OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 1/23/2007 at 3:30:00 PM and was duly recorded as document number A-1124888
W MARK KRUPSKI-Co Recorder, by ___ Deputy

Well Certificate: ___ Received ___ Not Required ___p
Abstr. – yes ___ no ___
Fees:

Total $46.00

Received from/return to:
MINNESOTA DEPT OF TRANSPORTATION
MALLSTOP 632
395 JOHN IRELAND BOULVARD
ST PAUL, MN 55155

DOCUMENT TYPE: Final Certificate

RE: State of Minnesota/Schoeppner etal

RETURN TO: MN DOT

LEGAL: See next page

"COVER SHEET ADDED BY OLMSTED COUNTY PROPERTY RECORDS OFFICE FOR RECORDING PURPOSES."

Transfer entered this 23rd
day of January 20 07
W. Mark Krupski
Director of Property Records & Licensing
Deputy, Olmsted County, MN

FILED
JAN 04 2007
COURT ADMINISTRATOR
Olmsted County, MN

STATE OF MINNESOTA
COUNTY OF OLMSTED
I certify this to be a true copy of the original record in my custody.
Dated 1-4-07
Charles L. Rice
Court Administrator
By Deputy Clerk

split 74.09.21.031908 (Pt L1 B1 Westgards 1st)
split 74.09.21.031910 (Pt L2 B1 Westgards 1st)
split 74.04.23.073095 (> Pt SW NW 4-107-14)
split 74.04.23.073096 (> Pt SW NW 4-107-14)
split 74.04.23.073155 (> Pt SW NW 4-107-14)
split 74.09.12.074955 (> Pt NW NE 9-107-14)
split 74.09.12.061295 (Pt SE SW, Pt SW SW 33-108-14)
split 84.33.33.040080 (Pt SE SW, Pt SW SW 33-108-14)
split 84.33.21.040073 (Pt NE NW 33-108-14)

FINAL CERTIFICATE

CONDEMNATION

IN DISTRICT COURT

STATE OF MINNESOTA

COUNTY OF OLMSTED

THIRD JUDICIAL DISTRICT
Court File No. C1-03-1070

ORIGINAL

State of Minnesota, by its Commissioners of Transportation,

Petitioner,

vs.

Bryan L. Schoeppner, Robin M. Schoeppner, Home Federal Savings Bank, Premier Bank Rochester, Michael D. Brooks, Rene M. Brooks, Schoeppner, Inc., County of Olmsted, AgStar Farm Credit Services, ACA, Unknown heirs of Robert H. Larsen, also known as Robert Larsen, and as Robert Hans Larsen, deceased, Ruth Larsen, also known as Ruth M. Larsen, formerly known as Ruth M. Ruebner, James R. Larsen, Judith A. Larsen, Lance Larsen, Debra Larsen, James R. Larsen and Ardith R. Ottman, successor trustees of the Robert H. Larsen Revocable Trust dated November 19, 1996, People's Cooperative Services, formerly known as People's Co-Operative Power Association of Olmsted County, Donald H. Ottman, Ardith R. Ottman, John L. Dondlinger, Valorie Ann Dondlinger, Eugene Reller, also known as Gene Reller, Vickie Reller, Vyril E. Rueber, Luella C. Rueber, Arthur R. Kaul, also known as Arthur R. Kaul, Jr., Mary J. Kaul, Russell H. Koelsch, Dolores M. Koelsch, Mayo Employees Credit Union, Kristiania Building Association, Inc., a statutorily dissolved Minnsota non-profit corporation, Rachel A. Penz , Ricky Penz, Kelly Orchard LLC, Joel Bigelow and Sons Enterprises, Inc., Sterling State Bank, Leslie Rolfson, John King, Frieda Riess, Harriet Riess, Betty D. Riess, as Trustee of the Betty D. Riess Revocable Living Trust dated November 16, 1999, Lawrence R. Riess, as Trustee of the Lawrence R. Riess Revocable Living Trust dated November 16, 1999, Randy Hart, RAINBOW PLAY SYSTEMS, INC., Kelly's Rainbow Play Systems of Rochester Inc., A. Kent Keller, as Trustee of Keller Technologies, Inc. Profit Sharing Plan, formerly known as Whey Systems Inc., Profit Sharing Plan, Supreme Outdoor Advertising, Inc., New Life Worship Center, Evangelical Christian Credit Union, Qwest Corporation, formerly known as U S WEST

1-23-07

chg. 46.00

MN DOT
mail Stop 632
395 John Ireland Blvd
St. Paul, MN 55155

Communications, Inc., City of Rochester, Jessup DeCook, Centex Homes, a Nevada general partnership, CENTEX INTERNATIONAL, INC., Rochester Area Habitat For Humanity, Big-De Development Company, Big De Development Company LLC, also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Petition herein,

Respondents.

- - - - -

IN THE MATTER OF THE CONDEMNATION OF
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES

- - - - -

FINAL CERTIFICATE

- - - - -

By authority of §117.205 Minnesota Statutes, I hereby certify that the lands or rights herein described have been taken by the State of Minnesota in eminent domain proceeding for trunk highway purposes in conformity with the requirements of Chapter 117 of said statutes; that commissioners were duly appointed by the court to ascertain and report the amount of damages sustained by the several owners on account of such taking; that said commissioners qualified and made and filed their report of such damages; that the time for appeal from the awards in said report has expired; that appeals, if taken, have been disposed of; that all damages have been paid by the State of Minnesota; that said proceedings are now complete; and that said State now owns said lands in fee simple absolute, together with the following rights, to-wit: has acquired from the owners whose lands front thereon any existing right of access to said highway in those cases which are herein particularly mentioned, and has acquired a temporary easement in those cases which are herein particularly mentioned.

With reference to Parcel 328, the award assumed that the property was free of all pollutants, contaminants, and hazardous wastes. The commission had not assessed any damage for the presence of pollutants, contaminants, and hazardous wastes on the subject property. The award was made with the express understanding that the petitioner, State of Minnesota, has reserved all rights to recover damages, testing cost, and clean-up costs attributable to the existence of pollutants, contaminants, or hazardous wastes on the property from the respondent in a separate legal action. The commission had not considered the impact of pollutants, contaminants, and

hazardous wastes on the fair market value of the subject property either before or after the taking in its assessment of damages.

Parcels 228E, 228F, 229B, 421, 421B, 423A, 423C, 423G, 424C, 426B, 524, 532D, 532J and 532K were dismissed from the original proceedings.

Said lands are situated in Olmsted County, Minnesota, and are described as follows:

FEE ACQUISITION

Parcel 229 C.S. 5508 (52=20-36)

S.P. 5508-97

All of the following:

That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 107 North, Range 14 West, shown as Parcel 229 on Minnesota Department of Transportation Right of Way Plat Numbered 55-63 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 1.43 acres, more or less, of which 1.10 acres is encumbered by an existing road easement;

together with other rights as set forth below, forming and being part of said Parcel 229:

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 229 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 328 C.S. 5508 (52=20-36)

S.P. 5508-97

All of the following:

That part of the South Half of the Southwest Quarter of Section 33, Township 108 North, Range 14 West, shown as Parcel 328 on Minnesota Department of Transportation Right of Way Plats Numbered 55-64 and 55-66 as the same are on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 23.42 acres, more or less, of which 3.44 acres is encumbered by an existing highway easement and 2.31 acres is encumbered by an existing county road easement;

together with other rights as set forth below, forming and being part of said Parcel 328:

Access:

All right of access as shown on said plats by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plats as to said Parcel 328 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 423H C.S. 5508 (52=20-36)

S.P. 5508-97

All of the following:

That part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 108 North, Range 14 West, shown as Parcel 423H on Minnesota Department of Transportation Right of Way Plat Numbered 55-66 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 1.85 acres, more or less;

together with other rights as set forth below, forming and being part of said Parcel 423H:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 423H by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 532 C.S. 5508 (52=20-36)

S.P. 5508-97

All of the following:

That part of Lot 1, Block 1, WESTGARD'S FIRST SUBDIVISION, shown as Parcel 532 on Minnesota Department of Transportation Right of Way Plats Numbered 55-62 and 55-65 as the same are on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

together with other rights as set forth below, forming and being part of said Parcel 532:

Access:

All right of access as shown on said plats by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plats as to said Parcel 532 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 532B C.S. 5508 (52=20-36)

S.P. 5508-97

All of the following:

That part of Lot 2, Block 1, WESTGARD'S FIRST SUBDIVISION, shown as Parcel 532B on Minnesota Department of Transportation Right of Way Plat Numbered 55-65 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

together with other rights as set forth below, forming and being part of said Parcel 532B:

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 532B by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 532M C.S. 5508 (52=20-36)

S.P. 5508-97

All of the following:

That part of the Northwest Quarter of the Northeast Quarter of Section 9, Township 107 North, Range 14 West, shown as Parcel 532M on Minnesota Department of Transportation Right of Way Plat Numbered 55-65 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 2.53 acres, more or less, of which 0.03 acre is encumbered by an existing city street easement;

together with other rights as set forth below, forming and being part of said Parcel 532M:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 532M by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

Dated at Saint Paul, Minnesota, this 2nd day of January, 2007.

DONALD D. GOEDKEN
Attorney at Law
Attorney Registration No. 0035609

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
395 John Ireland Boulevard
Mail Stop 632
St. Paul, MN 55155
Fax No.: 651-297-5399
Phone: 651-296-3372

This instrument was drafted by the
State of Minnesota, Department of
Transportation, Legal and Property
Management Unit, M.S. 632
St. Paul, Minnesota 55155
100115