STATE OF MINNESOTA

COUNTY OF OLMSTED

IN DISTRICT COURT

THIRD JUDICIAL DISTRICT

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Files 24800 and 24799

State of Minnesota, by Miles Lord, its Attorney General,

Petitioner,

vs.

John Tracy, George Jorgeson, County of Olmsted, Amanda Welch, Henry P. Welch, Hattie Kendell, John Brown, Unknown heirs of Henry T. Welch, deceased, State of Minnesota, Department of Welfare, W. H. Kendell, Bertha Weiss Brown, Loretta O'Neil, Sylvester O'Neil, Paul O'Neil, Agnes Batzel, Cecilia O'Neil, John O'Neil, Katherine O'Neil, Katherine O'Neil as administratrix of estate of John O'Neil, deceased, Unknown heirs of John O'Neil, deceased, The Federal Land Bank of Saint Paul, Rose O'Neil, Rosanne O'Neil, Arnold Batzel, Mary O'Neil, Ruth R. Bernard, Paul F. Bernard, Olive B. Lambert, Jean Schmidt, Virginia Boehme, Myron Bernard, Freda Bernard, Ira Lambert, Gorman Schmidt, Robert Boehme, Wm F. DeWitt, C. T. Perkins, F. H. DeWitt, Unknown heirs of Clarence W Johnston, deceased, Unknown successors in interest to Sommers Canning Company, an expired Minnesota Corporation; also all other persons unknown claiming any right, title, estate, interest, or lien in the real estate described in the Petition herein,

Respondents.

and

State of Minnesota, by Miles Lord, its Attorney General,

Petitioner,

vs.

William Fogarty, Edgar Jensen, E. M. Bernard, Guardian of Carrie L. Bernard, Nado Bernard, Isabel Bernard, Verne Nielsen, Robert Bernard, Cora N. Ryther, Bert Ryther, Leroy Gathje, H. G. Hinzman, Arvilla Hinzman, The Union Central Life Insurance Co., Helen Gathje, Russell J. Barth, Marie A. Barth, Clyde Denny, Carlton Denny, Helen Denny, The Federal Land Bank of Saint Paul, School District Number 21, Olmsted County, Bert Griggs, Ruth Griggs, William Krumdieck, Clara Krumdieck, Marshall D. Welch, Ella Welch, Ida M. Hoffman, Arthur Hoffman, John H. Meeker, Mary Meeker, Olaf Rockvam, William H. Thompson, State of Minnesota, Department of Welfare, Allene A. Hanson, John Hanson, William Pease, Lloyd J. Ober, Winnifred Ober, First State Bank of Fountain, School District No. 17, Max M. Ober, Nora Ober, Russell W Ober, Ethel M. Ober, Mary R. Hander, Leo Hander, William Mundil, Alice Mundil, Clifford E. Manning, Elsie Manning, Root River State Bank, Merrill Hanson, Violet Hanson, Mark Finley, Erma Finley, Earl A. Gardner, Vivian Gardner, Lester A. Schild, Pauline Schild, John Manahan, Russell Winans, Mary E. Cooper, The Farmers and Mechanics Savings Bank of Minneapolis, Virgil D. Miller, Serena B. Miller, M. O. Amundson, Hazel Raveill, and R. Wesley Raveill,

Respondents.

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IN THE MATTER OF THE CONDEMNATION OF CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES IN THE ABOVE ENTITLED PROCEEDINGS WHICH HAVE BEEN CONSOLIDATED BY ORDER OF DISTRICT COURT

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FINAL CERTIFICATE

By authority of Section 117.20, Minnesota Statutes, 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; 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 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 highway purposes, 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, channel changes, offtake ditches and road connection, 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 30, being Route Number 77, 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 239 S.P. 5505 (30=77) 901

The southerly 75 feet of the following described tract:

The south half of the southeast quarter (S½ SE¼) of section 25, township 105 north, range 13 west;

containing 2.41 acres, more or less, in addition to the existing highways.

Parcel 240 S.P. 5505 (30=77) 901

The northerly 75 feet of the following described tract:

The northwest quarter of the northeast quarter (NW¼ NE¼) of section 36, township 105 north, range 13 west;

containing 1.15 acres, more or less, in addition to the existing highway.

Parcel 41 S.P. 5505 (30=77) 901

The northerly 75 feet of the following described tract:

The northeast quarter of the northeast quarter (NE¼ NE¼) of section 36, township 105 north, range 13 west;

containing 1.24 acres, more or less, in addition to the existing highways.

Parcel 42 S.P. 5505 (30=77) 901

The northerly 75 feet of the following described tract:

The northwest quarter of the northwest quarter (NW¼ NW¼) of section 31, township 105 north, range 12 west;

containing 1.22 acres, more or less, in addition to the existing highways.

Parcel 43 S.P. 5505 (30=77) 901

The southerly 75 feet of the following described tract:

The south half of the southwest quarter (S½ SW¼) of section 30, township 105 north, range 12 west;

together with the northerly 75 feet of the following described tract:

The northeast quarter of the northwest quarter (NE¼ NW¼) and the northwest quarter of the northeast quarter (NW¼ NE¼) of section 31, township 105 north, range 12 west;

containing 5.07 acres, more or less, in addition to the existing highways;

also a right to construct slopes, which shall cease on or before December 1, 1958, on the following described strips:

A strip 35 feet in width adjoining and northerly of the first above described strip: Beginning at a distance of 1118.6 feet westerly of the north and south quarter line of said section 30, and extending westerly for 70 feet (both distances being measured along the south line of said section 30;

A strip 45 feet in width adjoining and southerly of the second above described strip: Beginning at a distance of 698.6 feet westerly of the north and south quarter line of said section 31, and extending westerly for 100 feet (both distances being measured along the north line of said section 31;

containing 0.16 acre, more or less.

Parcel 44 S.P. 5505 (30=77) 901

The southerly 75 feet of the following described tract:

The south half of the southeast quarter (S½ SE¼) of section 30, township 105 north, range 12 west;

containing 2.57 acres, more or less, in addition to the existing highways.

Parcel 45 S.P. 5505 (30=77) 901

The northerly 75 feet of the following described tract:

The northeast quarter of the northeast quarter (NE¼ NE¼) of section 31, township 105 north, range 12 west;

containing 1.25 acres, more or less, in addition to the existing highways.

Parcel 46 S.P. 5505 (30=77) 901

The northerly 75 feet of the following described tract:

That part of the northwest quarter of the northwest quarter (NW¼ NW¼) of section 32, township 105 north, range 12 west, described as follows: Commencing at the northwest corner of said section 32, running thence south 10 rods, thence east 12 rods; thence north 10 rods; thence west 12 rods to the place of beginning;

containing 0.15 acre, more or less, in addition to the existing highways.

Parcel 47 S.P. 5505 (30=77) 901

The northerly 75 feet of the following described tract:

The northwest quarter of the northwest quarter (NW¼ NW¼) of section 32, township 105 north, range 12 west, except the following school tract: Commencing at the northwest corner of said section 32, running thence south 10 rods; thence east 12 rods; thence north 10 rods; thence west 12 rods to the place of beginning;

containing 1.08 acre, more or less, in addition to the existing highways.

Parcel 48 S.P. 5505 (30=77) 901

The southerly 75 feet of the following described tract:

The east 50 acres of the west 60 acres, and the south 5 acres of the west 10 acres of the south half of the southwest quarter (S½ SW¼) of section 29, township 105 north, range 12 west;

containing 1.91 acres, more or less, in addition to the existing highway.

Parcel 49 S.P. 5505 (30=77) 901

The southerly 75 feet of the following described tract:

The east half of the southeast quarter of the southwest quarter (E½ SE¼ SW¼) of section 29, township 105 north, range 12 west;

containing 0.63 acre, more or less, in addition to the existing highway.

Parcel 50 S.P. 5505 (30=77) 901

All that part of the four following described tracts:

1. The northeast quarter of the northwest quarter (NE¼ NW¼) of section 32, township 105 north, range 12 west;

2. The northwest quarter of the northeast quarter (NW¼ NE¼) of section 32, township 105 north, range 12 west;

3. The southwest quarter of the southeast quarter (SW¼ SE¼) of section 29, township 105 north, range 12 west;

4. The east half of the southeast quarter (E½ SE¼) of section 29, township 105 north, range 12 west;

which lies within a distance of 75 feet on each side of the following described line and said line extended northeasterly;

Parcel 50 - Continued:

Beginning at a point on the east line of said section 29, distant 737.5 feet south of the east quarter corner thereof; thence run southwesterly at an angle of 40°35' with said east section line for 1454.8 feet; thence deflect to the right on a ten chord spiral curve of decreasing radius (spiral angle 4°30') for 300 feet; thence deflect to the right on a 3°00' circular curve (delta angle 40°39') for 1355 feet; thence deflect to the right on a ten chord spiral curve of increasing radius (spiral angle 4°30') for 300 feet; thence on tangent to said curve for 1400 feet and there terminating;

together with a strip 30 feet in width adjoining and northwesterly of the above described strip: Beginning opposite a point on the above described line, distant 495.9 feet southwesterly of the east line of said section 29, and extending southwesterly for 180 feet (both distances being measured along the above described line);

also together with a strip 66 feet in width to be used for road connection purposes only, the center line of said strip being described as follows: Beginning at a point on the first above described line, distant 2175.9 feet southwesterly of its point of beginning (when measured along said line); thence run southeasterly at an angle of 93°38' 30" with the tangent of the 3°00' circular curve at said point (measured from northeast to southeast) for 350 feet and there terminating;

containing 11.49 acres, more or less, in addition to the existing highways;

also a right to construct slopes which shall cease on or before December 1, 1958, on a strip being the northerly 17 feet of the southerly 50 feet of the westerly 80 feet of the southeast quarter of the southeast quarter of said section 29, lying easterly of the last above described strip;

containing 0.03 acre, more or less.

The Report of Commissioners as to Parcel 50 contains the following:

The State of Minnesota having appeared before us and consented to the placing of a 72" pre-cast concrete cattle pass by it at approximately Engineer's Station 607+50; now, therefore, our award as to Parcel 50 is made on the basis and condition that the State shall place and thereafter maintain at approximately Engineer's Station 607+50 a cattle pass through Trunk Highway No. 30 with inside dimensions of 4 ft. in width by 6 ft. in height, and that we do hereby, with the consent of the State, reserve to the owner of said Parcel 50 the necessary right of way and the privilege of building and maintaining a cattle lane of a width reasonably sufficient and adequate to accommodate the passage of stock from his adjoining premises adjacent to and opposite each end of said cattle pass to either end of said cattle pass. Said cattle pass is to be kept free and clear of all debris of all kinds by the owner and at his own expense.

Parcel 51 S.P. 5505 (30=77) 901

All that part of the following described tract:

The northwest quarter of the southwest quarter (NW¼ SW¼) of section 28, township 105 north, range 12 west;

which lies within a distance of 75 feet on each side of the following described line and said line extended southwesterly;

Beginning at a point on the west line of said section 28, distant 737.5 feet south of the west quarter corner thereof; thence run northeasterly at an angle of 40°35' with said west section line for 1200 feet and there terminating;

containing 1.88 acres, more or less, in addition to the existing highway.

Parcel 52 S.P. 5505 (30=77) 901

All that part of the following described tract:

The south 5 acres of the southwest quarter of the northwest quarter (SW¼ NW¼) of section 28, township 105 north, range 12 west;

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

Beginning at a point on the west line of said section 28, distant 737.5 feet south of the west quarter corner thereof; thence run northeasterly at an angle of 40°35' with said west section line for 1400 feet and there terminating;

containing 0.42 acres, more or less, in addition to the existing highway.

Parcel 53 S.P. 5505 (30=77) 901

All that part of the following described tract:

The north 35 acres of the southwest quarter of the northwest quarter (SW¼ NW¼) of section 28, township 105 north, range 12 west;

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

Beginning at a point on the west line of said section 28, distant 737.5 feet south of the west quarter corner thereof; thence run northeasterly at an angle of 40°35' with said west section line for 1741.6 feet; thence deflect to the right on a ten chord spiral curve of decreasing radius (spiral angle 5°15') for 300 feet; thence deflect to the right on a 3°30' circular curve (delta angle 33°03') for 944.3 feet and there terminating;

containing 1.60 acres, more or less, in addition to the existing highway;

also a right to construct slopes which shall cease on or before December 1, 1958, on a strip 10 feet in width adjoining and southeasterly of the above described strip: Beginning opposite a point on the above described line distant 1814.1 feet northeasterly of the west line of said section 28, and extending northeasterly for 40 feet (both distances being measured along the first above described line);

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

Parcel 54 S.P. 5505 (30=77) 901

All that part of the following described tract:

The west half of the southeast quarter of the northwest quarter (W½ SE¼ NW¼) of section 28, township 105 north, range 12 west;

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

Beginning at a point on the west line of said section 28, distant 737.5 feet south of the west quarter corner thereof; thence run northeasterly at an angle of 40°35' with said west section line for 1741.6 feet; thence deflect to the right on a ten chord spiral curve of decreasing radius (spiral angle 5°15') for 300 feet; thence deflect to the right on a 3°30' circular curve (delta angle 33°03') for 944.3 feet and there terminating;

together with a strip 20 feet in width adjoining and northwesterly of the above described strip: Beginning opposite a point on the above described line, distant 2194.1 feet northeasterly of the west line of said section 28, and extending northeasterly for 170 feet (both distances being measured along the above described line);

Parcel 54 - Continued:

also together with a strip 50 feet in width adjoining and northwesterly of the first above described strip: Beginning opposite a point on the above described line, distant 2724.1 feet northeasterly of the west line of said section 28 (when measured along said line), and extending northeasterly to the north line of the above describe tract;

also together with a strip 25 feet in width adjoining and southeasterly of the first above described strip: Beginning opposite a point on the above described line, distant 1974.1 feet northeasterly of the west line of said section 28, and extending northeasterly for 220 feet (both distances being measured along the above described line);

also together with a strip of land 15 feet in width adjoining and southeasterly of the first above described strip: Beginning opposite a point on the above described line, distant 2374.1 feet northeasterly of the west line of said section 28, and extending northeasterly for 390 feet (both distances being measured along the above described line);

containing 2.02 acres, more or less, in addition to the existing highway.

Stipulation filed with the Clerk of Court substituted the above description for that set out in the petition, and notice herein.

Parcel 55 S.P. 5505 (30=77) 901

All that part of the five following described tracts:

1. The northeast quarter of the southeast quarter of the northwest quarter (NE¼ SE¼ NW¼) of section 28, township 105 north, range 12 west;

2. The southeast quarter of the northeast quarter of the northwest quarter (SE¼ NE¼ NW¼) of section 28, township 105 north, range 12 west;

3. The south 60 acres of the east half of the northeast quarter (E½ NE¼) of section 28, township 105 north, range 12 west;

4. The south 33 acres of the east half of the west half of the northeast quarter (E½ W½ NE¼) of section 28, township 105 north, range 12 west;

5. That part of the northwest quarter of the northeast quarter (NW¼ NE¼) of section 28, township 105 north, range 12 west, described as follows: Beginning at the northwest corner of the northeast quarter; thence south 80 rods and 10 links; thence east 40 rods; thence north 36 rods and 10 links; thence northwesterly to the point of beginning;

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

Beginning at a point on the west line of said section 28, distant 737.5 feet south of the west quarter corner thereof; thence run northeasterly at an angle of 40°35' with said west section line for 1741.6 feet; thence deflect to the right on a ten chord spiral curve of decreasing radius (spiral angle 5°15') for 300 feet; thence deflect to the right on a 3°30' circular curve (delta angle 33°03') for 944.3 feet; thence deflect to the right on a ten chord spiral curve of increasing radius (spiral angle 5°15') for 300 feet; thence on tangent to said curve for 2256.2 feet; thence deflect to the right on a ten 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 22°05') for 500 feet and there terminating;

Parcel 55 - Continued:

together with a strip 66 feet in width adjoining and northerly of the above described strip to be used for road connection purposes, the center line of said strip being described as follows: Beginning at a point on the first above described line, distant 4384.1 feet northeasterly of the west line of said section 28 (when measured along the first above described line); thence run northwesterly at an angle of 88°00' with said line (measured from west to north) for 300 feet and there terminating;

also together with a strip 66 feet in width adjoining and northerly of the first above described strip, to be used for road connection purposes, the center line of said strip being described as follows: From a point on the west line of said section 28, distant 737.5 feet south of the west quarter corner thereof; run northeasterly at an angle of 40°35' with said west section line for 2546.4 feet; thence deflect to the right at an angle of 43°33' for 3193 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 83°00' for 380 feet and there terminating;

together with a triangular piece adjoining and northerly of the first above described strip, westerly of the last above described strip, and southeasterly of the following described line: Beginning at a point on the northerly boundary of the first above described strip, distant 100 feet westerly of its intersection with the westerly boundary of the last above described strip; thence run northeasterly to a point on said westerly boundary, distant 100 feet northerly of said intersection;

also together with a triangular piece adjoining and northerly of the first above described strip, easterly of the said last above described 66 foot strip, and southwesterly of the following described line: Beginning at a point on the northerly boundary of the first above described strip, distant 100 feet easterly of its intersection with the easterly boundary of said last above described 66 foot strip; thence run northwesterly to a point on said easterly boundary, distant 100 feet northerly of said intersection;

containing 10.66 acres, 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 northeast quarter of said section 28, not acquired herein, to the two above described triangular pieces;

also all right of access extending along the northerly side of said Trunk Highway from a point distant 5074.1 feet northeasterly of the west line of said section 28, to the westerly bank of the Root River, and from the easterly bank of said river, to the first above described triangular piece,(all distances being measured along the first above described line);

also all right of access extending along the southerly side of said Trunk Highway from said point distant 5074.1 feet northeasterly of the west line of said section 28, to the westerly bank of the Root River, and from the easterly bank of said river, to a point distant 5624.1 feet northeasterly of the west line of said section 28 (all distances being measured along the first above described line;

also a right to construct slopes which shall cease on or before December 1, 1958, on a strip 17 feet in width adjoining and easterly of the first above described 66 foot road connection strip: Beginning opposite a point on the center line of said 66 foot strip, distant 190 feet northerly of its point of beginning (when measured along said center line) and extending southerly to the north line of the first above described strip;

containing 0.04 acre, more or less.

also a right to waste, dispose of and place gravel, stone, clay, dirt, sand and other materials on the following strips until December 1, 1958;

Parcel 55 - Continued:

A strip of land 100 feet in width adjoining and southerly of the first above described strip: Beginning opposite a point on the first above described line, distant 5054.1 feet northeasterly of its point of beginning and extending northeasterly for 370 feet (both distances being measured along the first above described line);

A strip of land 100 feet in width adjoining and northerly of the first above described strip: Beginning opposite a point on the first above described line, distant 5054.1 feet northeasterly of its point of beginning and extending northeasterly for 270 feet (both distances being measured along the first above described line);

A strip of land 175 feet in width adjoining and northerly of the first above described strip: Beginning at the termination of the last above described strip and extending northeasterly for 100 feet;

containing 1.38 acres, more or less.

Stipulation filed with the Clerk of Court substituted the above description for that set out in the petition.

Parcel 56 S.P. 5505 (30=77) 901

All that part of the following described tract:

> The west half of the southwest quarter of the northeast quarter (W½ SW¼ NE¼) of section 28, township 105 north, range 12 west;

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

> Beginning at a point on the east line of said section 28, distant 1041.3 feet south of the northeast corner thereof; thence run southwesterly at an angle of 84°03' with said east section line for 2700 feet and there terminating;

containing 0.70 acre, more or less.

Parcel 57 S.P. 5505 (30=77) 901

All that part of the following described tract:

> The west half of the northwest quarter (W½ NW¼) of section 27, township 105 north, range 12 west;

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

> From a point on the west line of said section 27, distant 1041.3 feet south of the northwest corner thereof, run southwesterly at an angle of 84°03' with said west section line for 627.8 feet to the point of beginning of the line to be described; thence run northeasterly along the last described course for 100 feet; thence deflect to the right on a ten 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 22°05') for 883.3 feet; thence deflect to the right on a ten chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet; thence on tangent to said curve for 700 feet and there terminating;

together with a strip 50 feet in width adjoining and northeasterly of the above described strip, to be used for offtake ditch purposes only, the center line of said strip being described as follows: From a point on the west line of said section 27, distant 1041.3 feet south of the northwest corner thereof, run northeasterly at an angle of 84°03' with said west section line for 176 feet; thence deflect to the right at an angle of 28°20' for 172 feet to the point of beginning of the line to

Parcel 57 - Continued:

be described; thence deflect to the left at an angle of 96°30' for 215 feet and there terminating;

also together with a strip 50 feet in width adjoining and southwesterly of the first above described strip to be used for offtake ditch purposes only, the center line of said strip being described as follows: Beginning at the point of beginning of the last above described line; thence run southwesterly along the southwesterly extension of said last above described line for 165 feet and there terminating;

also together with a strip 35 feet in width adjoining and northerly of the first above described strip: Beginning opposite a point on the first above described line, distant 732 feet easterly of its point of beginning (when measured along said line) and extending easterly to the westerly boundary of the above described 50 foot offtake ditch;

also together with a strip 10 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 1082 feet easterly of its point of beginning and extending southeasterly for 100 feet (both distances being measured along said line);

also together with a strip 25 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line distant 1332 feet easterly of its point of beginning (when measured along said line and extending southeasterly to the east line of the above described tract;

containing 3.75 acres, more or less, in addition to the existing highway, of which 3.42 acres are for right of way and 0.33 acre is for offtake ditches.

Stipulation filed with the Clerk of Court substituted the above description for that set out in the petition.

Parcel 58 S.P. 5505 (30=77) 901

All that part of the two following described tracts:

1. The southeast quarter of the northwest quarter (SE¼ NW¼) of section 27, township 105 north, range 12 west;

2. That part of the northeast quarter (NE¼) of section 27, township 105 north, range 12 west, described as follows: Beginning at a point on the north-south quarter line 18.50 chains south of the northwest corner of the northeast quarter of said section, and running south 76°10' east 16.38 chains; thence south 11°20' east 5.10 chains; thence north 76°10' west 2.22 chains; thence southeasterly 8.40 chains to the north side of the County Road; thence north 70° west 0.27 chains; thence northerly parallel to second last named course 8.38 chains; thence north 76°10' west 14.95 chains to the north-south quarter line; thence north 5 chains to the point of beginning which is 23.50 chains south of the quarter section corner between sections 22 and 27, also: Beginning at the intersection of the north-south quarter line with the north right of way line of Trunk Highway No. 30; thence north on said quarter line to the north line of said northeast quarter; thence east on said north line for 66 rods; thence south 80 rods to the south line of the northwest quarter of the northeast quarter; thence east 8 rods; thence south 40 rods; thence northwesterly to the southeast corner of the foregoing parcel of land; thence continuing northwesterly along the southerly line of said foregoing parcel to a point 72 feet east of the private roadway included in said parcel; thence southerly parallel to said private roadway to the north right of way line of said Trunk Highway 30; thence northwesterly along the north right of way line of said trunk highway to the point of beginning;

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

Parcel 58 - Continued:

Beginning at a point on the east line of said section 27, distant 1225 feet north of the southeast corner thereof; thence run northwesterly at an angle of 39°08' with said east section line for 1742 feet; thence deflect to the left at an angle of 27°38' for 3200 feet and there terminating;

together with a strip 25 feet in width adjoining and northeasterly of the above described strip: Beginning opposite a point on the above described line, distant 139.1 feet southeasterly of the north and south quarter line of said section 27 (when measured along the above described line) and extending northwesterly to the west line of the first above described tract;

also together with an easement for channel change purposes only over the land hereinafter described, the owners to retain the right to use said lands for any purpose not inconsistent with the purposes for which this land is acquired, said lands being described as follows:

A strip 80 feet in width adjoining and northeasterly of the first above described strip, the center line of said strip being described as follows: Beginning at a point on the first above described line, distant 704.1 feet southeasterly of the north and south quarter line of said section 27 (when measured along said first above described line); thence run northeasterly at an angle of 90°00' with said first above described line for 551.2 feet and there terminating;

containing 5.38 acres, more or less, in addition to the existing highway, of which 4.49 acres are for right of way and 0.89 acre is for channel change.

Stipulation filed with the Clerk of Court substituted the above description for that set out in the petition.

Parcel 59 S.P. 5505 (30=77) 901

All that part of the following described tract:

That part of the east half (E½) of section 27, township 105 north, range 12 west, except the portion of the northeast quarter (NE¼) of said section 27, described as follows: Beginning at a point on the north-south quarter line 18.50 chains south of the northwest corner of said northeast quarter, and running south 76°10' east 16.38 chains; thence south 11°20' east 5.10 chains; thence north 76°10' west 2.22 chains; thence southeasterly 8.40 chains to the north side of the county road; thence north 70° west 0.27 chains; thence northerly parallel to second last named course 8.38 chains; thence north 76°10' west 14.95 chains to the north-south quarter line; thence north 5 chains to the point of beginning, which is 23.50 chains south of the quarter section corner between sections 22 and 27; also: Beginning at the intersection of the north-south quarter line with the north right of way line of Trunk Highway No. 30; thence north on said quarter line to north line of said northeast quarter; thence east on said north line of northeast quarter for 66 rods; thence south 80 rods to the south line of the northwest quarter of the northeast quarter (NW¼ NE¼); thence east 8 rods; thence south 40 rods; thence northwesterly to the southeast corner of the foregoing parcel of land; thence continuing northwesterly along the southerly line of said foregoing parcel to a point 72 feet east of the private roadway included in said parcel thence southerly parallel to said private roadway to the north right of way line of said Trunk Highway No. 30; thence northwesterly along the north right of way line of said trunk highway to the point of beginning;

which lies within a distance of 75 feet on each side of the following described line and said line extended southeasterly;

Parcel 59 - Continued:

Beginning at a point on the east line of said section 27, distant 1225 feet north of the southeast corner thereof; thence run northwesterly at an angle of 39°08' with said east section line for 937.3 feet; thence deflect to the left on a ten 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 23°38') for 1181.7 feet; thence deflect to the left on a ten chord spiral curve of increasing radius (spiral angle 2°00') for 200 feet; thence on tangent to said curve for 1000 feet and there terminating;

also together with a strip 60 feet in width adjoining and northeasterly of the first above described strip to be used for offtake ditch purposes, the center line of said strip being described as follows: From a point on the east line of said section 27, distant 1225 feet north of the southeast corner thereof, run northwesterly at an angle of 39°08' with said east section line for 1297 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 87°54' for 260 feet and there terminating;

also together with a strip 70 feet in width adjoining and southwesterly of the first above described strip to be used for offtake ditch purposes, the center line of said strip being described as follows: Beginning at the point of beginning of the last above described line; thence run southwesterly along the southwesterly extension of said last above described line for 270 feet and there terminating;

also together with a strip 50 feet in width adjoining and southwesterly of the first above described strip to be used for channel change purposes, the center line of said strip being described as follows: Beginning at a point on the first above described line, distant 704.1 feet southeasterly of the north and south quarter line of said section 27 (when measured along the first above described line); thence run southwesterly at right angles to said line for 50 feet; thence deflect to the left at an angle of 20°00' for 750 feet and there terminating;

containing 7.38 acres, more or less, in addition to the existing highway, of which 5.98 acres are for right of way, 0.84 acre is for channel change and 0.56 acre is for offtake ditch;

also a right to construct slopes which shall cease on or before December 1, 1958, on the following described strips:

A strip 25 feet in width adjoining and northeasterly of the above described strip: Beginning opposite a point on the above described line, distant 1398.7 feet northwesterly of the east line of said section 27 and extending northwesterly for 630 feet (both distances being measured along the above described line);

A strip 20 feet in width adjoining and northeasterly of the last described strip: Beginning opposite a point on the first above described line, distant 1598.7 feet northwesterly of the east line of said section 27 and extending northwesterly for 200 feet (both distances being measured along said first above described line);

containing 0.29 acre, more or less, in addition to the existing highway.

The Report of Commissioners as to Parcel 59 contains the following:

The State of Minnesota having appeared before us and consented to the placing of a 72" precast concrete cattle pass by it, at approximately Engineer's Station 726+25; now, therefore, our award as to Parcel 59 is made on the basis and condition that the State shall place and thereafter maintain at approximately Engineer's Station 726+25 a cattle pass through Trunk Highway No. 30 with inside dimensions of 4 feet in width by 6 feet in height, and that we do hereby, with the consent of the State, reserve to the owner of said Parcel 59 the necessary right of way and the privilege of building and maintaining a cattle lane of a width reasonably sufficient and adequate to accommodate the passage of stock from his adjoining premises adjacent to and opposite each end of said cattle pass to either end of said cattle pass. Said cattle pass is to be kept free and clear of all debris of all kinds by the owner and at his own expense.

Parcel 59 - Continued:

The above award is made on the further basis and condition that the State of Minnesota shall place a 6" X 8" corrugated metal pipe at approximately Engineer's Station 727+65, for use as a conduit, for a water pipe crossing the right of way herein.

Stipulation for settlement of appeal between the State and the owners contains the following:

The State shall furnish and install under the surface of the roadway 90 lineal feet, more or less, of 6-inch cast iron sewer pipe at approximately Engineer's Station 730+00, and the landowner is to be reserved the necessary right of way and the privilege of connecting onto both ends of the sewer pipe for the purposes of sewer line provided that the sewer line does not empty into or drain within the right of way limits; all of said pipe to be maintained by the landowner at his own expense.

Parcel 60 S.P. 5505 (30=77) 901

All that part of the three following described tracts:

1. The west half of the southwest quarter (W½ SW¼) of section 26, township 105 north, range 12 west;

2. The north half of the northwest quarter (N½ NW¼) of section 35, township 105 north, range 12 west;

3. The southeast quarter of the northwest quarter (SE¼ NW¼) of section 35, township 105 north, range 12 west;

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

Beginning at a point on the west line of said section 26, distant 1225 feet north of the southwest corner thereof; thence run southeasterly at an angle of 39°08' with said west section line for 3643.8 feet; thence deflect to the left on a ten 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 33°09') for 500 feet and there terminating;

together with a strip 10 feet in width adjoining and northeasterly of the above described strip: Beginning opposite a point on the above described line, distant 221.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 180 feet;

also together with a strip 15 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 951.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 210 feet;

also together with a strip 10 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 1801.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 50 feet;

also together with a strip 30 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 3051.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 230 feet;

also together with a strip 25 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 3551.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 270 feet;

Parcel 60 - Continued: -

also together with a strip 15 feet in width adjoining and southwesterly of the first above described strip: Beginning opposite a point on the first above described line, distant 3151.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 80 feet (all foregoing distances being measured along the first above described line);

also together with a strip 30 feet in width adjoining and northeasterly of the first above described strip to be used for offtake ditch purposes, the center line of said strip being described as follows: Beginning at a point on the first above described line, distant 2066.3 feet southeasterly of the west line of said section 26 (when measured along said first above described line); thence run northeasterly at an angle of 69°00' with said first above described line (measured from northwest to northeast) for 360 feet and there terminating; also together with a strip 50 feet in width adjoining and southwesterly of the first above described strip to be used for offtake ditch purposes, the center line of said strip being described as follows: From the point of beginning of the last above described line run southwesterly along the southwesterly extension of said last above described line for 100 feet; thence deflect to the left at an angle of 25°00' for 280 feet to the point of beginning of the line to be described; thence run northerly along the last described course for 350 feet and there terminating;

containing 9.12 acres, more or less, in addition to the existing highway, of which 8.57 acres are for right of way and 0.55 acre is for offtake ditches.

The Report of Commissioners as to Parcel 60 contained the following:

The State of Minnesota having appeared before us and consented to the placing of a 7 foot 11 inch span C.M.P. arch culvert (structural plate) at approximately Engineer Station 773+00, which has been agreed the owner may use as a cattle pass; now, therefore, our award as to Parcel 60 is made on the basis and condition that the State sha place and thereafter maintain at approximately Engineer's Station 773+00 a 7 ft.11 i span C.M.P. arch culvert (structural plate) which has been agreed the owner may use as a cattle pass through Trunk Highway No. 30, and that we do hereby, with the consent of the State, reserve to the owner of said Parcel 60 the necessary right of way and the privilege of building and maintaining a cattle lane of a width reasonably sufficient and adequate to accommodate the passage of stock from his adjoining premises adjacent to and opposite to each end of said arch culvert to either end of said arch culvert. Said cattle lane is to be kept free and clear of all debris of all kinds by the owner and at his own expense.

Parcel 61 S.P. 5505 (30=77) 901

All that part of the following described tract:

> The southwest quarter of the northeast quarter (SW¼ NE¼) of section 35, township 105 north, range 12 west;

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

> Beginning at a point on the west line of section 26, township 105 north, range 12 west, distant 1225 feet north of the southwest corner thereof; thence run southeasterly at an angle of 39°08' with said west section line for 3643.8 feet; thence deflect to the left on a ten 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 33°09') for 1326 feet; thence deflect to the left on a ten chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet; thence on tangent to said curve for 300 feet and there terminating;

together with a strip 15 feet in width adjoining and northeasterly of the above described strip: Beginning opposite a point on the above described line, distant 5151.3 feet southeasterly of the west line of said section 26 (when measured along the above described line) and extending southeasterly to the east line of the above described tract;

Parcel - 61 - Continued:

also together with a strip 35 feet in width adjoining and northeasterly of the first above described strip to be used for offtake ditch purposes: Beginning opposite a point on the first above described line, distant 5091.3 feet southeasterly of the west line of said section 26 and extending southeasterly for 60 feet (both distances being measured along the first above described line);

also together with a strip 35 feet in width adjoining and southwesterly of the first above described strip to be used for offtake ditch purposes and directly opposite the last above described strip;

containing 3.06 acres, more or less, in addition to the existing highways, of which 2.96 acres are for right of way and 0.10 acre is for offtake ditches.

Parcel 62 S.P. 5505 (30=77) 901

All that part of the following described tract:

That part of the southeast quarter of the northeast quarter (SE¼ NE¼) of section 35, township 105 north, range 12 west, lying north of the road;

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

Beginning at a point on the west line of section 26, township 105 north, range 12 west, distant 1225 feet north of the southwest corner thereof; thence run southeasterly at an angle of 39°08' with said west section line for 4589.8 feet; thence deflect to the left at an angle of 39°24' for 1600 feet and there terminating;

together with a strip 15 feet in width adjoining and northeasterly of the above described strip beginning opposite a point on the above described line distant 172.5 feet northwesterly of the point of termination (when measured along the above described line) and extending northwesterly to the west line of the above described tract;

containing 0.23 acre, more or less, in addition to the existing highway.

Parcel 63 S.P. 5505 (30=77) 901

All that part of the following described tract:

That part of the east quarter (E¼) of section 35, township 105 north, range 12 west, lying south of the road;

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

Beginning at a point on the west line of section 26, township 105 north, range 12 west, distant 1225 feet north of the southwest corner thereof; thence run southeasterly at an angle of 39°08' with said west section line for 4589.8 feet; thence deflect to the left at an angle of 39°24' for 2700 feet and there terminating;

containing 3.40 acres, more or less, in addition to the existing highway.

Parcel 64 S.P. 5505 (30=77) 901

All that part of the following described tract:

The south three-quarter of the west one-quarter (S3/4 W¼) of section 36, township 105 north, range 12 west;

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

Parcel 64 - Continued: -

Beginning at a point on the east line of said section 36, distant 1760 feet north of the southeast corner thereof; thence run northwesterly at an angle of 75°54' with said east section line for 1238.8 feet; thence deflect to the left at an angle of 5°17' for 2855.4 feet; thence deflect to the right on a 0°30' curve (delta angle 2°48') for 560 feet; thence on tangent to said curve for 800 feet and there terminating;

together with a strip 20 feet in width adjoining and northerly of the above described strip: Beginning opposite a point on the above described line, distant 829.5 feet southeasterly of the west line of said section 36 (when measured along the above described line) and extending southeasterly to the east line of the above described tract;

containing 3.93 acres, more or less, in addition to the existing highway.

The Report of Commissioners as to Parcel 64 contains the following:

The State of Minnesota having appeared before us and consented to the placing of 72" pre-cast concrete cattle pass by it at approximately Engineer's Station 813+00; now, therefore, our award as to Parcel 64 is made on the basis and condition that the State shall place and thereafter maintain at approximately Engineer's Station 813+00 a cattle pass through Trunk Highway No. 30 with inside dimensions of 4 feet in width by 6 feet in height, and that we do hereby, with the consent of the State, reserve to the owner of said Parcel 64 the necessary right of way the privilege of building and maintaining a cattle lane of a width reasonably sufficient and adequate to accommodate the passage of stock from his adjoining premises adjacent to and opposite each end of said cattle pass to either end of said cattle pass. Said cattle pass is to be kept free and clear of all debris of all kinds by the owner and at his own expense.

Parcel 65 S.P. 5505 (30=77) 901

All that part of the following described tract:

The northeast quarter of the southwest quarter (NE¼ SW¼) of section 36, township 105 north, range 12 west;

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

Beginning at a point on the east line of said section 36, distant 1760 feet north of the southeast corner thereof; thence run northwesterly at an angle of 75°54' with said east section line for 1238.8 feet; thence deflect to the left at an angle of 5°17' for 2855.4 feet and there terminating;

together with a strip 20 feet in width adjoining and northerly of the above described strip: Beginning opposite a point on the above described line, distant 1253 feet westerly of the north and south quarter line of said section 36 (when measured along the above described line) and extending westerly to the west line of the above described tract;

also together with a strip 15 feet in width adjoining and northerly of the first above described strip: Beginning opposite a point on the first above described line, distant 683 feet westerly of the north and south quarter line of said section 36, and extending westerly for 170 feet (both distances being measured along said first above described line);

also together with a triangular piece adjoining and southerly of the first above described strip and northwesterly of the following described line: Beginning at a point on the southerly boundary of the first above described strip, distant 150 feet southeasterly of its intersection with the northeasterly right of way line of Temporary Trunk Highway No. 30, as the same is now located and traveled; thence run southwesterly to a point on the northeasterly right of way line of said Temporary Trunk Highway, distant 150 feet southeasterly of said intersection;

Parcel 65 - Continued:

containing 4.67 acres, more or less;

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 the above described triangular piece.

The Report of Commissioners as to Parcel 65 contains the following:

The State of Minnesota having appeared before us and consented to the placing of a 72" pre-cast concrete cattle pass by it, at approximately Engineer's Station 827+90; now therefore, our award as to Parcel 65 is made on the basis and condition that the State shall place and thereafter maintain at approximately Engineer's Station 827+90 a cattle pass through Trunk Highway No. 30 with inside dimensions of 4 feet in width by 6 feet in height, and that we do hereby, with the consent of the State, reserve to the owner of said Parcel 65 the necessary right of way and the privilege of building and maintaining a cattle lane of a width reasonably sufficient and adequate to accommodate the passage of stock from his adjoining premises and adjacent to and opposite each end of said cattle pass to either end of said cattle pass. Said cattle pass is to be kept free and clear of all debris of all kinds by the owner and at his own expense.

Parcel 66 S.P. 5505 (30=77) 901

All that part of the following described tract:

> The northwest quarter of the southeast quarter (NW¼ SE¼) of section 36, township 105 north, range 12 west;

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

> Beginning at a point on the east line of said section 36, distant 1760 feet north of the southeast corner thereof; thence run northwesterly at an angle of 75°54' with said east section line for 710 feet; thence deflect to the left on a 0°30' curve (Delta angle 5°17') for 1056.7 feet; thence on tangent to said curve for 1100 feet and there terminating;

together with a strip 20 feet in width adjoining and northerly of the above described strip: Beginning opposite a point on the above described line, distant 147 feet easterly of the north and south quarter line of said section 36 (when measured along the above described line) and extending westerly to the west line of the above described tract;

also together with a strip 15 feet in width adjoining and northerly of the first above described strip: Beginning opposite a point on the first above described line, distant 647 feet easterly of the north and south quarter line of said section 36 and extending easterly for 200 feet (both distances being measured along the first above described line).

also together with a strip 25 feet in width adjoining and northerly of the first above described strip: Beginning opposite a point on the first above described line, distant 1147 feet easterly of the north and south quarter line of said section 36 (when measured along the first above described line) and extending easterly to the east line of the above described tract;

containing 4.86 acres, more or less.

The Report of Commissioners as to Parcel 66 contains the following:

The above award is made pursuant to stipulation filed with the Clerk of the above named Court, whereby the State shall acquire those lands described in said stipulation instead of the lands described in the Petition and Notice herein.

Parcel 66 - Continued:

The State of Minnesota having appeared before us and consented to the placing of a 72" pre-cast concrete cattle pass by it at approximately Engineer's Station 844+50; now therefore, our award as to Parcel 66 is made on the basis and condition that the State shall place and thereafter maintain at approximately Engineer's Station 844+50 a cattle pass through Trunk Highway No. 30 with inside dimensions of 4 feet in width by 6 feet in height, and that we do hereby, with the consent of the State, reserve to the owner of said Parcel 66 the necessary right of way and the privilege of building and maintaining a cattle lane of a width reasonably sufficient and adequate to accommodate the passage of stock from his adjoining premises adjacent to and opposite each end of said cattle pass to either end of said cattle pass. Said cattle pass is to be kept free and clear of all debris of all kinds by the owner and at his own expense.

Parcel 67 S.P. 5505 (30=77) 901

All that part of the two following described tracts:

1. The northeast quarter of the southeast quarter (NE¼ SE¼) of section 36, township 105 north, range 12 west;

2. That part of the southwest quarter (SW¼) of section 31, township 105 north, range 11 west, described as follows: Beginning at a point in the center of the public highway 7.7 chains north of the southwest corner of said section 31; thence north 24.25 chains; thence south 89° east 9.32 chains to the center of the highway; thence south 1°30' west 9.85 chains; thence south 11° west 2 chains; thence south 4° east 12.64 chains to the center of the intersection of the highway; thence north 89° west 9.69 chains to the point of beginning;

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

From a point on the east line of said section 36, distant 1760 feet north of the southeast corner thereof, run southeasterly at an angle of 75°54' with said east section line for 700 feet to the point of beginning of the line to be described; thence run northwesterly along the last described course for 1410 feet; thence deflect to the left on a 0°30' curve (delta angle 5°17') for 800 feet and there terminating;

together with a strip 15 feet in width adjoining and northerly of the above described strip: Beginning opposite a point on the above described line, distant 290.6 feet northwesterly of the east line of said section 36, and extending southeasterly for 390 feet (both distances being measured along the above described line);

also together with a strip 25 feet in width adjoining and northeasterly of the first above described strip: Beginning opposite a point on the first above described line, distant 710.6 feet northwesterly of the east line of said section 36 (when measured along the first above described line) and extending northwesterly to the west line of the above described tract;

also together with a strip 20 feet in width adjoining and southwesterly of the first above described strip: Beginning opposite a point on the first above described line, distant 400.6 feet northwesterly of the east line of said section 36, and extending northwesterly for 350 feet (both distances being measured along the first above described line);

containing 7.48 acres, 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 second above described tract, not acquired herein, to Trunk Highway No. 30, except that the abutting owner shall retain the right of access on the easterly 33 feet of said tract.

Parcel 68 S.P. 5505 (30=77) 901

All that part of the following described tract:

That part of the northwest quarter of the southwest quarter (NW¼ SW¼) of section 31, township 105 north, range 11 west, described as follows: Beginning at a point on the quarter line running east and west through the center of said section 31, which is 660 feet east of the northwest corner of the southwest quarter of said section; thence east along said quarter line 300 feet, more or less, to west line of land previously deeded to Sexouer and Beitgan; thence south 9¾° east 1265 feet, more or less, to northeast corner of land previously deeded to I. Blakeslee; thence west and slightly north 425 feet; thence in a northerly direction 1265 feet to the place of beginning;

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

Beginning at a point on the west line of said section 31, distant 1760 feet north of the southwest corner thereof; thence run southeasterly at an angle of 75°54' with said west section line for 1200 feet and there terminating;

together with all that portion of the above described tract, to be used for channel change purposes, which lies within a distance of 50 feet on each side of the following described line: From a point on the first above described line, distant 1079.4 feet southeasterly of the west line of said section 31 (when measured along said first above described line), run northeasterly at an angle of 90°08' with said first above described line (measured from northwest to northeast) for 250 feet to the point of beginning of the line to be described; thence run southwesterly along the last described course for 450 feet and there terminating; (excepting therefrom all that portion of the above described 150 foot strip.

containing 1.63 acres, more or less, in addition to the existing highway, of which 1.45 acres are for right of way, and 0.18 acre is for channel change;

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. 30, except that the abutting owner shall retain the right of access on the westerly 33 feet of said tract;

also a right to construct slopes which shall cease on or before December 1, 1958, on the following described strips:

A strip 130 feet in width adjoining and westerly of the last above described channel change strip extending over that portion of the above described tract, lying southerly of the first above described strip;

A triangular piece adjoining and northerly of the first above described strip and southwesterly of the following described line: Beginning at a point on the northerly boundary of the first above described strip, distant 30 feet southeasterly of its intersection with the easterly right of way line of the public road running along the west line of said tract; thence run northwesterly to a point on said easterly right of way line, distant 100 feet northerly of said intersection;

A triangular piece adjoining and southerly of the first above described strip and northwesterly of the following described line: Beginning at a point on the southerly boundary of the first above described strip, distant 30 feet southeasterly of its intersection with the easterly right of way line of said public road; thence run southwesterly to a point on said easterly right of way line, distant 100 feet southerly of said intersection;

containing 0.32 acre, more or less.

Parcel 69 S.P. 5505 (30=77) 901

All that part of the following described tract:

> That part of the southwest quarter (SW¼) of section 31, township 105 north, range 11 west, described as follows: Beginning in the center of the highway at the west right of way line of the Chicago and North Western Railway Company in the southwest quarter of said section 31; thence northerly along west line of said right of way to the quarter line running east and west through the center of said section 31; thence west along said quarter line 6.23 chains to the east line of lands owned by John Hander; thence south 9¼° east along said Hander's east line 19 chains to the northeast corner of lands this day deeded to W. S. Gammell by the grantors herein; thence south along the east line of said Gammell's land 42 rods 13½ feet to the northwest corner of land owned by Frank and Augustus Kaiserlik; thence east along said Kaiserlik's north line 12 rods; thence south along said Kaiserlik's east line to the center of the public highway; thence east to the point of beginning;

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

> Beginning at a point on the west line of said section 31, distant 1760 feet north of the southwest corner thereof; thence run southeasterly at an angle of 75°54' with said west section line for 1500 feet and there terminating;

together with that portion of the above described tract lying northeasterly of the above described strip to be used for channel change purposes, which lies within a distance of 50 feet on each side of the following described line: Beginning at a point on the first above described line, distant 1079.4 feet southeasterly of the west line of said section 31; thence run northeasterly at an angle of 90°08' with said first above described line (measured from northwest to northeast) for 250 feet and there terminating;

also together with all that part of the following described tract, to be used for channel change purposes only;

> That part of the southwest quarter (SW¼) of section 31, township 105 north, range 11 west, described as follows: Beginning at a point in the center of the public highway which is 7.70 chains north and south 89° east 9.69 chains from the southwest corner of the southwest quarter of said section 31, and running thence along the center of the public highway south 89°30' east 8.78 chains to the west line of lands now owned by Frank and Augustus Kaiserlik; thence north along said Kaiserlik's west line 11 rods 9 feet to the northwest corner of said Kaiserlik's land; thence in a true line 42 rods 13½ feet north to the southeast corner of the land owned by John Hander; thence along said Hander's south line north 81° west 7.65 chains to the center of the public highway; thence along the center of said public highway south 11° west 2 chains; thence south 4° east 12.64 chains to the place of beginning;

which lies within a distance of 50 feet on each side of the following described line:

> Beginning at a point on the first above described line, distant 1079.4 feet southeasterly of the west line of said section 31; thence run southwesterly at an angle of 90°08' with said first above described line (measured from southeast to southwest) for 1000 feet, more or less, and there terminating;

containing 3.43 acres, more or less, in addition to the existing highways, of which 1.14 acres are for right of way and 2.29 acres are for channel change;

Parcel 69 - Continued:

together with all right of access being the right of ingress to and egress from that portion of the first above described tract, not acquired herein, to Trunk Highway No. 30;

also a right to construct slopes which shall cease on or before December 1, 1958, on a strip being all that part of the last above described tract, adjoining and westerly of the last above described channel change strip, and within a distance of 180 feet westerly of the following described line: Beginning at the point of beginning of

the center line of the last above described channel change strip; thence run southwesterly along said center line for 530 feet and there terminating;

containing 1.10 acres, more or less.

Parcel 71 S.P. 5505 (30=77) 901

All of the following described tract:

> Outlot 6, lying east of railway right of way less the south 36 feet thereof, in Twiford and Company's Addition to the City of Chatfield according to the plat thereof now on file and of record in the office of the Register of Deeds in and for Olmsted County;

together with all that part of the following described tract:

> Outlot 7, lying east of railway right of way in said Twiford and Company's Addition;

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

> Beginning at a point on the west line of section 31, township 105 north, range 11 west, distant 1760 feet north of the southwest corner thereof; thence run southeasterly at an angle of 75°54' with said west section line for 1700 feet and there terminating;

together with a triangular piece adjoining and northerly of the last above described strip and southeasterly of the following described line: Beginning at the point of intersection of the northerly boundary of said last above described strip, with the easterly right of way line of said railway; thence run northeasterly to a point on the easterly line of said Outlot 7, distant 100 feet northerly of its intersection with the northerly boundary of said last above described strip;

together with all right of access, being the right of ingress to and egress from that portion of said Outlot 7, not acquired herein, to the above described triangular piece.

Parcel 72 S.P. 5505 (30=77) 901

All that part of the following described tract:

> The south 36 feet of Outlot 6, lying east of railway right of way of Twiford and Company's Addition to the City of Chatfield, according to the plat thereof now on file and of record in the office of the Register of Deeds in and for Olmsted County;

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

Parcel 72 - Continued:

> Beginning at a point on the west line of section 31, township 105 north, range 11 west, distant 1760 feet north of the southwest corner thereof; thence run southeasterly at an angle of 75°54' with said west section line for 1700 feet and there terminating;

together with all that part of the south 36 feet of said Outlot 6, lying east of the railway right of way, which lies southerly of the above described strip:

also together with all that part of Outlot 5, lying east of the railway right of way in said Twiford & Company's Addition;

which lies northeasterly of the following described line:

> Beginning at the point of intersection of the southerly boundary of the first above described strip with the easterly right of way line of said railway; thence run southeasterly to a point on the east line of said Outlot 5, distant 100 feet southerly of its intersection with the southerly boundary of the first above described strip;

together with all right of access, being the right of ingress to and egress from that portion of said Outlot 5, not acquired herein, to Trunk Highway No. 30.

Dated at Saint Paul, Minnesota, this 21st day of November, 1964.

WALTER F. MONDALE
Attorney General

PERRY VOLDNESS
Deputy Attorney General

Michael R. Moriarty

MICHAEL R. MORIARTY
Special Assistant Attorney General

Attorneys for State of Minnesota
State Highway Building
St. Paul 1, Minnesota

The above certificate is hereby approved.

Dated at Rochester, Minnesota, this 20th **day of**

January, 1965.

(S) DONALD T. FRANKE
JUDGE

STATE OF MINNESOTA

County of OLMSTED

IN DISTRICT COURT
THIRD JUDICIAL DISTRICT

State of Minnesota, by Miles Lord,
its Attorney General,

Petitioner,

vs.

John Tracy, et al

William Fogarty, et al

Respondents.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES IN THE ABOVE ENTITLED PROCEEDINGS WHICH HAVE BEEN CONSOLIDATED BY ORDER OF DISTRICT COURT

- - - - - - - - -

FINAL CERTIFICATE

- - - - - - - - -

COPY

WALTER F. MONDALE
Attorney General

PERRY VOLDNESS
Deputy Attorney General

Special Assistant Attorney General

Attorneys for State of Minnesota
Department of Highways
St. Paul 1, Minnesota

Form 2802 5M-8-63 GPC

FILED
Office of Clerk of District Court
OLMSTED COUNTY, MINN.
JAN 25 1965
ROSEMARY FORBES, Clerk

Transfer entered this
day of FEB 1 1965 19
Rose Browning
County Auditor
Ruth Evans, Deputy

Filed in Office of County Auditor
Olmsted County, Minn.
FEB 1 1965
Ruth Evans
Deputy County Auditor

State of Minnesota, } ss.
COUNTY OF OLMSTED }

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

---Final Certificate---

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

25th day of January 19 65

Clerk

By Deputy

QPC—244—690

24

290960

State of Minnesota,
COUNTY OF OLMSTED

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHG.
REV. STAMP
MTG. TAX

DISTRICT COURT
Third Judicial District

State of Minnesota, etc.

Plaintiff

vs.

Tracy-Fogarty, etal

Defendant

REGISTER OF DEEDS OFFICE
Olmsted County, Minn. } ss.
I hereby certify that the within instrument was filed in this office for record on

AUG 19 1965

at 8 o'clock A M
Book 331 of Deeds on page 675
Harry H. Eaton Register of Deeds
By Helen Stucka Deputy

State of Minn.
Robt. M. Mattson, Atty Gen
Dept of Highways
St. Paul 1, Minn.