STATE OF MINNESOTA

COUNTY OF OLMSTED

IN DISTRICT COURT

THIRD JUDICIAL DISTRICT

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State of Minnesota, by J. A. A. Burnquist,
its Attorney General,

Petitioner,

vs.

William Willing, Florence Willing, Home Federal Savings and Loan Association, Francis G. Sehl, Gertrude Beatrice Sehl, Lawrence Larson, Naegele Advertising Co., Theodore O. Wellner, Dorothy G. Wellner, Arthur E. Morris, Emma Morris, Harold E. Morris, Muriel Morris, Jessie Van Schaick Predmore, Rueben Lambrecht, James Dodge, Agnes Dodge, Charles Morse, Elsie Morse, Philip M. Cassidy, Agnes L. Cassidy, Arthur C. Brundage, Walter H. Becker, Anna Becker, Richard H. Nathan, Ida Mae Nathan, Velie Ryan Bottling Co., The Texas Company, George R. Book, Linne I. Book, Olmsted County Building and Loan Association, Douglas S. Cocker, Helen M. Cocker, Pearl Wahl, Addie Van Schaick, George Van Schaick, Leon Van Schaick, Hazel Van Schaick, Dorothy Van Schaick, Olmsted County Bank and Trust Company, State of Minnesota (Department of Public Welfare), Lester J. Feigel, Anna E. Fiegel, Everet Burt, Robert J. Grossbach, Irma Grossbach, Charles Ebenhoh, Margaret Ebenhoh, Theodore H. Baker, Otto R. Baker, Clarence Schultz, Dorothy M. Schultz, Peoples State Bank of Maseppa, Harold Patchin, Gertrude Patchin, The Federal Land Bank of Saint Paul, Louis G. Gahler, Cora H. Gahler, Leonard Kahn, Bert Leitzen, Ellen Leitzen, Arthur F. Reinke, Irene Reinke, Leroy M. Reinke, Luella M. Reinke, David R. Hoeft, Dorothygene Hoeft, Laura Wanke, Mabel Miller, Emil Miller, David G. Miller, Edward L. Reinke, Laura O. Reinke, Arthur S. Funk, Evelyn Funk, The Travelers Insurance Company, Edgar Siem, Henrietta A. Siem, Arthur S. Hodge, and Edith M. Hodge,

Respondents.

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

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FINAL CERTIFICATE

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By authority of Minnesota Statutes 1953, Section 117.20, I hereby certify that the lands herein described have been taken by the State of Minnesota in eminent domain proceedings for trunk highway purposes in conformity with the requirements of chapter 117 of said statutes as amended; 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 all appeals taken have been finally concluded; that all damages, as determined by award and by agreement of the parties, have been paid by the State of Minnesota; that the proceedings for the taking of certain rights and easements in said lands are now complete; and that said State now owns an easement in said lands for the purpose of constructing, reconstructing, improving, and maintaining thereon a trunk highway, together with the following rights, to-wit: To erect temporary snow fences upon the lands herein described and upon the lands adjacent thereto; to construct certain slopes, and to maintain the same after construction, as provided in the plans and specifications on file at the office of the Commissioner of Highways in Saint Paul, Minnesota, at those specific places particularly described herein; to take the right of access to Trunk Highway 63, being Route Number 59, from the owners whose lands front thereon in those cases which are hereinafter particularly mentioned; and to take all trees, shrubs, grass, and herbage within the right of way of the trunk highway herein acquired, and to keep and have the exclusive control of the same.

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

Parcel 204 S.P. 5510 (63=59) 902

All that part of the following described tract:

That part of the southwest quarter of the northwest quarter (SW¼ NW¼) of section 25, township 107 north, range 14 west, lying west and north of U. S. Highway No. 63;

which lies within a distance of 75 feet northwesterly of the following described line:

From a point on the east and west quarter line of section 26, township 107 north, range 14 west, distant 249.8 feet west of

Parcel 204 - Continued

the east quarter corner thereof, run northeasterly at an angle of 71°22' with said east and west quarter line for 453.7 feet; thence deflect to the right at an angle of 18°16'30" for 640.58 feet to the point of beginning of line to be described; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 24°32') for 400 feet and there terminating;

containing 0.05 acre, more or less, in addition to the existing highway;

together with ~~the~~ right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds page 393.)

Parcel 206 S.P. 5510 (63-59) 902

All that part of the three following described tracts:

1. The north half of the northwest quarter (N½ NW¼) of section 25, township 107 north, range 14 west, except the following: Commencing on the south line thereof 8 chains east of the southwest corner; thence east 11 chains 8 links; thence north 62½° west 9 chains to the center of the Rochester-Lake City Road as traveled in June 1876; thence south 5½° west 1.6 chains; thence south 48-3/4° west 4 chains to the beginning;

2. The south 60 acres of the west half of the southwest quarter (W½ SW¼) of section 24, township 107 north, range 14 west;

3. That part of the southeast quarter of the northwest quarter (SE¼ NW¼) of section 24, township 107 north, range 14 west, lying south and east of the road (Temporary Trunk Highway No. 63);

which lies within a distance of 75 feet on each side of the following described line:

Beginning at a point on the north line of said section 24, distant 670.6 feet west of the north quarter corner thereof; thence run southwesterly at an angle of 60°52' with said north section line for 794.15 feet; thence deflect to the left at an angle of 19°54' for 3837.75 feet; thence deflect to the left on a 0°30' curve (delta angle 3°08') for 626.67 feet; thence on tangent to said curve for 504.59 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 24°32') for 981.32 feet and there terminating;

together with a strip 15 feet in width adjoining and easterly of the above described strip: Beginning opposite a point on the above described line, distant 1342.93 feet northeasterly of the termination of said line and extending northerly for 350 feet (both distances being measured along the above described line);

Parcel 206 - Continued

containing 0.92 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tracts not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tracts to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds page 393).

Parcel 307A S.P. 5510 (63-59) 902

All that part of the two following described tracts:

1. The north 20 acres of the west half of the southwest quarter (W½ SW¼) of section 24, township 107 north, range 14 west;

2. The southwest quarter of the northwest quarter (SW¼ NW¼) of section 24, township 107 north, range 14 west;

which lies within a distance of 75 feet southeasterly of the following described line:

Beginning at a point on the north line of said section 24, distant 670.6 feet west of the north quarter corner thereof; thence run southwesterly at an angle of 60°52' with said north section line for 794.15 feet; thence deflect to the left at an angle of 19°54' for 2300 feet and there terminating;

containing 0.04 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tracts not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tracts to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds page 393.)

Parcel 307 S.P. 5510 (63-59) 902

All that part of the following described tract:

The southeast quarter of the southwest quarter (SE¼ SW¼) of section 13, township 107 north, range 14 west;

which lies within a distance of 75 feet on each side of the following described line:

Beginning at a point on the south line of said section 13, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 636.18 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 2°00') for 200 feet; thence deflect to the left on a 2°00' circular curve (delta angle 41°55'30") for 800 feet and there terminating;

Parcel 307 - Continued

together with a strip 15 feet in width adjoining and southeasterly of the above described strip: Beginning opposite a point on the above described line, distant 410.15 feet northeasterly of its point of beginning and extending northeasterly for 610 feet and there terminating (both distances being measured along the above described line);

containing 0.31 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393).

The State of Minnesota, will install an eight inch conduit pipe under the road at approximately Engineer Station 115+50, through which the owner will be permitted to place his private water line.

Parcel 209 S.P. 5510 (63-59) 902

All that part of the following described tract:

> The northeast quarter of the northwest quarter (NE¼ NW¼) of section 24, township 107 north, range 14 west, except the south 1 acre of that part thereof which lies westerly of Trunk Highway No. 63;

which lies within a distance of 75 feet southeasterly of the following described line:

> Beginning at a point on the north line of said section 24, distant 670.6 feet west of the north quarter corner thereof; thence run southwesterly at an angle of 60°52' with said north section line for 191.48 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 2°00') for 200 feet; thence deflect to the left on a 2°00' circular curve (delta angle 15°54') for 400 feet and there terminating;

containing 0.06 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393).

Parcel 211 S.P. 5510 (63-59) 902

All that part of the following described tract:

> The west half of the southeast quarter (W½ SE¼) of section 13, township 107 north, range 14 west;

Parcel 211 - Continued

which lies westerly of a line run parallel with and distant 75 feet easterly of the following described line:

> Beginning at a point on the south line of said section 13, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 636.18 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 2°00') for 200 feet; thence deflect to the left on a 2°00' circular curve (delta angle 41°55'30") for 2096.25 feet and there terminating;

together with a triangular piece adjoining and easterly of the above described strip and northwesterly of the following described line: Beginning at a point on the easterly boundary of the above described strip, distant 200 feet southerly of its intersection with a line run parallel with and distant 33 feet south of the east and west quarter line of said section 13; thence run northeasterly to a point on said 33 foot parallel line, distant 150 feet easterly of said intersection;

containing 1.84 acres, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393).

Parcel 213 S.P. 5510 (63-59) 902

All that part of the following described tract:

> The east half of the northwest quarter (E½ NW¼) of section 13, township 107 north, range 14 west, except the north 130 feet of that part thereof lying easterly of the center line of Trunk Highway No. 63;

which lies within a distance of 75 feet on each side of the following described line:

> Beginning at a point on the south line of said section 13, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 636.18 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 2°00') for 200 feet; thence deflect to the left on a 2°00' circular curve (delta angle 41°55'30") for 2096.25 feet; thence deflect to the left on a 10 chord spiral curve of increasing radius (spiral angle 2°00') for 200 feet; thence on tangent to said curve for 781.01 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 35°55') for 1436.67 feet and there terminating;

together with a strip 25 feet in width adjoining and easterly of the above described strip; Beginning opposite a point on the above described line, distant 474.96 feet southerly of the termination of said line (when measured along said line) and extending northerly to the north line of the above described tract;

Parcel 213 - Continued

also together with a strip 45 feet in width adjoining and easterly of the first above described strip: Beginning opposite a point on the first above described line, distant 474.96 feet southerly of its point of termination (when measured along said line) and extending southerly to the northeasterly boundary of Temporary Trunk Highway No. 63;

also together with a triangular piece adjoining and easterly of the first above described strip and northwesterly of the following described line: Beginning at a point on the easterly boundary of the first above described strip, distant 100 feet southerly of its intersection with the southwesterly boundary of Temporary Trunk Highway No. 63; thence run northeasterly to a point on said southwesterly boundary, distant 50 feet southeasterly of said intersection;

containing 3.15 acres, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393).

Parcel 213A S.P. 5510 (63-59) 902

All that part of the following described tract:

> The north 130 feet of that part of the east half of the northwest quarter (E½ NW¼) of section 13, township 107 north, range 14 west, lying easterly of the center line of Trunk Highway No. 63;

which lies within a distance of 100 feet easterly of the following described line:

> Beginning at a point on the south line of said section 13, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 2095.08 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 35°55') for 1436.67 feet and there terminating;

containing 0.16 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract not acquired herein, to Trunk Highway No. 63, except that the abutting owner shall retain the right of access on the northerly 60 feet of said tract.

Parcel 216 S.P. 5510 (63-59) 902

All that part of the following described tract:

> That part of the southeast quarter of the southwest quarter (SE¼ SW¼) of section 12, township 107 north, range 14 west, described as follows: Commencing at the south quarter corner of said section 12; thence north 580 feet; thence southwesterly along the center line of U. S. Highway No. 63; 666.2 feet to

Parcel 216 - Continued

the south line of said section; thence east 336 feet to the beginning; except the north 388.4 feet of said parcel, and also except: Commencing at the southeast corner thereof; running thence north along the east line 191.6 feet; running thence west 225 feet to the center of U. S. Highway No. 63; running thence southwesterly along said center line 18.4 feet; running thence east 120.5 feet; running thence south 175.6 feet to the south line of said tract; running thence east 113.7 feet to the place of beginning;

which lies within a distance of 75 feet southeasterly of the following described line:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 2095.08 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 35°55') for 1436.67 feet; thence deflect to the right on a 10 chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet and there terminating;

together with a strip 25 feet in width adjoining and southeasterly of the above described strip: Beginning opposite a point on the above described line, distant 289.96 feet southwesterly of its point of termination (when measured along said line) and extending southwesterly to the south line of the above described tract;

containing 0.16 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, except that the abutting owner shall retain the right of access on the southerly 30 feet of the above described tract.

Parcel 216A S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the southeast quarter of the southwest quarter (SE¼ SW¼) of section 12, township 107 north, range 14 west, described as follows: Commencing at the southeast corner thereof; running thence north along the east line 191.6 feet; running thence west 225 feet to the center of U. S. Highway No. 63; running thence southwesterly along said center line 18.4 feet; running thence east 120.5 feet; running thence south 175.6 feet to the south line of said tract; running thence east 113.7 feet to the place of beginning;

which lies within a distance of 75 feet southeasterly of the following described line:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 2095.08 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence

Parcel 216A - Continued

deflect to the right on a 2°30' circular curve (delta angle 35°55') for 1436.67 feet; thence deflect to the right on a 10 chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet and there terminating;

containing 0.01 acre, more or less, in addition to the existing highway;

Parcel 218 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the southeast quarter of the southwest quarter (SE¼ SW¼) of section 12, township 107 north, range 14 west, described as follows: Commencing at the southeast corner of the southwest quarter (SW¼) of said section 12; running thence north along the east line of said southwest quarter (SW¼) a distance of 191.60 feet for a place of beginning; running thence west at a right angle with said east line a distance of 225 feet to the center line of Trunk Highway No. 63; running thence northeasterly along the center line of said Trunk Highway to a point in the east line of said southwest quarter (SW¼) which is 580 feet north of the southeast corner of said southwest quarter (SW¼); running thence south along the east line of said southwest quarter (SW¼) a distance of 388.40 feet to the place of beginning;

which lies within a distance of 75 feet southeasterly of the following described line:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 2095.08 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 35°55') for 1436.67 feet; thence deflect to the right on a 10 chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet; thence on tangent to said curve for 198.90 feet and there terminating;

containing 0.11 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner, (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393).

Parcel 219 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the southeast quarter of the southwest quarter (SE¼ SW¼) of section 12, township 107 north, range 14 west, described as follows: Commencing 388 feet west of the south-

Parcel 219 - Continued

east corner of the southwest quarter (SW¼) of said section 12; thence west 926 feet to the west line of the east half of the southwest quarter (E½ SW¼); north 998 feet to the center of Zumbro River; thence along said center north 88°40' east 250 feet; north 64°30' east 271 feet; north 24°10' east 233 feet to a point where the dry ravine intersects the center of said River; thence along the center of said Ravine south 53°15' east 232 feet; south 15°30' west 186 feet; south 10°30' east 55 feet; south 69°50' east 166 feet; south 52°40' east 370 feet to the west line of U. S. Highway No. 63; thence southwesterly along said Highway 826 feet to the place of beginning; except: Commencing on the west line of said Highway No. 63 at its intersection with the north line of the Township Road along the south line of said southwest quarter (SW¼); thence west 424 feet; thence northerly parallel with said U. S. Highway No. 63 for 212 feet; thence east 424 feet to said Highway No. 63; thence southerly along said highway 212 feet to the place of beginning; also except: That part of the southwest quarter (SW¼) of said section 12 described as follows: Commencing at a point on the south line of said section where the west line of trunk highway intersects said section line for a place of beginning; running thence due west along the south line of said section to a point which is 1012.04 feet west of the southeast corner of said southwest quarter (SW¼); thence north at a right angle to said south line 820.72 feet; thence south 83°26'40" east 418 feet to a point which is 773 feet north of the south line of said section; thence south 554.4 feet; thence east parallel with south line of said section, 330.23 feet to the west right of way of Trunk Highway No. 63; thence south 28°54' west along said west right of way line 249.69 feet to the place of beginning;

which lies within a distance of 75 feet northwesterly of the following described line:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 3104.09 feet; thence deflect to the right at an angle of 42°10' for 1207.91 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet and there terminating;

together with a strip 15 feet in width adjoining and northwesterly of the above described strip: Beginning opposite a point on the above described line, distant 208.86 feet southwesterly of its termination (when measured along said line) and extending northeasterly for 125 feet;

also together with a strip 30 feet in width adjoining and northwesterly of the first above described strip: Beginning at the termination of the last above described strip and extending northeasterly to the northerly boundary of the above described tract;

containing 0.08 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 27[illegible] of Deeds, page 393).

Parcel 221 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the south half of the southeast quarter ($S\frac{1}{2}$ SE_4) of section 12, township 107 north, range 14 west, lying easterly of Trunk Highway No. 63, except the following: Commencing at the intersection of the north line of the southwest quarter of the southeast quarter (SW_4 $SE\frac{1}{4}$) and the center line of U. S. Highway No. 63, which point is 202 feet east of the northwest corner of said southwest quarter of the southeast quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$); thence east 718 feet; south 294.1 feet; west 762.8 feet to said center line; thence along said center line northeasterly 297.5 feet to the beginning; also except: Beginning at a point in the center line of Trunk Highway No. 63, which point is distant 294.1 feet south and 146.3 feet east of the northwest corner of said southwest quarter of the southeast quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$) of section 12; running thence east parallel with the north boundary of said tract for a distance of 773.7 feet; running thence south parallel with the west boundary for a distance of 417.9 feet; running thence west parallel with the north boundary for a distance of 920 feet to the west boundary; running thence north along the west boundary for a distance of 5.9 feet to the center line of Trunk Highway No. 63; running thence northeasterly along the center line of the highway for a distance of 437 feet to the point of beginning;

which lies within a distance of 75 feet southeasterly of the following described line:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 3104.09 feet; thence deflect to the right at an angle of 42°10' for 1207.91 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet and there terminating;

together with a strip 30 feet in width adjoining and southeasterly of the above described strip: Beginning opposite a point on the above described line, distant 138.86 feet southwesterly of its termination (when measured along said line) and extending northeasterly to the north line of the above described tract;

containing 0.03 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393.)

Parcel 222 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the southwest quarter of the southeast quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$) of section 12, township 107 north, range 14 west, described as follows: Beginning at a point in the center

Parcel 222 - Continued

line of Trunk Highway No. 63, which point is distant 294.1 feet south and 146.3 feet east of the northwest corner of said southwest quarter of the southeast quarter (SW¼ SE¼) of section 12; running thence east parallel with the north boundary of said tract for a distance of 773.7 feet; running thence south parallel with the west boundary for a distance of 417.9 feet; running thence west parallel with the north boundary for a distance of 920 feet to the west boundary; running thence north along the west boundary for a distance of 5.9 feet to the center line of Trunk Highway No. 63; running thence northeasterly along the center line of the highway for a distance of 437 feet to the point of beginning;

which lies within a distanceof 105 feet southeasterly of the following described lines:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 3104.09 feet; thence deflect to the right at an angle of 42°10' for 1207.91 feet; thence deflect to the left on a [illegible] chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 10°32') for 71.14 feet and there terminating;

together with a strip 25 feet in width adjoining and southeasterly of the above described strip: Beginning opposite a point on the above described line, distant 99 feet southwesterly of its point of termination and extending southwesterly for 20 feet (both distances being measured along said line);

containing 0.14 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393.)

Parcel 224 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the south half of the southeast quarter (S½ SE¼) of section 12, township 107 north, range 14 west, lying northwesterly of Trunk Highway No. 63;

which lies within a distance of 85 feet northwesterly of the following described lines:

Beginning at a point on the south line of section 13, township 107 north, range 14 west, distant 670.6 feet west of the south quarter corner thereof; thence run northeasterly at an angle of 60°52' with said south section line for 1950.25 feet; thence deflect to the left at an angle of 45°55'30" for 3104.09 feet; thence deflect to the right at an angle of 42°10' for

Parcel 224 - Continued

1207.91 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 10°32') for 191.14 feet and there terminating;

containing 0.03 acre, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393.)

Slope Parcel 230 S.P. 5510 (63-59) 902

A right to construct slopes, which shall cease on or before December 1, 1956, on all that part of the following described tract:

That part of the southwest quarter of the northeast quarter (SW¼ NE¼) of section 12, township 107 north, range 14 west, included in the lands described as follows: Commencing at a point 80 rods south of the northwest corner of (NE¼) of said section 12; thence east 80 rods to the center of the northeast quarter (NE¼); thence south 15 rods to the center of the Road; thence along the center line of said road south 25°00' west 46 rods; south 57°00' west 26 rods; south 2°00' west 65 rods; thence west 20 rods to the quarter line; thence north 130 rods to the beginning; except that part of the north 25 acres of the northwest quarter of the southeast quarter (NW¼ SE¼) west of the road;

which lies between two lines run parallel with and distant 75 feet and 100 feet southeasterly of the following described line:

From a point on the north line of section 6, township 107 north, range 13 west, distant 531.2 feet west of the north quarter corner thereof, run southwesterly at an angle of 63°50' with said north section line for 2836.5 feet; thence deflect to the left at an angle of 2°05' for 3843.2 feet; thence deflect to the right at an angle of 13°07' for 1421.7 feet to the point of beginning of line to be described; thence continue southwesterly along the last described course for 157.74 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 35.47 feet and there terminating;

containing 0.06 acre, more or less, in addition to the existing highway;

Parcel 231 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the southeast quarter (SE¼) of section 1, township 107 north, range 14 west, lying southeasterly of Trunk Highway No. 63;

which lies between two lines run parallel with and distant 100 feet and 110 feet southeasterly of the following described line:

Parcel 231 - Continued

From a point on the north line of section 6, township 107 north, range 13 west, distant 531.2 feet west of the north quarter corner thereof, run southwesterly at an angle of 63°50' with said north section line for 2836.5 feet; thence deflect to the left at an angle of 2°05' for 2251.9 feet to the point of beginning of line to be described; thence continue southwesterly along the last described course for 500 feet and there terminating;

containing 0.12 acre, more or less;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393.)

Parcel 234 S.P. 5510 (63-59) 902

All that part of the following described tract:

The northwest quarter of the southwest quarter (NW¼ SW¼) of section 6, township 107 north, range 13 west;

which lies between two lines run parallel with and distant 75 feet and 85 feet northwesterly of the following described line:

From a point on the north line of said section 6, distant 531.2 feet west of the north quarter corner thereof, run southwesterly at an angle of 63°50' with said north section line for 2836.5 feet; thence deflect to the left at an angle of 2°05' for 1121.9 feet to the point of beginning of line to be described; thence continue southwesterly along the last described course for 500 feet and there terminating;

containing 0.08 acre, more or less;

together with all right of access, being the right of ingress to and egress from all that portion of the above described tract not acquired herein, to Trunk Highway 63, which shall include the right of access from the remainder of said tract to the right of way of said Trunk Highway 63 heretofore acquired, except that the abutting owner shall retain the right of access to said Trunk Highway 63 at such point or points heretofore reserved unto said abutting owner. (For access heretofore acquired see Final Certificate recorded in Book 275 of Deeds, page 393.)

Slope Parcel 236 S.P. 5510 (63-59) 902

A right to construct slopes, which shall cease on or before December 1, 1956, on all that part of the following described tract:

The northeast quarter of the northwest quarter (NE¼ NW¼) of section 6, township 107 north, range 13 west, except the east 12 rods of the south 13 rods thereof and except the north 10 rods of the south 23 rods of the east 16 rods thereof;

which lies between two lines run parallel with and distant 75 feet and 85 feet southeasterly of the following described line:

Slope Parcel 236 - Continued

From a point on the north line of said section 6, distant 531.2 feet west of the north quarter corner thereof, run southwesterly at an angle of 63°50' with said north section line for 503 feet to the point of beginning of line to be described; thence continue southwesterly along the last described course for 200 feet and there terminating;

containing 0.05 acre, more or less.

Parcel 237 S.P. 5510 (63-59) 902

All that part of the following described tract:

The southeast quarter of the southwest quarter (SE¼ SW¼) of section 31, township 108 north, range 13 west;

which lies between two lines run parallel with and distant 75 feet and 105 feet northwesterly of the following described line:

From a point on the south line of said section 31, distant 531.2 feet west of the south quarter corner thereof, run northeasterly at an angle of 63°50' with said south section line for 1012 feet to the point of beginning of line to be described; thence continue northeasterly along the last described course for 26.1 feet; thence deflect to the left on a 1°15' curve (delta angle 11°52') for 500 feet and there terminating;

containing 0.27 acre, more or less, in addition to the existing highway.

Parcel 240 S.P. 5510 (63-59) 902

All that part of the following described tract:

The west half of the northeast quarter (W½ NE¼) of section 31, township 108 north, range 13 west;

which lies within a distance of 75 feet southeasterly of the following described line:

Beginning at a point on the north line of said section 31, distant 372 feet west of the northeast corner thereof; thence run southwesterly at an angle of 37°22' with said north section line for 938.79 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 31°53') for 1275.33 feet and there terminating;

together with a strip 70 feet in width adjoining and southeasterly of the above described strip: Beginning opposite a point on the above described line, distant 1962.11 feet southwesterly of its point of beginning and extending southwesterly for 200 feet (both distances being measured along the above described line);

containing 0.16 acre, more or less, in addition to the existing highway.

Parcel 245 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the west half of the southwest quarter (W½ SW¼) of section 20, township 108 north, range 13 west, lying east of Temporary Trunk Highway No. 63;

which lies within a distance of 75 feet southeasterly and 85 feet northwesterly of the following described line:

From a point on the south line of said section 20, distant 617 feet east of the southwest corner thereof, run northeasterly at an angle of 75°26' with said south section line for 1131.1 feet to the point of beginning of line to be described; thence continue northeasterly along the last described course for 109.5 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 38°42') for 1000 feet and there terminating;

together with a strip 40 feet in width adjoining and northwesterly of the above described strip: Beginning opposite the point of beginning of the above described line and extending northeasterly for 500 feet (when measured along the above described line);

also together with a strip 45 feet in width adjoining and southeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 30 feet northeasterly of its point of beginning and extending northeasterly for 500 feet (both distances being measured along the first above described line);

also together with the southerly 100 feet of the above described tract (to be used for offtake ditch purposes only) adjoining and westerly of northwesterly boundary of Trunk Highway No. 63 as now located and established;

containing 1.25 acre, more or less, in addition to the existing highways, of which 1.07 acres are for right of way and 0.18 acre is for offtake ditch purposes;

the foregoing is in lieu of the taking described in the Petition and is in accordance with Stipulation filed with the Clerk.

Parcel 246 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the northwest quarter of the southwest quarter (NW¼ SW¼) of section 20, township 108 north, range 13 west, lying west of the road as travelled before 1940;

which lies within a distance of 85 feet southwesterly of the following described line:

Beginning at a point on the south line of said section 20, distant 617 feet east of the southwest corner thereof; thence run northeasterly at an angle of 75°26' with said south section line for 1240.6 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 38°42') for 1548 feet and there terminating;

Parcel 246 - Continued

together with a strip 20 feet in width adjoining and southwesterly of the above described strip: Beginning opposite a point on the above described line, distant 2431.1 feet northeasterly of its point of beginning (when measured along said line) and extending northwesterly to the north line of the above described tract;

containing 0.73 acre, more or less, in addition to the existing Highway.

Parcel 247 S.P. 5510 (63-59) 902

All that part of the following described tract:

That part of the southwest quarter of the northwest quarter ($SW\frac{1}{4}$ $NW\frac{1}{4}$) of section 20, township 108 north, range 13 west, lying north and east of the road (Temporary Trunk Highway No. 63);

which lies within a distance of 75 feet on each side of the following described line:

Beginning at a point on the south line of said section 20, distant 617 feet east of the southwest corner thereof; thence run northeasterly at an angle of 75°26' with said south section line for 1240.6 feet; thence deflect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 38°42') for 1548 feet; thence deflect to the left on a 10 chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet; thence on tangent to said curve for 549.87 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 24°20') for 300 feet and there terminating;

together with a strip 20 feet in width adjoining and northeasterly of the above described strip: Beginning opposite a point on the above described line, distant 961.57 feet southeasterly of its point of termination (when measured along said line) and extending northwesterly to the north line of the above described tract;

containing 0.37 acre, more or less, in addition to the existing highways.

Parcel 248 S.P. 5510 (63-59) 902

All that part of the following described tract:

The northwest quarter of the northwest quarter ($NW\frac{1}{4}$ $NW\frac{1}{4}$) of section 20, township 108 north, range 13 west;

which lies within a distance of 75 feet northeasterly of the following described line:

Beginning at a point on the south line of said section 20, distant 617 feet east of the southwest corner thereof; thence run northeasterly at an angle of 75°26' with said south section line for 2314.19 feet; thence deflect to the left at an angle of 44°57' for 1623.46 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 24°20') for 973.32 feet; thence deflect to the right on a 10 chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet and there terminating;

Parcel 248 - Continued

containing 0.40 acre, more or less, in addition to the existing highway;

the foregoing is in lieu of the taking described in the Petition and is in accordance with Stipulation filed with the Clerk on October 26, 1955.

Parcel 253 S.P. 5510 (63-59) 902

All that part of the following described tract:

The southeast quarter of the northeast quarter (SE¼ NE¼) of section 18, township 108 north, range 13 west;

which lies between two lines run parallel with and distant 75 feet and 95 feet westerly of the following described line:

Beginning at a point on the north line of section 17, township 108 north, range 13 west, distant 41.15 feet east of the northwest corner thereof; thence run southerly at an angle of 90°00' with said north section line for 701.15 feet; thence deflect to the right on a 0°10' curve (delta angle 2°04') for 677.3 feet and there terminating;

containing 0.02 acre, more or less.

Parcel 255 S.P. 5510 (63-59) 902

All that part of the following described tract:

The northeast quarter of the northeast quarter (NE¼ NE¼) of section 18, township 108 north, range 13 west, except the following: Commencing at the northeast corner thereof; thence west 12 rods; thence south 18 rods; thence east 12 rods; thence north 18 rods to the beginning;

which lies between two lines run parallel with and distant 75 feet and 95 feet westerly of the following described line:

From a point on the north line of section 17, township 108 north, range 13 west, distant 41.15 feet east of the northwest corner thereof, run southerly at an angle of 90°00' with said north section line for 701.15 feet; thence deflect to the right on a 0°10' curve (delta angle 2°04') for 427.3 feet to the point of beginning of line to be described; thence continue southerly along the above described 0°10' curve for 300 feet and there terminating;

containing 0.08 acre, more or less.

Parcel 259 S.P. 5510 (63-59) 902

All that part of the following described tract:

The northwest quarter of the southwest quarter (NW¼ SW¼) of section 8, township 108 north, range 13 west;

which lies between two lines run parallel with and distant 75 feet and 85 feet easterly of the following described line:

Parcel 259 - Continued

From a point on the south line of said section 8, distant 41.15 feet east of the southwest corner thereof, run northerly at an angle of 90°00' with said south section line for 841.85 feet; thence deflect to the left at an angle of 1°42' for 1402.9 feet; thence deflect to the right on a 0°10' curve (delta angle 1°21') for 276.8 feet to the point of beginning of line to be described; thence continue northerly on the above described 0°10' curve for 300 feet and there terminating;

containing 0.03 acre, more or less.

Parcel 261 S.P. 5510 (63-59) 901

All that part of the following described tract:

The Northwest quarter (NW¼) of section 8, township 108 north, range 13 west, except a cemetary;

which lies between two lines run parallel with and distant 75 feet and 85 feet easterly of the following described line:

From a point on the south line of said section 8, distant 41.15 feet east of the southwest corner thereof, run northerly at an angle of 90°00' with said south section line for 841.85 feet; thence deflect to the left at an angle of 1°42' for 1402.9 feet; thence deflect to the right on a 0°10' curve (delta angle 1°21') for 486.8 feet and there terminating;

containing 0.02 acre, more or less;

also a right to construct slopes, which shall cease on or before December 1, 1956, on all that part of the above described tract which lies between two lines run parallel with and distant 75 feet and 85 feet easterly of the following described line: From the termination of the above described line, run northerly along the above described 0°10' curve for 323.2 feet; thence on tangent to said curve for 1311.8 feet to the point of beginning of line to be described; thence continue northerly along the last described course for 50 feet and there terminating;

containing 0.01 acre, more or less.

Parcel 267 S.P. 5510 (63-59) 901

All that part of the following described tract:

The east half of the northeast quarter (E½ NE¼) of section 6, township 108 north, range 13 west;

which lies within a distance of 75 feet southwesterly of the following described line:

From a point on the north line of said section 6, distant 643.9 feet west of the northeast corner thereof, run northwesterly at an angle of 48°05'30" for 201.48 feet to the point of beginning of line to be described; thence run southeasterly along the last described course for 100 feet; thence deflect to the right on a 10 chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the right on a 2°30' circular curve (delta angle 35°34') for 1422.7 feet; thence deflect to the right on a 10 chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet and there terminating;

Parcel 267 - Continued

containing 1.13 acres, more or less, in addition to the existing highway.

Dated at Saint Paul, Minnesota, this 8th day of February, 1957.

MILES LORD
Attorney General

ROBERT W. MATTSON
Deputy Attorney General

David Johnson /s/
DAVID JOHNSON
Special Assistant Attorney General

Attorneys for the State of Minnesota
1246 University Avenue
Saint Paul 4, Minnesota

The above certificate is hereby approved.

Dated at Rochester, Minnesota, this 18th day of February, 1957.

Arnold Hatfield /s/
Judge

Entered on Transfer Record
Feb 28, 1957
Frances L. Underbrink
Co. Auditor

STATE OF MINNESOTA

County of OLMSTED

IN DISTRICT COURT

THIRD JUDICIAL DISTRICT

State of Minnesota, by J. A. A. Burnquist, its Attorney General,

Petitioner,

vs.

William Willing, et al.,

Respondents.

COPY

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

- - - - - -

FINAL CERTIFICATE

- - - - - -

Due and personal service of the within

is hereby admitted at

Minnesota, this day of

19

Attorney for

MILES LORD
Attorney General

ROBERT W. MATTSON
Deputy Attorney General

Special Assistant Attorney General

Attorneys for State of Minnesota
1246 University Avenue
St. Paul 4E, Minnesota

Form 2802 3M 7-54

State of Minnesota,
COUNTY OF OLMSTED } ss.

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

Final Certificate: State of Minnesota etc vs William Willing 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

21st day of Feb/ 1957

Mrs. George B. Cutting Clerk

By Deputy

231166

State of Minnesota
COUNTY OF OLMSTED

DISTRICT COURT
Third Judicial District

Plaintiff

vs.

Defendant

REGISTER OF DEEDS OFFICE
Olmsted County, Minn.
I hereby certify that the within instrument was filed in this office for record on
MAR 15 - 1957
9 3/4 o'clock A.M.
and was duly recorded in Book of Deeds
Page
Register of Deeds
By Deputy

CANCELLED
EXAMINED
ENTERED
STATE DEED TAX
STAMP

S. Tax