split to 18-010-0013

557453

OFFICE OF COUNTY RECORDER
KANDIYOHI COUNTY MINNESOTA

FILED AND/OR
RECORDED ON

11/29/2007 03:58PM

JULIE KALKBRENNER
COUNTY RECORDER

BY Judy A Baker
DEPUTY ATCS

Form No. 7-M - WARRANTY DEED

Corporation, to Individual(s)

STATE DEED TAX DUE HEREON: \$96.10

Date: November 28, 2007

FOR VALUABLE CONSIDERATION, Rock'N D Corporation, a Minnesota corporation, a Partnership under the laws of Minnesota, Grantor, hereby conveys and warrants to Nell R. Gjerde and Beth A. Gjerde, husband and wife; Shawn R. Oman and Andrea R. Oman, husband and wife; Dean R. Ansen, a single person; Gerald D. Reiersen and Lynne Reiersen, husband and wife; Michael C. Lint and Kimberly A. Hanson-Lint, husband and wife, Grantee(s), real property in Kandiyohi County, Minnesota, described as follows:

SEE ATTACHED EXHIBIT A

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

DATE 11/29/07 Tax Stamp Here
DEED TAX HEREON OF \$ 96.10 PAID
TREASURER'S RECEIPT NO. 048219
SALES TAX RECEIPT NO. 048219

Rock'N D Corporation
By: [Signature]
Its: Chief Executive Officer
By: [Signature]
Its: Chief Financial Officer

STATE OF MINNESOTA } ss.
COUNTY OF Kandiyohi

This instrument was acknowledged before me on November 28, 2007, by Douglas Dietz and Al Dietz, the Chief Executive Officer and Chief Financial Officer of Rock'N D Corporation, a Minnesota corporation, a Corporation under the laws of Minnesota on behalf of the Corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)
KATHLEEN ANDERSON
NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES JAN 01 2010

[Signature]
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens)
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):
Stewart Title of Minnesota, Inc.
DBA Alliance Title Company
155 Lake Avenue North
Spicer, Minnesota 56288

Michael C. Lint
6412 Co Rd 40NE
New London, MN 56273 HR

AND
United Minnesota Bank
105 Central Avenue
P.O. Box 289
New London, Minnesota 56273

Current Taxes Paid in Full
Date: November 29, 2007
[Signature]
Deputy Auditor/Treasurer

T. 70065

EXHIBIT A

That part of the NE ¼ of the NE ¼ of Section 10, Township 120, Range 34, Kandiyohi County, Minnesota, described as follows: Commencing at the Northeast corner of said Section 10; thence on an assumed bearing of S 00°22'05" W along the East line of said Section 10, a distance of 498.17 feet to the point of beginning of the tract herein described; thence continue on a bearing of S 00°22'05" W along last said line, 199.81 feet; thence on a bearing of N 89°37'55" W, 703.48 feet to the West line of the East 703.48 feet of said NE ¼ of the NE ¼. thence on a bearing of N 00°22'05" E along last said line, 250.30 feet to its intersection with a line bearing N 85°31'36" W from the point of beginning; thence on a bearing of S 85°31'36" E along last said line, 705.29 feet to the point of beginning.

NOTES:
 THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE
 SURVEYING ACT OF 1932 AND THE SURVEYING ACT OF
 1954, AS AMENDED, AND THE RULES AND REGULATIONS
 THEREUNDER, AND THE PROFESSIONAL STANDARDS AND
 ETHICS OF THE SURVEYING PROFESSION.

FOR A COMPLETE
 DESCRIPTION OF THIS SURVEY,
 REFER TO THE
 ORIGINAL SURVEY
 INSTRUMENTS.

SECTION OF SURVEY PREPARED BY
 O'WALLEY & BOE
 LAND SURVEYORS, INC.

MAP NO. 27
 THIS SURVEY WAS
 PREPARED BY
 O'WALLEY & BOE
 LAND SURVEYORS, INC.

FOR A COMPLETE
 DESCRIPTION OF THIS SURVEY,
 REFER TO THE
 ORIGINAL SURVEY
 INSTRUMENTS.
 O'WALLEY & BOE
 LAND SURVEYORS, INC.

SHEET 1 OF 2

LEGAL DESCRIPTION

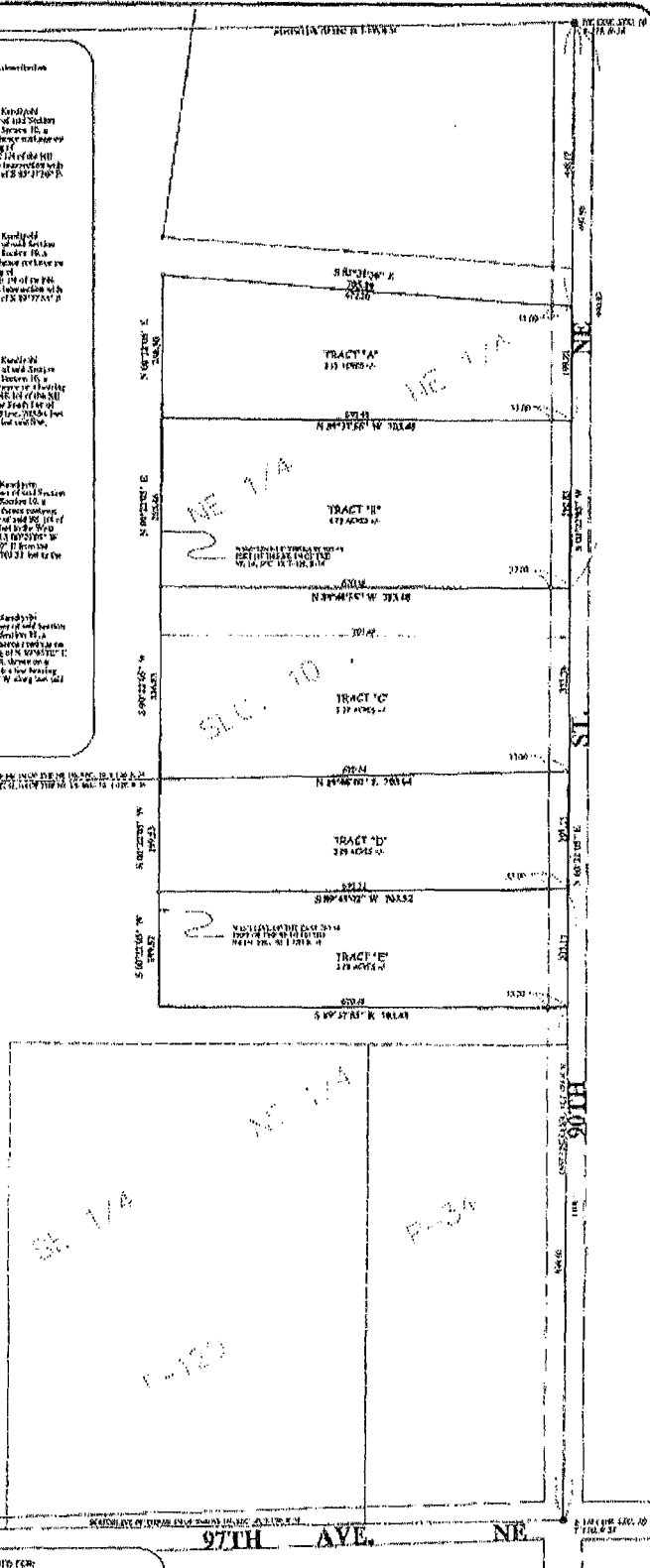
TRACT "A"
 That part of the NE 1/4 of the NE 1/4 of Section 10, Township 12N, Range 24E, Kandiyohi County, Minnesota, described as follows: Commencing at the NE corner of said Section 10, thence in its natural bearing of S 89°23'00" W along the East line thereof for a distance of 263.11 feet to the point of beginning; thence in its natural bearing of S 18°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of S 59°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of N 40°17'55" E along the East line thereof for a distance of 263.11 feet to the point of beginning. There is a bearing of 41°17'55" over and above.

TRACT "B"
 That part of the NE 1/4 of the NE 1/4 of Section 10, Township 12N, Range 24E, Kandiyohi County, Minnesota, described as follows: Commencing at the NE corner of said Section 10, thence in its natural bearing of S 89°23'00" W along the East line thereof for a distance of 263.11 feet to the point of beginning; thence in its natural bearing of S 18°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of S 59°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of N 40°17'55" E along the East line thereof for a distance of 263.11 feet to the point of beginning. There is a bearing of 41°17'55" over and above.

TRACT "C"
 That part of the NE 1/4 of the NE 1/4 of Section 10, Township 12N, Range 24E, Kandiyohi County, Minnesota, described as follows: Commencing at the NE corner of said Section 10, thence in its natural bearing of S 89°23'00" W along the East line thereof for a distance of 263.11 feet to the point of beginning; thence in its natural bearing of S 18°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of S 59°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of N 40°17'55" E along the East line thereof for a distance of 263.11 feet to the point of beginning. There is a bearing of 41°17'55" over and above.

TRACT "D"
 That part of the NE 1/4 of the NE 1/4 of Section 10, Township 12N, Range 24E, Kandiyohi County, Minnesota, described as follows: Commencing at the NE corner of said Section 10, thence in its natural bearing of S 89°23'00" W along the East line thereof for a distance of 263.11 feet to the point of beginning; thence in its natural bearing of S 18°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of S 59°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of N 40°17'55" E along the East line thereof for a distance of 263.11 feet to the point of beginning. There is a bearing of 41°17'55" over and above.

TRACT "E"
 That part of the NE 1/4 of the NE 1/4 of Section 10, Township 12N, Range 24E, Kandiyohi County, Minnesota, described as follows: Commencing at the NE corner of said Section 10, thence in its natural bearing of S 89°23'00" W along the East line thereof for a distance of 263.11 feet to the point of beginning; thence in its natural bearing of S 18°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of S 59°17'55" W, 200.96 feet to the end of the line; thence in its natural bearing of N 40°17'55" E along the East line thereof for a distance of 263.11 feet to the point of beginning. There is a bearing of 41°17'55" over and above.



JOB NO: 0707
 FILE NAME: 0707.SG
 LOCATION: 10-120-34

CERTIFICATE OF WORK PREPARED FOR:
DIETZ BROS.

554214

OFFICE OF COUNTY RECORDER
KANDIYOHI COUNTY MINNESOTA

FILED AND/OR
RECORDED ON

08/06/2007 03:23PM

SPLIT PARCEL

No delinquent taxes and transfer entered. Certificate of Real Estate Value (X) filed () not required

Certificate of Real Estate Value No. 47848

August 6 2007

SAM MODDERMAN

County Auditor/Treasurer

By Mitchell L. Arnold

18-010-0010 split to

18-010-0011

JULIE KALKBRENNER
COUNTY RECORDER

By Susan Bradshaw
DEPUTY JMSK

WARRANTY DEED Form No. 11-M Minnesota Uniform
Corporation, Partnership or Limited (Top 3 inches Reserved for Recording Data) Conveyancing Blanks (6/17/97)
Liability Company to Joint Tenants

DEED TAX DUE: \$140.25

Date: August 6, 2007

FOR VALUABLE CONSIDERATION, Rock'n D Corporation, a Corporation under the laws of Minnesota, Grantor, hereby conveys and warrants to Mitchell L. Arnold and Lynn M. Arnold, Grantees, as joint tenants, real property in Kandiyohi County, Minnesota, described as follows:

SEE ATTACHED EXHIBIT A

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Subject to easements and restrictions of record, if any.

Check box if applicable:

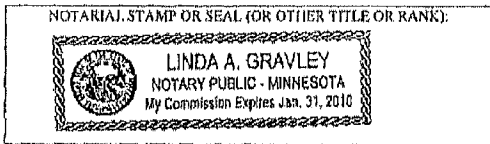
- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously file well disclosure certificate.

DATE August 6, 2007
DEED TAX AMOUNT OF \$ 140.25 PAID
TREASURER'S RECEIPT NO. 230465
SAM MODDERMAN, CO. AUDITOR/TREASURER
Mitchell L. Arnold
COUNTY AUDITOR/TREASURER

Rock'n D Corporation
By: Douglas Dietz
Douglas Dietz
Its: Chief Executive Officer
By: Alan Dietz
Alan Dietz
Its: EFO

STATE OF MINNESOTA }
COUNTY OF KANDIYOHI } ss.

This instrument was acknowledged before me on, by Douglas Dietz and Alan Dietz, the Chief Executive Officer and CFO of Rock'n D Corporation, a Corporation under the laws of Minnesota, on behalf of the Corporation.



Linda A. Gravley
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part of all of the land is Registered (Torrens)

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):
Johnson, Moody, Schmidt & Kleinhuizen, P.A.
320 S. 1st Street
Willmar, Minnesota 56201

Mitchell L. Arnold and Lynn M. Arnold
P.O. Box 286
Willmar, MN 56201

Current Taxes Paid in Full
Date August 6, 2007
Mitchell L. Arnold
COUNTY AUDITOR/TREASURER

EXHIBIT A

That part of the NE 1/4 of the NE 1/4 of Section 10, Township 120, Range 34, Kandiyohi County, Minnesota, described as follows: Commencing at the Northeast corner of said Section 10; thence on an assumed bearing of S 00°22'05" W along the East line of said Section 10, a distance of 990.83 feet to the point of beginning of the tract herein described; thence on a bearing of N 89°40'55" W, 703.48 feet to the West line of the East 703.48 feet of said NE 1/4 of the NE 1/4; thence on a bearing of S 00°22'05" W along last said line, 336.93 feet to the South line of said NE 1/4 of the NE 1/4; thence on a bearing of N 89°08'00" E along last said line, 703.64 feet to the East line of said Section 10; thence on a bearing of N 00°22'05" E along last said line, 322.38 feet to the point of beginning.

NOTE: THIS SURVEY WAS MADE UNDER THE PROVISIONS OF THE LAND SURVEY ACT, R.S.M. 242, WHICH PROVIDES THAT THE SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF HIS SURVEY AND THAT HE SHALL NOT BE LIABLE FOR THE CONSEQUENCES OF ANY MISTAKE OR NEGLIGENCE IN HIS SURVEY.

FOR MORE INFORMATION CONTACT:
 220 MAIN STREET
 MINNEAPOLIS, MN 55402
 1-800-525-2525
 FAX 612-338-2248

O'HALLEY & BOE
 LAND SURVEYORS, INC.

PREPARED BY: STUDY PROVIDED BY:
 220 MAIN STREET
 MINNEAPOLIS, MN 55402
 1-800-525-2525
 FAX 612-338-2248

EXAMINED BY: TRAILER SURVEY, INC. (AS PER ORDER)
 220 MAIN STREET
 MINNEAPOLIS, MN 55402
 1-800-525-2525
 FAX 612-338-2248

DATE: 7-1-10

SHEET 1 OF 1

LEGAL DESCRIPTION

Tract of land lying and being within County of Kandiyohi, State of Minnesota, described as follows, to wit:

TRACT "A"
 That part of the NE 1/4 of the NW 1/4 of Section 10, Township 120, Range 24, Kandiyohi County, Minnesota, described as follows, commencing at the northeast corner of said Section 10, thence to an assumed bearing of $5^{\circ}07'25.00''$ W along the East line of said Section 10, a distance of 266.17 feet to the point of beginning of the 300-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 100.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, 288.88 feet to the West line of the East 700-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning, thence to a bearing of $83^{\circ}51'31.00''$ N along the East line, 100.00 feet to the point of beginning.
 Containing 1.00 acre, more or less.

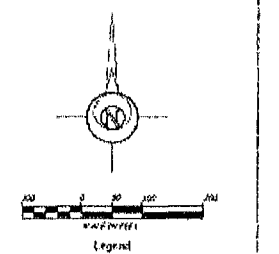
TRACT "B"
 That part of the NE 1/4 of the NW 1/4 of Section 10, Township 120, Range 24, Kandiyohi County, Minnesota, described as follows, commencing at the northeast corner of said Section 10, thence to an assumed bearing of $5^{\circ}07'25.00''$ W along the East line of said Section 10, a distance of 100.00 feet to the point of beginning of the 300-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 100.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, 288.88 feet to the West line of the East 700-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning, thence to a bearing of $83^{\circ}51'31.00''$ N along the East line, 100.00 feet to the point of beginning.
 Containing 0.11 acre, more or less.

TRACT "C"
 That part of the NE 1/4 of the NW 1/4 of Section 10, Township 120, Range 24, Kandiyohi County, Minnesota, described as follows, commencing at the northeast corner of said Section 10, thence to an assumed bearing of $5^{\circ}07'25.00''$ W along the East line of said Section 10, a distance of 100.00 feet to the point of beginning of the 300-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 100.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, 288.88 feet to the West line of the East 700-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning, thence to a bearing of $83^{\circ}51'31.00''$ N along the East line, 100.00 feet to the point of beginning.
 Containing 1.00 acre, more or less.

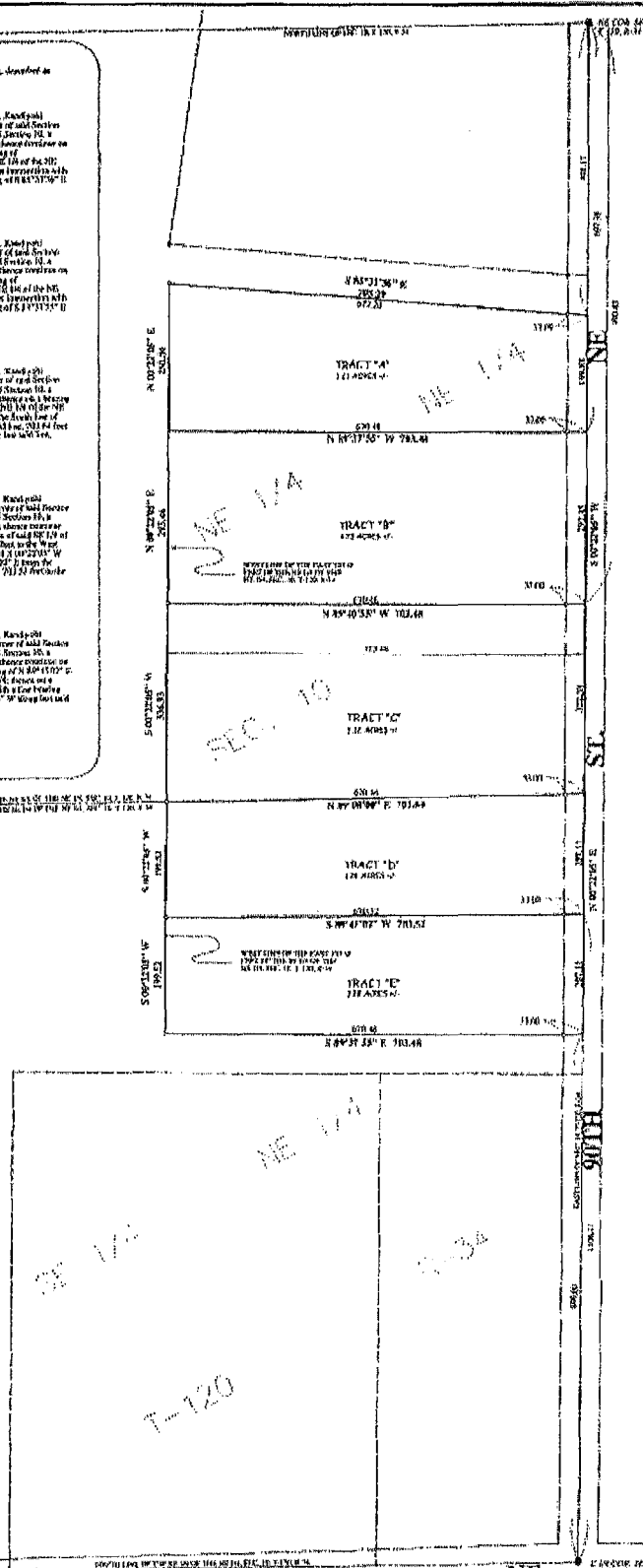
TRACT "D"
 That part of the NE 1/4 of the NW 1/4 of Section 10, Township 120, Range 24, Kandiyohi County, Minnesota, described as follows, commencing at the northeast corner of said Section 10, thence to an assumed bearing of $5^{\circ}07'25.00''$ W along the East line of said Section 10, a distance of 100.00 feet to the point of beginning of the 300-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 100.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, 288.88 feet to the West line of the East 700-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning, thence to a bearing of $83^{\circ}51'31.00''$ N along the East line, 100.00 feet to the point of beginning.
 Containing 1.00 acre, more or less.

TRACT "E"
 That part of the NE 1/4 of the NW 1/4 of Section 10, Township 120, Range 24, Kandiyohi County, Minnesota, described as follows, commencing at the northeast corner of said Section 10, thence to an assumed bearing of $5^{\circ}07'25.00''$ W along the East line of said Section 10, a distance of 100.00 feet to the point of beginning of the 300-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 100.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, 288.88 feet to the West line of the East 700-foot wide road, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning of $N 89^{\circ}47'25.00''$ W, thence to a bearing of $115^{\circ}02'11.00''$ W along the East line, 250.00 feet to the point of beginning, thence to a bearing of $83^{\circ}51'31.00''$ N along the East line, 100.00 feet to the point of beginning.
 Containing 1.00 acre, more or less.

All areas subject to easement or interest.
 All areas shown to the right of the public in the flow strip Road.



- INDICATES IRON MONUMENT FOUND
- INDICATES IRON MONUMENT PLACED
- INDICATES KANDIYOHI COUNTY CAST IRON MONUMENT



JOB NO: 0707
 FILE NAME: 0707.scg
 LOCATION: 10-120-34

CERTIFICATE OF SURVEY PREPARED FOR:
DIETZ BROS.

✓ 10804 \$19.50 DNWF

Individual Personal Representative(s) to Corporation or Partnership, or LLC

No delinquent taxes and transfer entered; Certificate of Real Estate Value () filed (X) not required
Certificate of Real Estate Value No. September 8, 2000
Ann Modderman
County Auditor
by Shelly Hansen
Deputy
85-903-01637
18-010-0020 + 0010

OFFICE OF COUNTY RECORDER
County of Kandiyohi, Minn.
I hereby certify that the within instrument was filed in the office for record on 09-08-2000 at 10:13 AM and was duly recorded as Document No. 462277
Julia Grayley, County Recorder
By Judy A. Baker
Deputy DNWF
6/1+3 SE NE N NE 10-120-34
3-120-34 reserved for recording data

DEED TAX DUE: 50.00 L 45

Date: September 5, 2000

FOR VALUABLE CONSIDERATION JOHN FILLENWORTH, grantor,

as Personal Representative(s) of the Estate of EARL KERMIT NELSON, a/k/a KERMIT NELSON, Decedent, single married at the time of death (if "married" is checked, attach a Consent of Spouse [Form No. 106-M]), Grantor, conveys to ROCK N'D CORPORATION,

Grantee, a Corporation under the laws of Minnesota real property in Kandiyohi County, Minnesota, described as follows:

See attached Exhibit A, Legal Description.

THIS IS A CORRECTIVE PERSONAL REPRESENTATIVE'S DEED EXECUTED FOR THE PURPOSE OF CORRECTING THAT CERTAIN LEGAL DESCRIPTION SET FORTH IN THAT CERTAIN ORIGINAL PERSONAL REPRESENTATIVE'S DEED DATED FEBRUARY 26, 1999, AND FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER, KANDIYOHI COUNTY, MINNESOTA, ON MARCH 17, 1999, AS MICROFILM NO. 445869.

together with all hereditaments and appurtenances belonging thereto.

- The Seller certifies that the seller does not know of any wells on the described property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

DATE 9-8-00
DEED TAX AMOUNT OF \$ 1.45 PAID
TREASURER'S RECEIPT NO. 121288
SAY AND DELIVER TO THE COUNTY AUDITOR
Shelly Hansen
DEPUTY COUNTY AUDITOR

Affix Deed Tax Stamp Here

STATE OF MINNESOTA }
COUNTY OF ST LOUIS }

PERSONAL REPRESENTATIVE(S)
John Fillenworth
JOHN FILLENWORTH

This instrument was acknowledged before me on Sept. 5, 2000 (Date)

by JOHN FILLENWORTH, grantor,

as Personal Representative(s) of the Estate of EARL KERMIT NELSON, a/k/a KERMIT NELSON, Decedent

NOTARIAL STAMP FOR SEAL (OR OTHER TITLE OR BANK)
ANN E. ELNES
NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES 1-31-2002

Ann E. Elnes
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL
Check here if part or all of the land is Registered (Towns)
This Statement for the real property described in this instrument should be sent to the title insurer and address of insurer.

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):
CLETUS J. FRANK
DARVAL, NELSON, WERMERSKIRCHEN
& FRANK, P.A.
1601 EAST HIGHWAY 12 - APPLETREE SQ.
P.O. BOX 1175
WILLMAR, MN 56201 - (320)235-1876

ROCK N'D CORPORATION
PO BOX 670
SPICER, MN 56288

LEGAL DESCRIPTION

The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), The North Half of Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), and Government Lot 3, all in Section 10, Township 120, Range 34; ALSO Government Lots 1 and 2 of Section 3, Township 120, Range 34; EXCEPT the following:

EXCEPTION NO. 1: All that part of said Government Lots 1 and 2 in Section 3, Township 120, Range 34, platted as Park Addition to Spicer, according to the duly recorded plat thereof on file and of record in the office of the County Recorder, Kandiyohi County, Minnesota, in Plat File Folder No. 65.

EXCEPTION NO. 2: All that part of said Government Lots 1 and 2 in Section 3, Township 120, Range 34, platted as Subdivision of Government Lot 2, Section 3, Township 120 North, Range 34 West, according to the duly recorded plat thereof on file and of record in the office of the County Recorder, Kandiyohi County, Minnesota, in Plat File Folder No. 91; said Plat also referred to of record as Hagenstein's Subdivision of Government Lot 2, Section 3, Township 120, Range 34.

EXCEPTION NO. 3: All that part of said Government Lot 1 in Section 3, Township 120, Range 34, platted as Green Lake Terrace, according to the duly recorded plat thereof on file and of record in the office of the County Recorder, Kandiyohi County, Minnesota, in Plat File Folder No. 397-B.

EXCEPTION NO. 4: That part of Government Lots 1 and 2, Section 3, Township 120, Range 34, more particularly described as follows: Beginning at the Northeast corner of Lot F in Plat of Subdivision of Government Lot 2, Section 3, Township 120, Range 34; thence Easterly along the South line of Lake Avenue in Park Addition to Spicer, a distance of 979 feet; thence South and parallel with the East line of said Lot F, a distance of 209 feet; thence Westerly and parallel with the South line of said Lake Avenue, a distance of 979 feet to a point on the East line of said Lot F; thence North along the East line of said Lot F, a distance of 209 feet to the point of beginning.

EXCEPTION NO. 5: That part of Government Lot 1, Section 3, Township 120, Range 34, more particularly described as follows: Beginning at a point on the South line of said Lake Avenue, a distance of 1079 feet Easterly from the Northeast corner of said Lot F of said Subdivision of Government Lot 2, Section 3, Township 120, Range 34; thence Easterly along the South line of said Lake Avenue, a distance of 153 feet; thence South at right angles, a distance of 137 feet; thence Westerly at right angles to a point distant 1079 feet Easterly from the East line of said Lot F; thence Northerly a distance of 162 feet to the point of beginning.

EXCEPTION NO. 6: That part of Government Lot 1, Section 3, Township 120, Range 34, more particularly described as follows: Beginning at a point on the South line of said Lake Avenue distant 33 feet Westerly from the East line of said Government Lot 1 of Section 3; thence Westerly along the South line of said Lake Avenue, a distance of 300 feet; thence Southeasterly a distance of 400 feet to a point distant 33 feet Westerly from the East line of said Government Lot 1 and 108 feet Southerly from the South line of said Lake Avenue, thence Northerly a distance of 108 feet to the point of beginning.

EXCEPTION NO. 7: That part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 120, Range 34, described by metes and bounds as follows, to-wit: Commencing at the Southeast corner of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North along the East line of said Section a distance of 833 feet; thence West at right angles 341 feet; thence South on a line parallel to the East line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ to a point on the South line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$; thence East to the place of beginning.

EXCEPTION NO. 8: That part of Government Lot 1, Section 3, Township 120, Range 34, described as follows: Beginning at a point on the centerline tangent of County State Aid Highway #10, said point being N 88°28' E, 979 feet from the East line of Lot "F" of "Hagensteins Subdivision of Government Lot 2, Section 3, Township 120, Range 34 (as extended to intersect with said centerline); thence S 1°08' E, 613 and 83/100 feet; thence N 88°52' E 702 and 86/100 feet to a point on the East line of said Government Lot 1; thence along said East line, N 00°25' E 436 and 93/100 feet to a point on the centerline of said County Road; thence deflect left 73°27' to tangent of a 2°30' centerline curve to the left, central angle 7°50'; thence along said curve an arc distance of 313 and 32/100 feet to a point of tangency; thence N 76°57' W 182 and 1/10 feet to the point of a tangential 5° curve to the left, central angle 12°13'48"; thence along said curve an arc distance of 244 and 6/10 feet; thence N 1°08' W Zero and Sixty Seven Hundredths feet to the point of beginning.

EXCEPTION NO. 9: That part of Government Lot 2, Section 3, Township 120, Range 34, described as follows: Commencing at the Southwest corner of said Government Lot 2; thence North 735 and 12/100 feet along the West line of said Government Lot 2, to the Southwest corner of Lot "A", Hagensteins Addition, thence along the South line of said Lot "A" S 82°9'30" E, 50 and 47/100 feet to a point on the Easterly 50 foot right-of-way of C.S.A.H. 8, said point being the point of beginning of the tract herein described; thence

continuing S 82°9'30" E, 155 feet; thence South 200 feet; thence N 82°9'30" W, 155 feet to a point on the Easterly 50 foot right of way of C.S.A.H. 8; thence along said right-of-way North 200 feet to the point of beginning.

EXCEPTION NO. 10: That part of Government Lot 1, Section 3, Township 120, Range 34, described as follows: Commencing at the Southeast corner of said Section 3; thence on an assumed bearing of N 0°17'58" E, along the East line of said Section 3, a distance of 306.00 feet to the point of beginning of the tract herein described; thence continuing on a bearing of N 0°17'58" E, along said East line, 316.00 feet to the South line of a parcel described in Book 180 at Page 139, Kandiyohi County, Minnesota; thence on a bearing of S 88°52'18" W, along the South line of said described parcel, 694.64 feet; thence on a bearing of S 1°43'18" E, 315.92 feet; thence on a bearing of N 88°52'18" E, 683.50 feet to the point of beginning.

EXCEPTION NO. 11: That part of Government Lot 1 of Section 3, and that part of the NE¼ of NE¼ of Section 10, all in Township 120, Range 34, described as follows: Beginning at the Northeast corner of said Section 10; thence on an assumed bearing of S 0°22'05" W along the East line of said Section 10, a distance of 432.00 feet; thence on a bearing of N 85°31'36" W, 705.29 feet; thence on a bearing of N 7°57'39" E, 419.59 feet; thence on a bearing of S 88°21'29" E, 646.25 feet to a point in the East line of said Section 3; thence on a bearing of S 0°28'26" W, along last said East line, 20.00 feet to the point of beginning.

EXCEPTION NO. 12: That part of Government Lot 2, Section 3, Township 120, Range 34, described as follows: Commencing at the Southwest corner of said Government Lot 2; thence on an assumed bearing of NORTH, along the West line of said Government Lot 2, distance of 735.12 feet to the Southwest corner of Lot "A" of said Subdivision of Government Lot 2, Section 3, Township 120, Range 34, as of public record, Kandiyohi County, Minnesota; thence on a bearing of S 82°09'30" E, along the South line of said Subdivision of Government Lot 2, a distance of 205.47 feet to the point of beginning of the tract herein described; thence continuing on a bearing of S 82°09'30" E, along last said line 32.65 feet; thence on a bearing of S 89°45'49" E, along last said line 53.93 feet; thence Southeasterly 108.68 feet, along a non-tangent curve, concave to the Northeast, having a radius of 88.60 feet and a central angle of 70°17'08", and a chord bearing and distance of S 35°33'01" E, 101.99 feet; thence on a bearing of SOUTH, non-tangent to last said curve, 305.67 feet; thence on a bearing of N 86°42' W, 145.82 feet to the Southerly extension of the East line of said tract described in Microfilm No. 358684; thence on a bearing of NORTH, along last said line, 384.93 feet to the point of beginning.

EXCEPTION NO. 13: That part of Government Lot 2, Section 3, Township 120, Range 34, described as follows: Commencing at the Southwest corner of said Government Lot 2; thence on an assumed bearing of NORTH, along the West line of said Government Lot 2, a distance of 735.12 feet to the Southwest corner of Lot "A" of Subdivision of Government Lot 2, Section 3, Township 120, Range 34, as of public record, Kandiyohi County, Minnesota; thence on a bearing of S 82°09'30" E, along the South line of said Subdivision of part of Government Lot 2, a distance of 238.12 feet; thence on a bearing of S 89°45'49" E, along last said line, 53.93 feet to the point of beginning of the tract herein described; thence Southeasterly, 108.68 feet, along a non-tangent curve, concave to the Northeast, having a radius of 88.60 feet and a central angle of 70°17'08", and a chord bearing a distance of S 35°33'01" E, 101.99 feet; thence on a bearing of SOUTH, non-tangent to last said curve, 305.67 feet; thence on a bearing of S 86°42' E, 516.88 feet; thence on a bearing of NORTH, 412.43 feet to the South line of said Subdivision of Government Lot 2; thence on a bearing of N 89°24'18" W, along last said line, 575.35 feet to the point of beginning.

SPLIT PARCEL

8531
1990 NRES

OFFICE OF COUNTY RECORDER
KANDIYOH COUNTY MINNESOTA
CERTIFIED TO BE FILED
AND/OR RECORDED ON

MAR 17 1999

TIME 12:00 AM (PM)
JULIE GRAVLEY
COUNTY RECORDER
DEPUTY
NEES

43
SEWE
NVE
10-120-342 C
Pt Grt Lts
1 & 2
ac ac
3-120-342

No delinquent taxes and transfer entered: Certificate of Real Estate Value (X) filed () not required
Certificate of Real Estate Value No. 25576
March 9, 1999

Sam Modderman
County Auditor/Treasurer

by Shelly Hansen
18-010-0010 & 0020 Deputy
85-903-0151

PERSONAL REPRESENTATIVE'S DEED

④ Individual Personal Representative

No delinquent taxes and transfer entered;
Certificate of Real Estate Value () filed
() not required. Certificate of Real Estate Value No. _____, 19____

County Auditor
by _____
Deputy

STATE DEED TAX DUE HEREON: \$ 985.50

Date: February 16, 1999

FOR VALUABLE CONSIDERATION, JOHN FILLENWORTH, Grantor, as Personal Representative of the Estate of EARL KERMIT NELSON, aka KERMIT NELSON, Decedent, unmarried at the time of death, hereby conveys to ROCK'N D CORP., Grantee, real property in Kandiyohi County, Minnesota, described as follows:

SEE EXHIBIT "A" ATTACHED

The Seller certifies that the seller does not know of any wells on the described property.

A well disclosure certificate accompanies this document.

I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

DATE 3-9-99
DEED TAX HEREON OF \$ 985.50 PAID
TREASURER'S RECEIPT NO. 103374
SAM MODDERMAN, CO AUDITOR/TREASURER
Shelly Hansen
DEPUTY AUDITOR/TREASURER

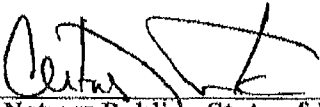
Affix Deed Tax Stamp Here

John Fillenworth
John Fillenworth
Personal Representative

MICROFILM 445869

STATE OF MINNESOTA)
) ss.
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this 26 day of February, 1999, by JOHN FILLENWORTH, as Personal Representative of the Estate of EARL KERMIT NELSON, aka KERMIT NELSON, Decedent.



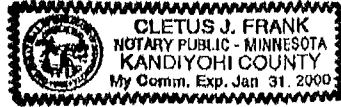
Notary Public, State of Minnesota

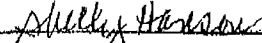
THIS INSTRUMENT WAS DRAFTED BY:

John Fillenworth
FILLENWORTH LAW OFFICE, LTD.
309 Board of Trade Building
Duluth, MN 55802
(218) 727-5844
Atty. Reg. No. 2918X
Pro\Day\Nelson-Roo.PRD

Send real estate tax statements to:

Rock'n D Corp.
P. O. Box 670
Spicer, MN 56288



85-903-0151 only
Current Taxes Paid in Full
Date 3-17-99
Sam Modderman, Co. Auditor/Treasurer

Deputy Auditor/Treasurer

LEGAL DESCRIPTION

The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), The North Half of Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), and Government Lot 3, all in Section 10, Township 120, Range 34; ALSO Government Lots 1 and 2 of Section 3, Township 120, Range 34; EXCEPT the following:

EXCEPTION NO. 1: All that part of said Government Lots 1 and 2 in Section 3, Township 120, Range 34, platted as Park Addition to Spicer, according to the duly recorded plat thereof on file and of record in the office of the County Recorder, Kandiyohi County, Minnesota, in Plat File Folder No. 65.

EXCEPTION NO. 2: All that part of said Government Lots 1 and 2 in Section 3, Township 120, Range 34, platted as Subdivision of Government Lot 2, Section 3, Township 120 North, Range 34 West, according to the duly recorded plat thereof on file and of record in the office of the County Recorder, Kandiyohi County, Minnesota, in Plat File Folder No. 91; said Plat also referred to of record as Hagenstein's Subdivision of Government Lot 2, Section 3, Township 120, Range 34.

EXCEPTION NO. 3: All that part of said Government Lot 1 in Section 3, Township 120, Range 34, platted as Green Lake Terrace, according to the duly recorded plat thereof on file and of record in the office of the County Recorder, Kandiyohi County, Minnesota, in Plat File Folder No. 397-B.

EXCEPTION NO. 4: That part of Government Lots 1 and 2, Section 3, Township 120, Range 34, more particularly described as follows: Beginning at the Northeast corner of Lot F in Plat of Subdivision of Government Lot 2, Section 3, Township 120, Range 34; thence Easterly along the South line of Lake Avenue in Park Addition to Spicer, a distance of 979 feet; thence South and parallel with the East line of said Lot F, a distance of 209 feet; thence Westerly and parallel with the South line of said Lake Avenue, a distance of 979 feet to a point on the East line of said Lot F; thence North along the East line of said Lot F, a distance of 209 feet to the point of beginning.

EXCEPTION NO. 5: That part of Government Lot 1, Section 3, Township 120, Range 34, more particularly described as follows: Beginning at a point on the South line of said Lake Avenue, a distance of 1079 feet Easterly from the Northeast corner of said Lot F of said Subdivision of Government Lot 2, Section 3, Township 120, Range 34; thence Easterly along the South line of said Lake Avenue, a distance of 153 feet; thence South at right angles, a distance of 137 feet; thence Westerly at right angles to a point distant 1079 feet Easterly from the East line of said Lot F; thence Northerly a distance of 162 feet to the point of beginning.

EXCEPTION NO. 6: That part of Government Lot 1, Section 3, Township 120, Range 34, more particularly described as follows: Beginning at a point on the South line of said Lake Avenue distant 33 feet Westerly from the East line of said Government Lot 1 of Section 3; thence Westerly along the South line of said Lake Avenue, a distance of 360 feet; thence Southeasterly a distance of 400 feet to a point distant 33 feet Westerly from the East line of said Government Lot 1 and 108 feet Southerly from the South line of said Lake Avenue, thence Northerly a distance of 108 feet to the point of beginning.

EXCEPTION NO. 7: That part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 120, Range 34, described by metes and bounds as follows, to-wit: Commencing at the Southeast corner of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North along the East line of said Section a distance of 833 feet; thence West at right angles 341 feet; thence South on a line parallel to the East line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ to a point on the South line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$; thence East to the place of beginning.

EXCEPTION NO. 8: That part of Government Lot 1, Section 3, Township 120, Range 34, described as follows: Beginning at a point on the centerline tangent of County State Aid Highway #10, said point being N 88°28' E, 979 feet from the East line of Lot "F" of "Hagensteins Subdivision of Government Lot 2, Section 3, Township 120, Range 34 (as extended to intersect with said centerline); thence S 1°08' E, 613 and 83/100 feet; thence N 88°52' E 702 and 86/100 feet to a point on the East line of said Government Lot 1; thence along said East line, N 00°25' E 436 and 93/100 feet to a point on the centerline of said County Road; thence deflect left 73°27' to tangent of a 2°30' centerline curve to the left, central angle 7°50'; thence along said curve an arc distance of 313 and 32/100 feet to a point of tangency; thence N 76°57' W 182 and 1/10 feet to the point of a tangential 5° curve to the left, central angle 12°13'40"; thence along said curve an arc distance of 244 and 6/10 feet; thence N 1°08' W Zero and sixty Seven Hundredths feet to the point of beginning.

EXCEPTION NO. 9: That part of Government Lot 2, Section 3, Township 120, Range 34, described as follows: Commencing at the Southwest corner of said Government Lot 2; thence North 735 and 12/100 feet along the West line of said Government Lot 2, to the Southwest corner of Lot "A", Hagensteins Addition, thence along the South line of said Lot "A" S 82°9'30" E, 50 and 47/100 feet to a point on the Easterly 50 foot right-of-way of C.S.A.H. 8, said point being the point of beginning of the tract herein described; thence

continuing S 82°09'30" E, 155 feet; thence South 200 feet; thence N 82°09'30" W, 155 feet to a point on the Easterly 50 foot right of way of C.S.A.H. 8; thence along said right-of-way North 200 feet to the point of beginning.

EXCEPTION NO. 10: That part of Government Lot 1, Section 3, Township 120, Range 34, described as follows: Commencing at the Southeast corner of said Section 3; thence on an assumed bearing of N 0°17'58" E, along the East line of said Section 3, a distance of 306.00 feet to the point of beginning of the tract herein described; thence continuing on a bearing of N 0°17'58" E, along said East line, 316.004 feet to the South line of a parcel described in Book 180 at Page 139, Kandiyohi County, Minnesota; thence on a bearing of S 88°52'18" W, along the South line of said described parcel, 694.84 feet; thence on a bearing of S 1°43'18" E, 315.92 feet; thence on a bearing of N 88°52'18" E, 683.50 feet to the point of beginning.

EXCEPTION NO. 11: That part of Government Lot 1 of Section 3, and that part of the NE¼ of Section 10, all in Township 120, Range 34, described as follows: Beginning at the Northeast corner of said Section 10; thence on an assumed bearing of S 0°22'05" W along the East line of said Section 10, a distance of 432.00 feet; thence on a bearing of N 85°31'36" W, 705.29 feet; thence on a bearing of N 7°57'39" E, 419.59 feet; thence on a bearing of S 88°21'29" E, 648.25 feet to a point in the East line of said Section 3; thence on a bearing of S 0°28'26" W, along last said East line, 20.00 feet to the point of beginning.

EXCEPTION NO. 12: That part of Government Lot 2, Section 3, Township 120, Range 34, described as follows: Commencing at the Southwest corner of said Government Lot 2; thence on an assumed bearing of NORTH, along the West line of said Government Lot 2, distance of 735.12 feet to the Southwest corner of Lot "A" of said Subdivision of Government Lot 2, Section 3, Township 120, Range 34, as of public record, Kandiyohi County, Minnesota; thence on a bearing of S 82°09'30" E, along the South line of said Subdivision of Government Lot 2, a distance of 205.47 feet to the point of beginning of the tract herein described; thence continuing on a bearing of S 82°09'30" E, along last said line 32.65 feet; thence on a bearing of S 89°09'30" E, along last said line 53.93 feet; thence Southeasterly 108.68 feet, along a non-tangent curve, concave to the Northeast, having a radius of 88.60 feet and a central angle of 70°17'08", and a chord bearing and distance of S 35°33'01" E, 101.99 feet; thence on a bearing of SOUTH, non-tangent to last said curve, 305.67 feet; thence on a bearing of N 86°42' W, 145.82 feet to the Southerly extension of the East line of said tract described in Microfilm No. 358684; thence on a bearing of NORTH, along last said line, 384.93 feet to the point of beginning.

EXCEPTION NO. 13: That part of Government Lot 2, Section 3, Township 120, Range 34, described as follows: Commencing at the Southwest corner of said Government Lot 2; thence on an assumed bearing of NORTH, along the West line of said Government Lot 2, a distance of 735.12 feet to the Southwest corner of Lot "A" of Subdivision of Government Lot 2, Section 3, Township 120, Range 34, as of public record, Kandiyohi County, Minnesota; thence on a bearing of S 82°09'30" E, along the South line of said Subdivision of part of Government Lot 2, a distance of 238.12 feet; thence on a bearing of S 89°45'49" E, along last said line, 53.93 feet to the point of beginning of the tract herein described; thence Southeasterly, 108.68 feet, along a non-tangent curve, concave to the Northeast, having a radius of 88.60 feet and a central angle of 70°17'08", and a chord bearing a distance of S 35°33'01" E, 101.99 feet; thence on a bearing of SOUTH, non-tangent to last said curve, 305.67 feet; thence on a bearing of S 86°42' E, 516.88 feet; thence on a bearing of NORTH, 412.43 feet to the South line of said Subdivision of Government Lot 2; thence on a bearing of N 89°24'18" W, along last said line, 575.35 feet to the point of beginning.

NNE
10-120-34

15400 34600 Rock 'N D Corporation rec'd Stoms

SPLIT PARCEL

588859

OFFICE OF COUNTY RECORDER
KANDIYOHI COUNTY MINNESOTA

FILED AND/OR
RECORDED ON

11/18/2010 01:37PM

JULIE KALKBRENNER
COUNTY RECORDER

BY Judy A. Baker
DEPUTY STOMS

No delinquent taxes and transfer encroached. Certificate
of Real Estate Value (X) filed () not required
Certificate of Real Estate Value No. 05080
4 renewed 18 2010

SAM MODDERMAN
County Auditor/Treasurer
by Anna Cella
18-010-0015
18-010-0010

Form No. 28-M - QUIT CLAIM DEED
Individual(s) to Corporation, Partnership or Limited Liability Company

DRED TAX DUE: \$79.89

Date: November 15, 2010

FOR VALUABLE CONSIDERATION, Michael Stamer, a single person, Grantor(s), hereby convey(s) and quitclaim(s) to Rock'N D Corporation, Grantee, a Corporation under the laws of Minnesota, real property in Kandiyohi County, Minnesota, described as follows:

SEE ATTACHED EXHIBIT A

together with all hereditaments and appurtenances.

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since last previously filed well disclosure certificate.

Michael Stamer
Michael Stamer

Affix Deed Tax Stamp Here

DATE 11-18-10
DEED TAX HEREON OF \$ 79.89 PAID
TREASURER'S RECEIPT NO. 257564
SAM MODDERMAN, CO. AUDITOR/TREASURER
Anna Cella
DEPUTY CLERK OF COURSE

STATE OF MINNESOTA } ss.
COUNTY OF KANDIYOHI

This instrument was acknowledged before me on November 15, 2010, by Michael Stamer, a single person, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)
KATHLEEN ANDERSON
NOTARY PUBLIC - MINN. 2004
My Comm. Expires Jan 31, 2012

Kathleen Anderson
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens)
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee)

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):
Stewart Title of Minnesota, Inc.
155 Lake Avenue North
Spicer, Minnesota 56288

Rock'N D Corporation
12185 51st Street NE
Spicer, MN 56288

Current Taxes Paid in Full
Date November 18, 2010
Sam Modderman, Co. Auditor/Treasurer
Anna Cella
Deputy Auditor/Treasurer

T: 112894

Propery Transfer.txt
Legal Description

Tract of land lying and being in the County of Kandiyohi, State of Minnesota, described as follows, to-wit:

That part of the NE 1/4 of Section 10 Township 120, Range 34, Kandiyohi County, Minnesota, described as follows; Commencing at the North Quarter corner of said section 10; thence on an assumed bearing of S 00°18'29" E, along the West line of said NW 1/4 of the NE 1/4, a distance of 431.16 feet to the point of beginning of the tract herein described; thence on a bearing of N 89°01'48" E, 1427.56 feet; thence on a bearing of S 27°56'43" W, 193.96 feet; thence on a bearing of S 89°01'48" W, 1335.75 feet to its intersection with said West line of the NW 1/4 of the NE 1/4; thence on a bearing of N 00°18'29" W, 169.78 feet to the point of beginning.

Subject to easements of record.

Containing 5.38 acres, more or less.

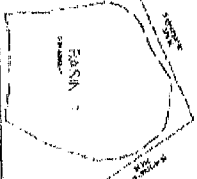
C.S.A.H.

NO. 8

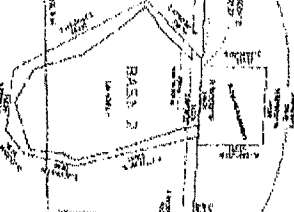
SUBDIVISION OF COV T LOT 2

'A' 'B' 'C' 'D' 'E' 'F'

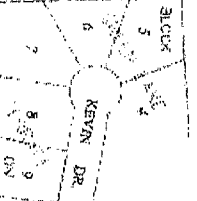
LETTERS & BOUNDS



BASIN 1-2&4
BASIN 2-1&6
BASIN 3-4&5
BASIN 4-1&2
TOTAL = 15.40 ACRES +/-



ADDITIONAL INFORMATION: This plat is subject to the provisions of the... (Legal description text)



100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

100 ACRES +/-
C.S.A.H. NO. 174 NE 1/4

INDICATES IMPROVEMENTS FOUND
2005 D.D. FOR
FILE NAME: WEYLANDSMENTS
LOCATION: 3630-120-34



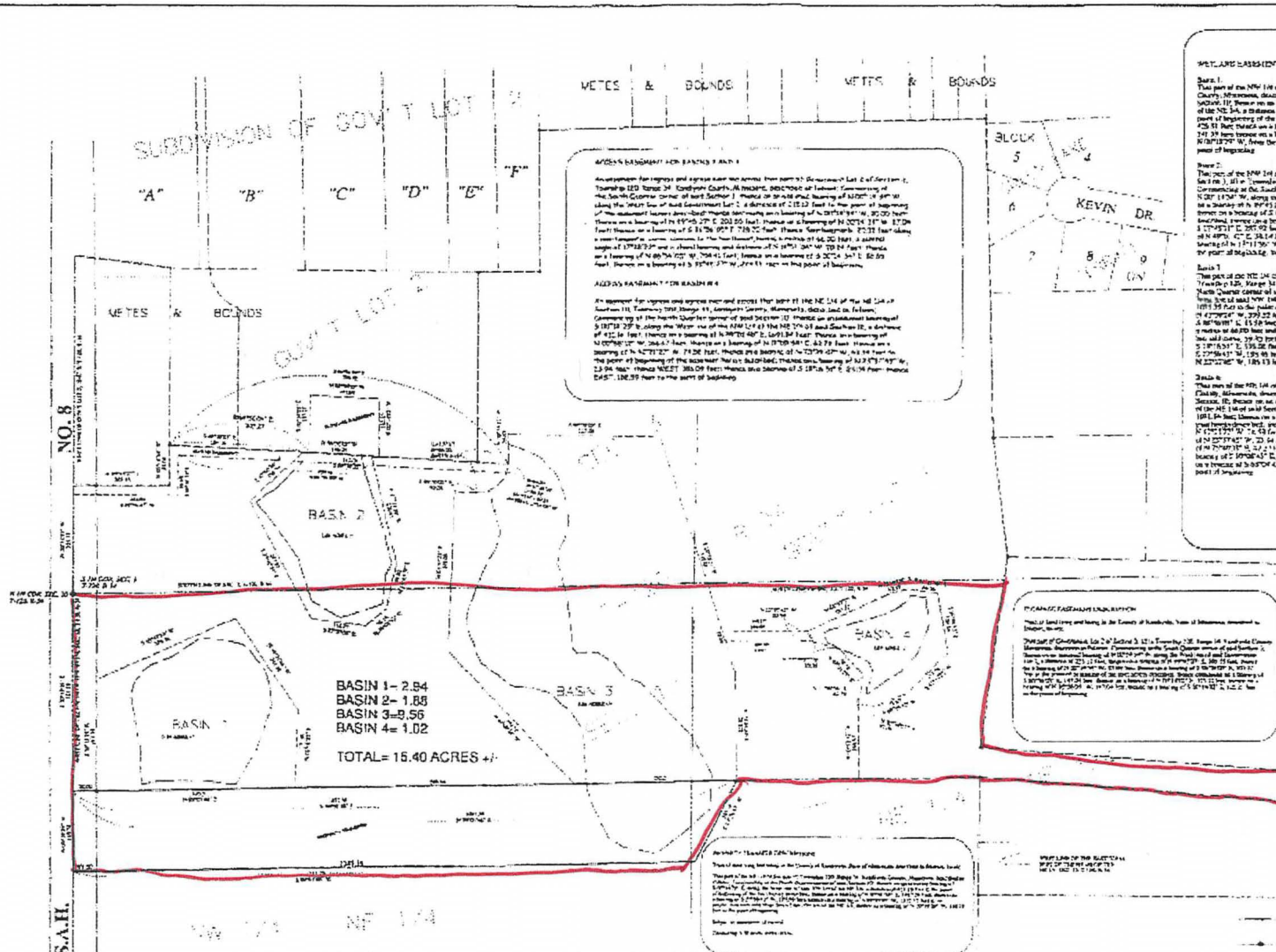
INDICATES IMPROVEMENTS FOUND

DIETZ BROS.

FILE NAME: WEYLANDSMENTS
LOCATION: 3630-120-34

LEGAL DESCRIPTION

LEGAL DESCRIPTION: This plat is subject to the provisions of the... (Detailed legal description text)



METES & BOUNDS METES & BOUNDS

ADJACENT BASIN 1 AND 2
 An easement for ingress and egress over the parcel from the point of beginning of the North Quarter corner of the South Quarter of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the South Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

ADJACENT BASIN 3 AND 4
 An easement for ingress and egress over and across that part of the NE 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

LEGAL DESCRIPTION
WETLAND BASIN 1 DESCRIPTION

Basin 1:
 That part of the NW 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

Basin 2:
 That part of the NW 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

Basin 3:
 That part of the NW 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

Basin 4:
 That part of the NW 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

WETLAND BASIN 1 LOCATION
 That part of the NW 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

ADJACENT BASIN 3 AND 4
 An easement for ingress and egress over and across that part of the NE 1/4 of the NE 1/4 of Section 10, Township 22S, Range 34E, Kandiyohi County, Minnesota, described as follows: Commencing at the North Quarter corner of said Section 10, a distance of 212.12 feet to the point of beginning of the easement; thence along the bearing of N 27°14'30" W, 202.00 feet; thence on a bearing of N 89°45'27" E, 202.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of S 31°26'05" E, 718.00 feet; thence on a bearing of S 23°31'00" E, 100.00 feet; thence on a bearing of S 79°18'37" W, a distance of 200.00 feet; thence on a bearing of N 20°14'14" W, 87.00 feet; thence on a bearing of N 60°26'00" W, 708.41 feet; thence on a bearing of S 20°14'14" W, 87.00 feet; thence on a bearing of S 39°47'37" W, 274.11 feet to the point of beginning.

NOTICE:
 THIS SURVEY IS THE PROPERTY OF THE SURVEYORS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYORS.

100 NORTH STREET
 524 S. WINDYBUSH DRIVE
 ST. LOUIS, MO 63105
 TEL: 314-437-2500
 FAX: 314-437-2525

DESIGNED BY: O'MALLEY & BOE
 LAND SURVEYORS, INC.
 228 S.W. 342
 WEST PALM BEACH, FL 33409
 TEL: 561-833-1111
 FAX: 561-833-1111

DATE: 11/27/2017
 SHEET: 1 OF 1
 PROJECT: WETLAND BASIN 1-4

DIETZ BROS.
 ATTORNEYS AT LAW
 1001 N. 10TH ST.
 ST. LOUIS, MO 63103
 TEL: 314-241-1111
 FAX: 314-241-1111

NOTE:
This is a plat of land in the County of Kandiyohi State of Minnesota, described as follows: ...

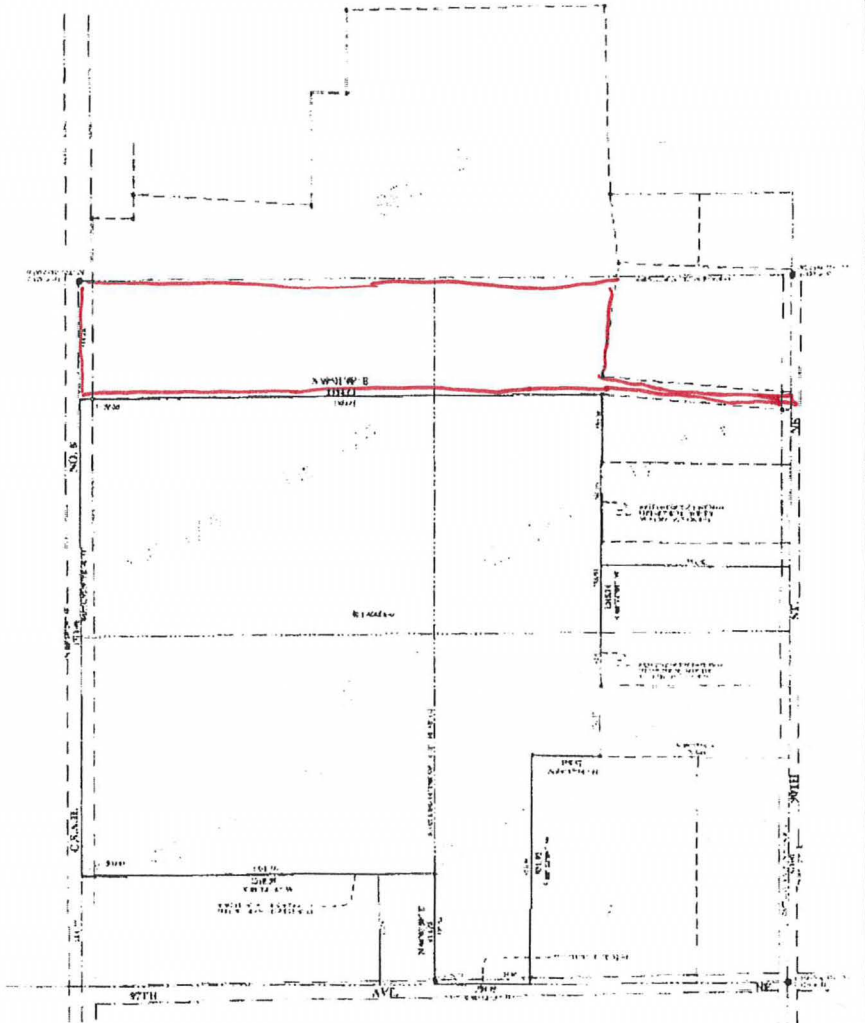
O' Malley & Bole
Land Surveyors, Inc.
2114 N. 1st Street
Mankato, MN 56001
Phone: 507-388-2000
Fax: 507-388-2001

Surveyed and Platted by
O' Malley & Bole
Land Surveyors, Inc.
Mankato, MN
Date: 08/11/2009

Scale: 1" = 40'

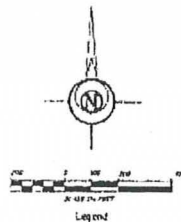
JOB NO: 0902
FILE NAME: 0902.SCJ
LOCATION: 2410 T-120, R-34

CERTIFICATE OF SURVEY PREPARED FOR
DIETZ BROS.



LEGAL DESCRIPTION
That part of the NW 1/4 of Section 24, Township 121 N., Range 36 E., north of County, Minnesota, described as follows: ...

That part of the NW 1/4 of Section 24, Township 121 N., Range 36 E., north of County, Minnesota, described as follows: ...



- Legend
- INDICATES IRON MONUMENT FOUND
 - - - INDICATES IRON MONUMENT PLACED
 - INDICATES KANDIYOHIE COUNTY CAST IRON MONUMENT

ANDERSON LARSON HANSON AND SAUNDERS

ATTORNEYS AT LAW

PROFESSIONAL LIMITED LIABILITY PARTNERSHIP

L. Wayne Larson
Gregory R. Anderson
Rodney C. Hanson★
Jon C. Saunders
Sarah L. Klaassen

Ronald C. Anderson
(retired)

★ Qualified Neutral – Minnesota
General Rules of Practice

Member – NOSSCR
National Organization of Social
Security Claimants Representatives

331 Southwest Third Street
331 Professional Plaza
Post Office Box 130
Willmar, Minnesota 56201
Telephone 320.235.4313
Facsimile 320.235.8180
www.willmarlaw.com

Post Office Box G
Bird Island, Minnesota 55310
Telephone 320.365.4868
Facsimile 320.365.4872

Beth S. Johnston
Aaron P. Welch
James T. Anderson

REC'D BY
MBA JUN 15 2012

June 13, 2012

Reply to Willmar

Office of Administrative Hearings
Municipal Boundary Adjustment Unit
600 North Robert Street
P. O. Box 64620
St. Paul, MN 55164-0620

Re: *City of Spicer Ordinance No. 177.20*
Our Client: Green Lake Township
Our Ref.: 12-6966


RECEIVED
12 JUN 15 AM 8:13
ADMINISTRATIVE
HEARINGS

Dear Administrator:

Enclosed find an objection from Green Lake Township to the Annexation Ordinance of the City of Spicer, No. 177.20.

Yours Very Truly,

ANDERSON LARSON HANSON & SAUNDERS PLLP


L. Wayne Larson
wayne@willmarlaw.com
Township Attorney

cc: Kristine Bengtson, Green Lake Township



**GREEN LAKE TOWNSHIP
8912 – 60th Avenue NE
Kandiyohi, MN 56251**

REC'D BY
MBA JUN 15 2012

June 12, 2012

Minnesota Office of Administrative Hearings
Attn: Administrator, Municipal Boundary Adjustment Unit
600 North Robert Street
PO Box 64620
St. Paul, MN 55164-0620

Re: *City of Spicer Ordinance No. 177.20;*
Our Ref.: 12-6966

Dear Administrator:


The City of Spicer has attempted to annex land located in Green Lake Township, Kandiyohi County, Minnesota, by ordinance. This ordinance was adopted by the City of Spicer at its meeting on May 15, 2012. This annexation was done pursuant to the provision of Minnesota Statute 414.033, Subdivision 2(3).

The West Half of 90th Street Northeast is a township road. That road is included in the legal description of the property to be annexed. Green Lake Town Board has not joined in that Petition for Annexation and has not waived its rights to object. The Green Lake Town Board objects to annexation under the provisions of the statutes and subdivisions cited above since the town board has not joined in the petition.

In addition, the town board does not believe that the City of Spicer has adequately provided for the reimbursement of lost taxes to Green Lake Township.

Yours Very Truly,

GREEN LAKE TOWNSHIP


~~Jerome Bengtson~~ *Gregory Erickson*
Vice Chairman/Supervisor

cc: City Administrator,
City of Spicer, Spicer, MN