

# SHOPPES ON SECOND



ENGINEERS • ARCHITECTS  
SURVEYORS • PLANNERS  
LANDSCAPE ARCHITECTS  
717 THIRD AVENUE SOUTHEAST  
ROCHESTER, MINNESOTA 55904  
307-288-6464  
FAX 307-288-5058  
EMAIL INFO@YAGGY.COM

### INSTRUMENT OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That RP Second Street LLC, a Minnesota limited liability company, and Home Federal Savings Bank, a federally chartered stock savings bank, mortgagee, both being owners and proprietors of the following described property, situated in Olmsted County, State of Minnesota, to wit:

That part of Lots 1 and 2, WEST SIDE ADDITION, according to the plat thereof on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota, lying northerly and easterly of Line A, described as follows:

Beginning at Right of Way Boundary Corner B18 as shown on Minnesota Department of Transportation Right of Way Plat No. 55-50 as the same is on file and of record in the office of said County Recorder; thence westerly on an azimuth of 269 degrees 22 minutes 59 seconds along the boundary of said plat for 100.00 feet to Right of Way Boundary Corner B17; thence on an azimuth of 289 degrees 26 minutes 25 seconds for 168.39 feet; thence on an azimuth of 269 degrees 22 minutes 59 seconds for 95.00 feet; thence on an azimuth of 359 degrees 27 minutes 59 seconds for 200.40 feet to the northerly line of the most northerly tract hereinafter described and there terminating.

AND that part of the following described tract, lying northerly of said Line A:

Said tract being that part of the Southwest Quarter of the Southeast Quarter of Section 34, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows: Commencing in the centerline of Second Street S.W. in the City of Rochester at its intersection with the west line of A.W. Kutzky's Addition, according to the plat thereof on file and of record in the office of the County Recorder in and for said County; thence run West along the centerline of said Second Street S.W. for 133.00 feet for the place of beginning; thence West 58.55 feet; thence North parallel to Trunk Highway 52, a distance of 167.00 feet; thence East 57.50 feet; thence South parallel to the west line of said Sixteenth Avenue S.W. 167.00 feet to the place of beginning;

AND ALSO that part of the following described tract, lying easterly of said Line A:

Said tract being that part of the Southwest Quarter of the Southeast Quarter of Section 34, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows: Commencing at a point on the west line of A.W. Kutzky's Addition, according to the plat thereof on file and of record in the office of the County Recorder in and for said County, 167.00 feet north of the centerline of Second Street S.W. for the point of beginning; thence West parallel to said Second Street S.W. for 390.38 feet to the east right of way line of Trunk Highway 52 as located and established prior to January 1, 2002; thence North along the east right of way line of said Trunk Highway 52 for 151.16 feet; thence East 389.50 feet to the west line of said A.W. Kutzky's Addition; thence South along the west line of said A.W. Kutzky's Addition for 151.16 feet to the point of the beginning.

Said tracts contain 1.73 acres more or less.

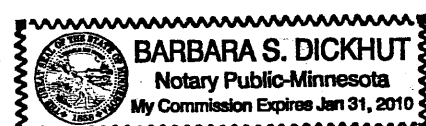
Have caused the same to be surveyed and platted as SHOPPES ON SECOND and do hereby donate and dedicate to the public for public use forever the public way.

In witness whereof said RP Second Street LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this 23<sup>rd</sup> day of November, 2009.

Ricky T. Penz  
Ricky T. Penz  
Chief Manager

STATE OF MINNESOTA  
COUNTY OF Olmsted

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of November, 2009, by Ricky T. Penz, Chief Manager of RP Second Street LLC, a Minnesota limited liability company, on behalf of the company.



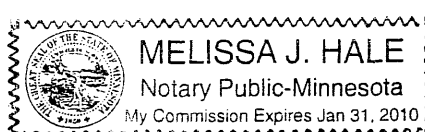
Barbara S. Dickhut  
Notary Public, Olmsted County, MN  
My Commission Expires 1-31-2010

In witness whereof said Home Federal Savings Bank, a federally chartered stock savings bank, has caused these presents to be signed by its proper officer this 23<sup>rd</sup> day of Nov., 2009.

Carla J. Kilpatrick  
Carla J. Kilpatrick  
Senior Vice President

STATE OF MINNESOTA  
COUNTY OF Olmsted

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of November, 2009, by Carla J. Kilpatrick, Senior Vice President of Home Federal Savings Bank, a federally chartered stock savings bank, on behalf of the bank.



Melissa J. Hale  
Notary Public, Olmsted County, MN  
My Commission Expires Jan 31, 2010

STATE OF MINNESOTA  
COUNTY OF OLMSTED  
CITY OF ROCHESTER

I, Judy K. Scherr, City Clerk in and for the City of Rochester, do hereby certify that on the 9<sup>th</sup> day of SEPTEMBER, 2009, the accompanying plat was duly approved by the Common Council of the City of Rochester. In testimony whereof, I have hereunto signed my name and affixed the Seal of said City of Rochester this 24<sup>th</sup> day of NOVEMBER, 2009.

Judy K. Scherr  
Judy K. Scherr  
City Clerk  
City of Rochester

### COUNTY SURVEYOR

I certify that this plat has been checked mathematically and that the plat conforms to applicable platting laws.

This 23 day of NOVEMBER, 2009.

Paul S. Thoreson  
Olmsted County Surveyor

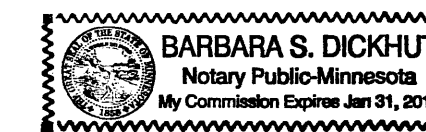
### SURVEYOR'S CERTIFICATE

I do hereby certify that I have surveyed and platted the property described on this plat as SHOPPES ON SECOND; that this plat is a correct representation of said survey; that all mathematical data and labels are correctly designated on the plat; that all monuments have been correctly placed in the ground as shown or will be correctly placed in the ground by October 20, 2010; that all water boundaries and wet lands as defined in MS 505.01, Subd. 3, existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Peter G. Oetliker  
Peter G. Oetliker  
Minnesota L.S. No. 41887

STATE OF MINNESOTA  
COUNTY OF Olmsted

The foregoing Surveyor's Certificate was acknowledged before me this 23<sup>rd</sup> day of November, 2009, by Peter G. Oetliker, L.S. No. 41887.



Barbara S. Dickhut  
Notary Public, Olmsted County, MN  
My Commission Expires 1-31-2010

### PROPERTY RECORDS AND LICENSING

Taxes payable in the year 2009 on the land herein described have been paid, there are no delinquent taxes and transfer has been entered this 24<sup>th</sup> day of November, 2009.

A-1217681

Document Number \_\_\_\_\_

I hereby certify that this instrument was filed in the Office of Property Records and Licensing for the record on this 24<sup>th</sup> day of November, 2009, at 3 o'clock p.m. and was duly recorded in Olmsted County Records.

W. Mark Krupski  
Olmsted County Director of Property  
Records and Licensing  
By Wendy von Wald Deputy

Peter Oetliker (I:\10880\Con\Survey\Frp\10880F\_PL101 Friday, November 20, 2009 11:46:18 AM

