STATE OF MINNESOTA

COUNTY OF OLMSTED

DISTRICT COURT

THIRD JUDICIAL DISTRICT

County of Olmsted,

Petitioner

-vs-

Elizabeth Quammen and Truman Quammen; Gladys Fager and George Fager; Raechel Hendricks and William A. Hendricks; James T. Spillane and Guiditha S. Spillane; John Peters; First National Bank of Rochester, Minnesota, a corporation; Minnesota Northern Natural Gas Company, a corporation, now Peoples Natural Gas Company, a corporation; Belle B. Welch; Abram L. Baihly and Anna M. Baihly; and the Federal Land Bank of St. Paul, Minnesota, a corporation; also all other persons unknown claiming any right, title, estate, interest, or lien in the real estate hereinafter described,

Respondents

CERTIFICATE OF COMPLETION OF CONDEMNATION PROCEEDINGS.

* *

The above entitled action was brought upon the Petition of the County of Olmsted praying for the condemnation and taking of certain lands in said County more particularly hereinafter described, which said lands were described also in the said Petition. Said Petition was filed, Notice of Lis Pendens was duly published and filed, together with the presentation of the Petition to the District Court. The said matter duly came on before the District Court for hearing on June 21st, 1947, and on that date the above named District Court duly appointed three (3) commissioners to thereafter make an appraisal of the lands hereinafter described and to appraise the damages, if any, to the persons affected by said taking. Said lands were condemned, taken, and appropriated for the following purposes: for the purposes of improving, altering, constructing, widening, and maintaining State Aid Road "P" in Olmsted County, Minnesota. The report of the commissioners, together with their award of damages was duly made and filed. The lands so condemned, taken, and appropriated, together with the ownership involved and the award made to certain owners, is hereinafter set forth:

PARCEL NO. 1:

A strip of land lying over and across the Southeast one-quarter (SE¼), less Five (5) acres lying North (N) and East (E) of lake, of Section Nine (9), Township One Hundred Six (106) North, (N), Range Fourteen (14) West (W). Said strip being all that part of the above

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described tract which lies within a distance of Seventy Five (75) feet on the West (W) side of the following described centerline:

Commencing at a point on the South (S) line of said Section Nine (9) which point is Fifty Five and Five-Tenths (55.5) feet West (W) of the Southeast (SE) corner of said Section Nine (9), thence in a Northeasterly (NE) direction for a distance of Seven Hundred Eighty Six and Fifty-Four Hundredths (786.54) feet, thence deflect to the right on a transition curve whose co-ordinates are X_c One Hundred Forty Nine and Ninety-Nine Hundredths (149.99) feet and Y_c One and Thirty-One Hundredths (1.31) feet for a distance of One Hundred Fifty (150) feet, thence deflect to the right on a Two degree (2^o) curve, central angle Nine degrees Six minutes ($9^o6'$) for a distance of Three Hundred Five (305) feet, thence deflect to the right on a transition curve whose co-ordinates are X_c One Hundred Forty Nine and Ninety-Nine Hundredths (149.99) feet and Y_c One and Thirty-One Hundredths (1.31) feet for a distance of Ninety One and Seven-Tenths (91.7) feet to a point which is distant One Hundred Six ty One and Nine-Tenths (161.9) feet East (E) of the East (E) line of said Section Nine (9) and there terminating.

Excluding therefrom right-of-way of existing highway.

Comprising Eighty-Six Hundredths (0.86) acres more or less.

The amount determined to be paid by the said commissioners by said petitioner for said taking of said land as compensation for the damages thereto by reason of the taking of the same, and injuriously affecting the premises of which the same are a part, was as follows: To Elizabeth Quammen and Truman Quammen, husband and wife, the sum of One Hundred Seventy Five Dollars ($175.00) jointly; to Gladys Fager and George Fager, husband and wife, the sum of One Hundred Seventy Five Dollars ($175.00) jointly; to Raechel Hendricks and William A. Hendricks, husband and wife, the sum of One Hundred Seventy Five Dollars ($175.00) jointly; to James T. Spillane and Guiditha S. Spillane, husband and wife, and the First National Bank of Rochester, Minnesota, the sum of Five Hundred Twenty Five Dollars ($525.00) jointly. It was found that there was no damage to John Peters or to the Minnesota Northern Natural Gas Company, now Peoples Natural Gas Company, and therefore they were allowed nothing.

PARCEL NO. 2:

A strip of land lying over and across that part of the Southwest one-quarter (SW¼) of the Southwest one-quarter (SW¼) of Section Ten (10), Township One Hundred Six (106) North (N), Range Fourteen (14) West (W) lying North (N) of road. Said strip being all that part of the above described tract which lies within a distance of Seventy Five (75) feet on each side of the following described centerline:

Commencing at a point on the South (S) line of said Section Ten (10) projected, which point is Fifty Five and Five-Tenths (55.5) feet West (W) of the Southwest (SW) corner of said Section Ten (10), thence in a Northeasterly (NE) direction for a distance of Seven Hundred Eighty Six and Five-Tenths (786.5) feet, thence deflect to the right on a transition curve whose co-ordinates are Xc One Hundred Forty Nine and Ninety-Nine Hundredths (149.99) feet and Yc One and Thirty-One Hundredths (1.31) feet for a distance of One Hundred Fifty (150) feet, thence deflect to the right on a Two degrees (2°) curve central angle Nine degrees Six minutes (9°6') for a distance of Three Hundred Five (305) feet, thence deflect to the right on a transition curve whose co-ordinates are Xc One Hundred Forty Nine and Ninety-Nine Hundredths (149.99) feet and Yc One and Thirty-One Hundredths (1.31) feet for a distance of Ninety One and Seven-Tenths (91.7) feet to a point on the North (N) line of the above described tract which point is distant One Hundred Sixty One and Nine-Tenths (161.9) feet East (E) of the Northwest (NW) corner of the above described tract and there terminating.

Excluding therefrom right-of-way of existing highway.

Comprising Two and Twenty-Six Hundredths (2.26) acres more or less.

The amount determined to be paid by the said commissioners by said petitioner for said taking of said land, as compensation for the damages thereto by reason of the taking of the same, and injuriously affecting the premises of which the same are a part, was as follows: To Belle B. Welch the sum of One Thousand Three Hundred Eighty Dollars ($1380.00). It was found that there was no damage to the Minnesota Northern Natural Gas Company, now Peoples Natural Gas Company, and therefore it was allowed nothing.

PARCEL NO. 3:

A parcel of land lying in the North one-half (N½) of the Southwest one-quarter (SW¼) of Section Ten (10), Township One Hundred Six (106) North (N), Range Fourteen (14) West (W), being more particularly described as follows:

Commencing at the Southwest (SW) corner of the North one-half (N½) of the Southwest one-quarter (SW¼) of Section Ten (10), thence East (E) along the South (S) boundary of said North one-half (N½) of the Southwest one-quarter (SW¼) of Section Ten (10), for a distance of Two Hundred Forty and Seven-Tenths (240.7) feet, thence North (N) Sixteen degrees Forty Eight minutes (16°48') East (E) for a distance of Five Hundred Thirty Three (533) feet, thence North (N) Forty Nine degrees Twenty Three minutes Thirty seconds (49°23'30") East (E) for a distance of Five Hundred Thirty Seven and Eight-Tenths (537.8) feet, thence in a Northeasterly (NE) direction along a Two degree Twenty Five minute (2°25') curve the center of which is distant Three Thousand One Hundred Eighty Five and Seven-Tenths (3,185.7) feet North (N) and Three Hundred Fifty Three and One-Tenth (353.1) feet East (E) of the point of beginning, for a distance of One Thousand One Hundred Seven and Four-Tenths (1,107.4) feet to a point on the North (N) boundary of said North one-half (N½) of the Southwest one-quarter (SW¼) of Section Ten (10), which point is distant One Thousand Eight Hundred Four and Eight-Tenths (1,804.8) feet East (E) of the West (W) quarter corner of said Section Ten (10); thence West (W) along said North (N) boundary for a distance of Two Hundred Fifty Nine and Two-Tenths (259.2) feet; thence Southwesterly (SW) along a Two degree Thirty Five minute (2°35') curve whose center coincides with the above described Two degree Twenty Five minute (2°25') curve for a distance of Eight Hundred Thirty Nine and Six-Tenths (839.6) feet; thence South (S) Seventy Nine degrees no minutes (79°0') West (W) on a tangent to said Two degree Thirty Five minute (2°35') curve for a distance of Four Hundred Ninety Nine and One-Tenth (499.1) feet; thence deflect to the right on a Seven degree Forty Two minute (7°42') curve for a distance of Two Hundred Eighty Six and Eight-Tenths (286.8) feet to a point on the West (W) boundary of the North one-half (N½) of the Southwest one-quarter (SW¼) of Section Ten (10); thence South (S) along the West boundary of the North one-half (N½) of the Southwest one-quarter (SW¼) of Section Ten (10) for a distance of Nine Hundred Seventeen and Six-Tenths (917.6) feet to the point of beginning.

Excluding therefrom right-of-way of existing highway.

Comprising Ten and Forty-Eight Hundredths (10.48) acres more or less.

The amount determined to be paid by the said commissioners by said petitioner for said taking of said land, as compensation for the damages thereto by reason of the taking of the same, and injuriously affecting the premises of which the same are a part, was as follows : To Abram L. Baihly and Anna M. Baihly, husband and wife, and the Federal Land Bank of St. Paul, Minnesota, jointly, the sum of Four Thousand Six Hundred Fifty Dollars ($4650.00). It was found that there was no damage to the Minnesota Northern Natural Gas Company, now Peoples Natural Gas Company, and therefore it was allowed nothing.

It was agreed between the petitioner and the above named respondents that the one-story shed lying contiguous to the South (S) line of the proposed right-of-way on said parcel shall not be disturbed by the petitioner.

All persons to whom an award was made, as above set forth, have been tendered payment of the amounts respectively awarded and have accepted the same, and no appeal has been taken by any of said persons from said awards.

Thomas J. Scanlan

Thomas J. Scanlan
Attorney for Petitioner
12½ 1st Street S. W.
Rochester, Minnesota.

Dated this 10 th day of February, 1948.

* * * *

The foregoing Certificate has been duly presented to this Court, and the files, records and proceedings in this matter have been examined and the matters alleged in the foregoing Certificate have been found to be true and correct.

The foregoing Certificate, therefore, is approved, and the petitioner therein is the owner in fee simple of the lands above described, which were taken, appropriated and condemned by the said petitioner.

By the Court

Vernon Cates
Judge of said Court.

Dated this 10 th day of February, 1948.

D538 CERTIFICATE OF TRANSCRIPT. Cover Form

State of Minnesota } ss
County of Olmsted }

I, Mrs. George B. Cutting,

Clerk of the District Court, in and for said County, hereby certify that I have compared the foregoing copy of

Cert. of Completion of Condemnation Proceedings: County of Olmsted vs William Quammen et al

with the records remaining on file in this office, that the same are correct transcripts from, and of the whole of such original records.

Witness my hand and seal of said District Court at Rochester, Minnesota, in said County, this 10th day of February 19 48

Mrs. George B. Cutting Clerk

By Deputy

178831

State of Minnesota
County of Olmsted

DISTRICT COURT
Third Judicial District

Plaintiff

vs.

Defendant

Office of Register of Deeds
State of Minnesota
County of Olmsted

I hereby certify that the within instrument was filed in this office for record on the ... day of ... A. D. 19 ... at ... o'clock ... M., and was duly recorded in Book ... of ... on page ...

Register of Deeds

Deputy

PHOTOSTAT
TRANSCRIPT
HEARING
TRIAL EXH.
PAID
CHG.
KEY
MTG. R.R.

Chg to County
Ref to Atty. Gen.