

STATE OF MINNESOTA

REC'D BY  
MAMB SEP 12 2002

COUNTY OF McLEOD

PETITION FOR ANNEXATION

I.

The Petitioner, LANDMARK MIDWEST LLC, 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 MIDWEST LLC, 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 four (4) 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 MIDWEST LLC 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. Said fees owners are the sellers on a Purchase Agreement to LANDMARK MIDWEST LLC 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.

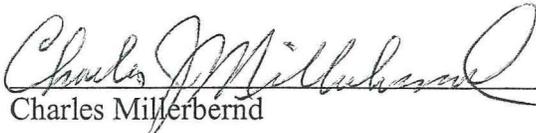
Dated at Winsted, Minnesota this 10 day of September, 2002.

LANDMARK MIDWEST LLC,  
a Nevada Corporation

By   
its President

By \_\_\_\_\_  
its \_\_\_\_\_

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

  
Charles Millerbernd

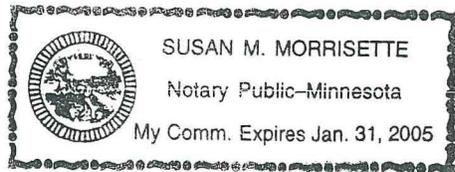
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Barbara Millerbernd  
Barbara Millerbernd

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF McLEOD )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of September, 2002 by Michael Crosby, the President and \_\_\_\_\_, the \_\_\_\_\_ of LANDMARK MIDWEST LLC, a corporation under the laws of the State of Nevada, on behalf of the corporation.

Susan M. Morrisette  
Notary Public

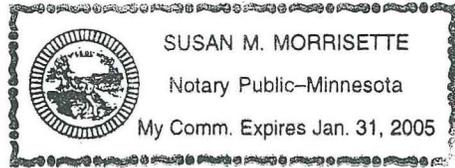


STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF McLEOD )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2002 by Charles Millerbernd and Barbara Millerbernd, husband and wife.

Susan M. Morrisette  
Notary Public

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



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MAB

SEP 12 2002

# Abstract of Title

*To the following described Real Estate situated in*  
the County of McLeod and State of Minnesota, to-wit:

That part of the Southeast Quarter of the Northeast Quarter of  
Section Ten (10) in Township One Hundred and Seventeen (117) North  
of Range Twenty-seven (27) West, described as follows, to-wit:

Beginning at the Northwest Corner of the Southeast Quarter of the  
Northeast Quarter of said Section 10, thence South along the West  
line of said Southeast Quarter of Northeast Quarter, 208.7 feet  
to a point; thence East on a line parallel with the North line of  
said Southeast Quarter of Northeast Quarter, 834.8 feet to a point;  
thence North on a line parallel with the West line of said tract,  
188.7 feet to a point; thence East on a line parallel with the  
North line of said tract, 162 feet to a point; thence North on a  
line parallel with the West line of said tract, 20 feet to the North  
line thereof; thence West along the North line of said tract, to  
the point of beginning.

*Exhibit "A"*

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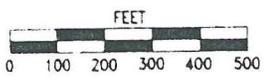
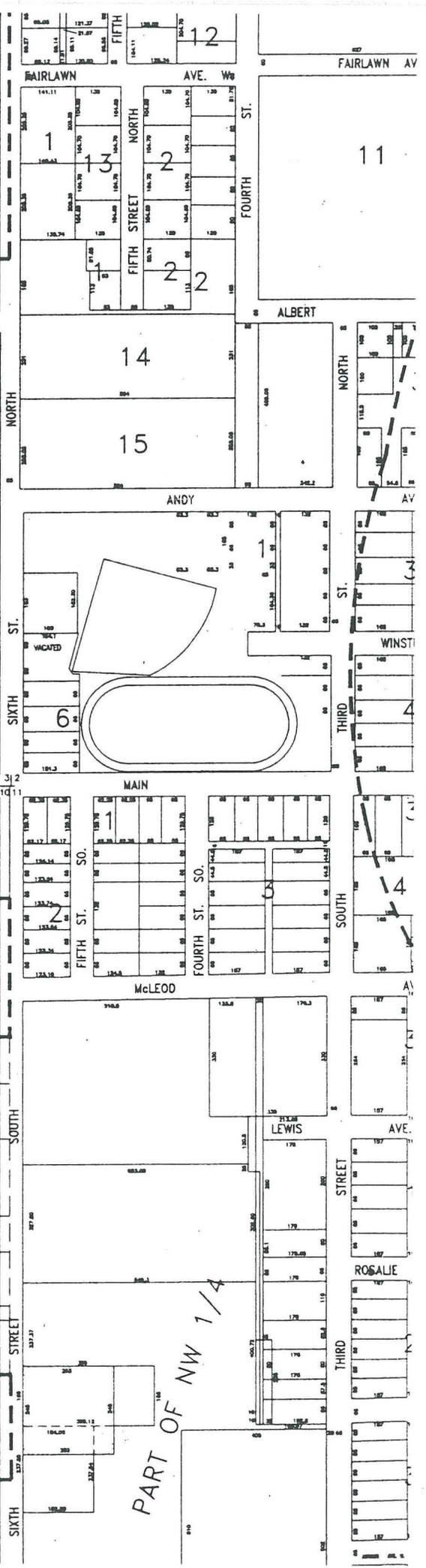
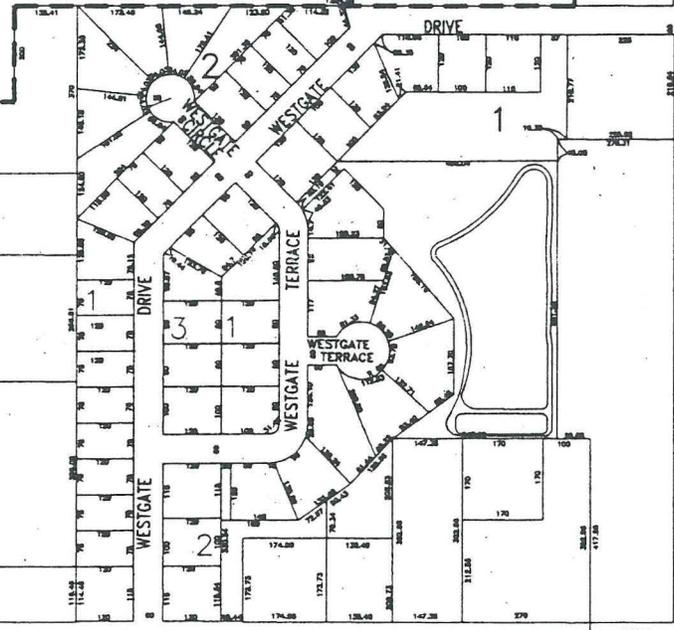
GRASS LAKE

LAKE

ROAD

LAKE

GRASS



ANNEXATION AREA

PART OF NW 1/4