

STATE OF MINNESOTA

COUNTY OF McLEOD

PETITION FOR ANNEXATION

I.

The Petitioner, LANDMARK HOLDING CO., LTD., a corporation organized and existing under the Laws of the State of Nevada, being the entity hereinbelow requests the City of Winsted, Minnesota, to annex the lands hereinbelow described. Petitioner, LANDMARK HOLDING CO., LTD., a corporation organized and existing under the Laws of the State of Nevada, is the purchaser pursuant to a Purchase Agreement of the following described parcel of land located in Winsted Township, McLeod County, Minnesota:

AS PER ATTACHED EXHIBIT "A" WHICH IS INCORPORATED HEREIN BY REFERENCE AS THOUGH FULLY SET FORTH IN FULL.

II.

Petitioners desire to annex the above described lands due to the fact that the current limits of the City of Winsted abut a portion of the above described premises. The said lands are unplatted and are approximately 80 acres in size. No petition for annexation of any part of said lands is presently before the commission.

III.

The undersigned Petitioner believes that said lands are now or about to become urban or suburban in character and that the annexation of said lands to the City of Winsted would be in the best interest of the City of Winsted. The reasons for the annexation in the above mentioned matter are as follows: To allow said lands to benefit from services that the City of Winsted can provide.

IV.

This Petition is brought pursuant to Minnesota Statutes Section 414.033, Subd. 5.

V.

LANDMARK HOLDING CO., LTD. hereby acknowledge the contents of Minnesota Statutes Section 414.033, Subd. 13, which states as follows:

"Subd. 13. Electric Utility Service Notice. At least sixty (60) days before Petition is filed under Section 414.0325 or this Section, the Petitioner must notify the municipality that Petitioner intends to file a Petition for annexation. At least thirty (30) days before a Petition is filed for annexation, Petitioner must be notified by the municipality that the cost of electric utility service to the Petitioner may change if the land is annexed to the municipality. The notice must include an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation."

The Petitioner further waives any 30-day prior notification of the City of Winsted as referred to in Minnesota Statutes Section 414.033, Subd. 13. The Petitioner waives any such prior notification by the City of Winsted that the cost of electric utility service to the Petitioner may change if the land is annexed to the City of Winsted. Petitioner further waives any such prior notification by the City of Winsted including an estimate of the cost impact of any change in electric utility services, including rate changes and assessments as a result of this proposed annexation. The Petitioner waives such reference to Minnesota Statutes Section 414.033, Subd. 13 since they are fully aware of said Statute and the Petitioner is directly involved in the development of the lands to be annexed, including the fact that said lands currently are serviced by McLeod County Cooperative Power and there is a possibility the same may be served by Northern States Power following annexation. The Petitioner acknowledges that the City of Winsted cannot guarantee which electrical utility company will service the lands to be annexed. The Petitioner further certifies that it is aware that the City is not able to estimate the cost impact of any annexation, any change in electrical utility

company, any rate changes, or assessments which might result from the annexation and/or use of the premises.

VI.

The fee owners of the subject premises are Charles Millerbernd, who is married to Barbara Millerbernd and Ralph Millerbernd, who is married to Janet Millerbernd. Said fees owners are the sellers on a Purchase Agreement to Landmark Holding Co., Ltd. Said Purchase Agreement is subject to the real estate herein described being annexed to the City of Winsted.

WHEREFORE, PETITIONER PRAYS :

I.

That said annexation is approved by the authorities prescribed by law.

II.

That the City of Winsted annex said premises by Ordinance as provided by Law.

Dated at Winsted, Minnesota this 9th day of May, 2002.

LANDMARK HOLDING CO., LTD.,
a Nevada Corporation

By Michael C. Cusack its President

By _____ its _____

The following fee owners hereby join in said Petition and consent to all terms and conditions contained herein.

Charles J. Millerbernd
Charles Millerbernd

Barbara A Millerbernd
Barbara Millerbernd

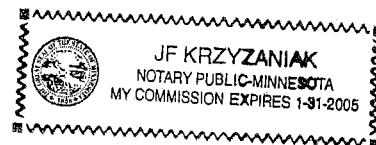
Ralph J Millerbernd
Ralph Millerbernd

Janet Millerbernd
Janet Millerbernd

STATE OF MINNESOTA)
) ss.
COUNTY OF Ram)

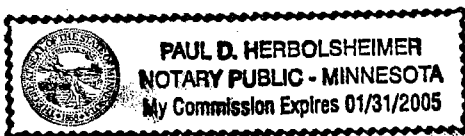
The foregoing instrument was acknowledged before me this 9th day of May, 2002 by Michael Crosby, the President and _____, the _____ of Landmark Holding Co., Ltd., a corporation under the laws of the State of Nevada, on behalf of the corporation.

JF Krzyzaniak
Notary Public



STATE OF MINNESOTA)
) ss.
COUNTY OF McLEOD)

The foregoing instrument was acknowledged before me this 8th day of MAY, 2002 by Charles Millerbernd and Barbara Millerbernd, husband and wife.

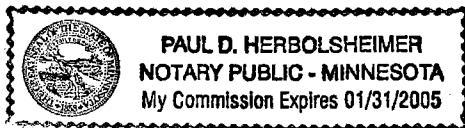


Paul D Herbolsheimer
Notary Public

JUN 26 2002

STATE OF MINNESOTA)
) ss.
COUNTY OF McLEOD)

The foregoing instrument was acknowledged before me this 8th day of MAY, 2002 by
Ralph Millerbernd and Janet Millerbernd, husband and wife.



Paul D. Herbolsheimer
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:
Francis J. Eggert (#26001)
Attorney at Law
P. O. Box 789
Winsted, MN 55395

To the following described Real Estate situated in

The County of McLeod and State of Minnesota, to-wit:

Government Lot One (1) AND

That part of the Northeast Quarter of the Northeast Quarter

of Section Ten (10),

Township One Hundred Seventeen (117) North,

Range Twenty-seven (27) West,

excepting therefrom the 3 following described tracts, to-wit:

- 1) The East Ten (10) acres thereof;
- 2) Commencing at a point on the South line of said Northeast Quarter of the Northeast Quarter, 329.61 feet West of the Southeast corner of said Northeast Quarter of the Northeast Quarter, said point also being on the West line of the East 10 acres of said Northeast Quarter of the Northeast Quarter; thence North along a line parallel with and distant 329.61 feet West of the East line of said Northeast Quarter of the Northeast Quarter, 469.18 feet; thence West along a line parallel with and distant 469.18 feet North of the South line of said Northeast Quarter of the Northeast Quarter, 139.26 feet; thence South along a line parallel with and distant 468.87 feet West of the East line of said Northeast Quarter of the Northeast Quarter 469.18 feet; thence East, along the South line of said Northeast Quarter of the Northeast Quarter 139.26 feet to the point of beginning.
- 3) Beginning at the southeast corner of said Northeast Quarter of the Northeast Quarter; thence westerly, along the south line of said Northeast Quarter of the Northeast Quarter 808.13 feet; thence northerly, parallel with the east line of said Northeast Quarter 469.18 feet; thence easterly, parallel with said south line 478.52 feet to the west line of the East 10.00 acres of said Northeast Quarter of the Northeast Quarter; thence southerly, along said west line 154.18 feet to the north line of the South 315.00 feet of said Northeast Quarter of the Northeast Quarter; thence easterly, along said north line 46.00 feet; thence southerly, parallel with the east line of said Northeast Quarter 175.00 feet; thence easterly, parallel with said south line of the Northeast Quarter of the Northeast Quarter 83.61 feet; thence southerly, parallel with said east line 25.00 feet; thence easterly, parallel with said south line of the Northeast Quarter of the Northeast Quarter 200.00 feet to said east line of the Northeast Quarter; thence southerly, along said east line 115.00 feet to the point of beginning.

JUL 17 2002

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LAKE

GRASS
LAKE

AREA

