

GARDEN ACRES FIRST REPLAT

INSTRUMENT OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Whitetail Management, LLC, a Minnesota Limited Liability Corporation, mortgagor, and Merchants Bank, a National Association, mortgagee, and Wells Fargo Bank Minnesota, a National Association, mortgagee, collectively as owners and proprietors of the following described property situated in the City of Rochester, County of Olmsted, State of Minnesota, to wit:

Lot 14 except the North 37.00 feet and Lot 23 except the North 37.00 feet; also Lot 15, Lot 22, and Lot 21 except the South 28.00 feet thereof; all in Block 2, Garden Acres, according to the official plat thereof on file at the Olmsted County Recorder's Office, City of Rochester, Olmsted County, Minnesota, subject to existing Trunk Highway Number 63 right-of-way, easements and restrictions of record.

Containing 41,521 square feet, more or less.

Have caused the same to be surveyed and platted as GARDEN ACRES FIRST REPLAT and do hereby donate and dedicate to the public for public use forever the thoroughfare and grant the easements as shown on this plat.

In witness whereof, said Whitetail Management LLC, has caused these presents to be signed by its proper Officer, Todd Robertson, President of Whitetail Management, LLC, this 22 day of January, 2003.

Todd Robertson, President

STATE OF MINNESOTA
COUNTY OF OLMSTED

The foregoing instrument was acknowledged before me this 22 day of January, 2003, by Todd Robertson, President of Whitetail Management, LLC, on behalf of the Limited Liability Corporation.

Notary Public, Olmsted County, MN

My Commission Expires 1/31/2007

In witness whereof, said Merchants Bank, a National Association, has caused these presents to be signed by its proper officer this 22nd day of January, 2003.

John C. Doyle, President

STATE OF MINNESOTA
COUNTY OF OLMSTED

The foregoing instrument was acknowledged before me this 22 day of January, 2003, by John C. Doyle, President, on behalf of the association.

Notary Public, Olmsted County, MN

My Commission Expires 1/31/2007

In witness whereof, said Wells Fargo Bank Minnesota, a National Association, has caused these presents to be signed by its proper officer this 21st day of January, 2003.

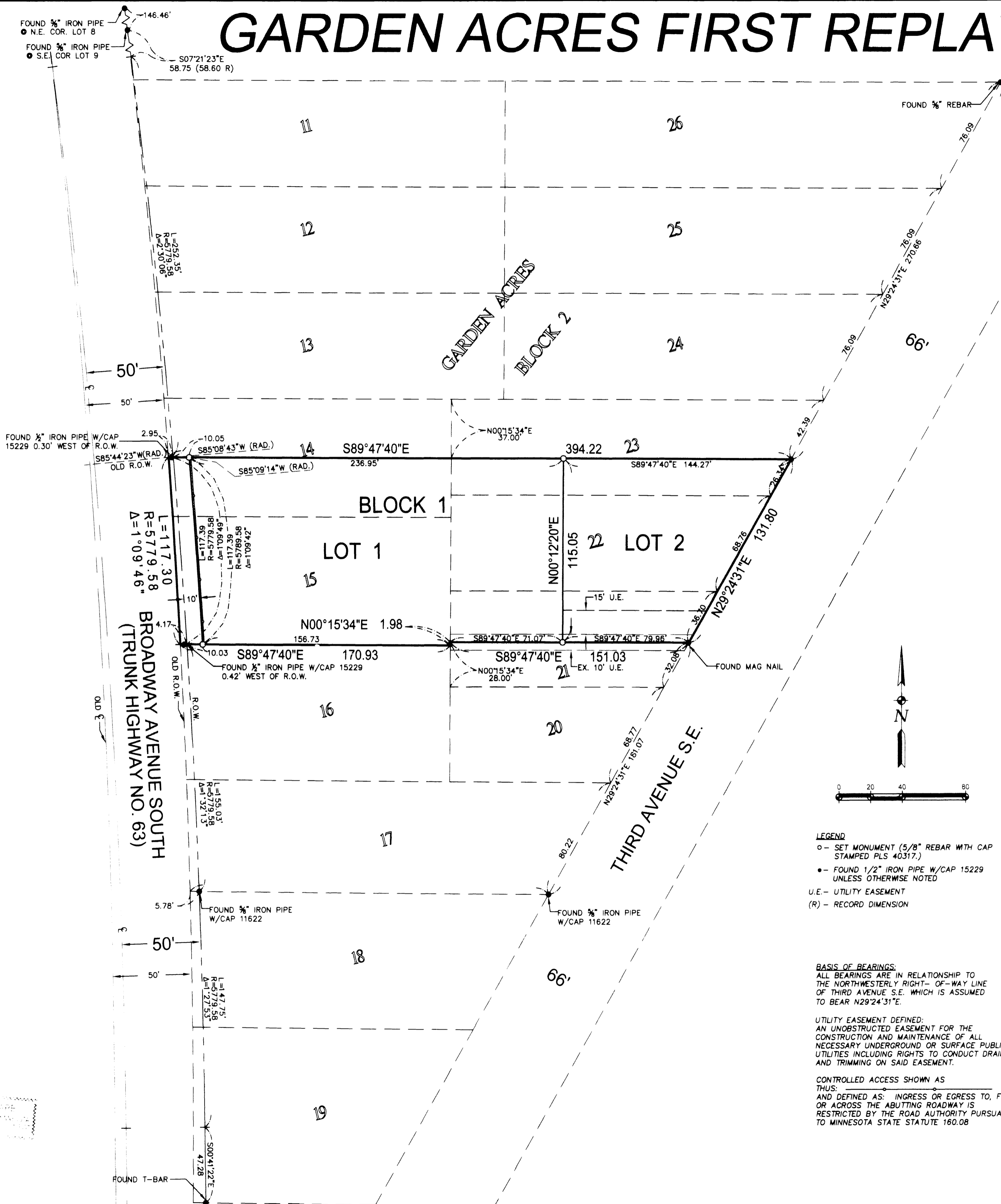
Chris Terry, Assistant Vice President

STATE OF MINNESOTA
COUNTY OF OLMSTED

The foregoing instrument was acknowledged before me this 21st day of January, 2003, by Chris Terry, Assistant Vice President, on behalf of the association.

Notary Public, Olmsted County, MN

My Commission Expires 1/31/2007



PROPERTY RECORDS AND LICENSING

Taxes payable in the year 2003 on the land herein above described have been paid, there are no delinquent taxes and transfer has been entered this 24th day of January, 2003.

DOCUMENT NUMBER A-951743

I hereby certify that this instrument was filed in the Office of Property Records and Licensing for the record on this 24th day of January, 2003, at 4 o'clock p.m. and was duly recorded in the Olmsted County Records.

Director of Property Records & Licensing

Deputy

COUNTY SURVEYOR

I certify that this plat has been checked mathematically and that the plat conforms to the applicable laws, this 22 day of January, 2003.

County Surveyor

CITY APPROVAL

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 23rd day of January, 2003, the accompanying plat was duly approved by the Common Council of the City of Rochester. In testimony thereof, I have hereunto signed my name and affixed the seal of said City of Rochester this 23rd day of January, 2003.

Judy K. Scherr, City Clerk

SURVEYOR'S CERTIFICATE

I do hereby certify that I have surveyed and platted the property described on this plat as GARDEN ACRES FIRST REPLAT, that this plat is a correct representation of the survey, that all distances are correctly shown on said plat in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined by MS 505.02, Subd. 1, or public highways to be designated other than as shown.

Kirk L. Pape, P.L.S.
Minnesota License No. 40317

State of Minnesota
County of Olmsted

The surveyor's certificate was subscribed and sworn to before me, a Notary Public, this 21 day of January, 2003.

Notary Public, Olmsted County, MN

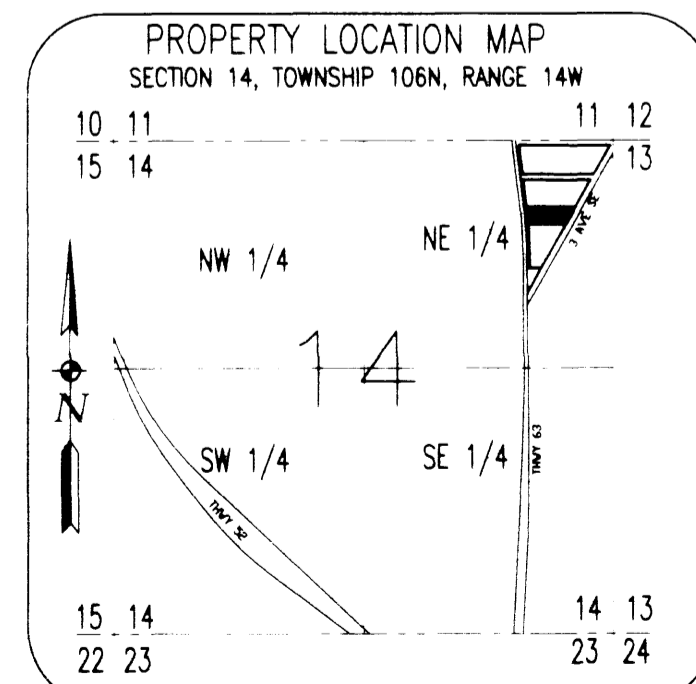
My commission expires: 1-31-2005

- LEGEND**
- - SET MONUMENT (5/8" REBAR WITH CAP STAMPED PLS 40317.)
 - - FOUND 1/2" IRON PIPE W/CAP 15229 UNLESS OTHERWISE NOTED
 - U.E. - UTILITY EASEMENT
 - (R) - RECORD DIMENSION

BASIS OF BEARINGS:
ALL BEARINGS ARE IN RELATIONSHIP TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THIRD AVENUE S.E. WHICH IS ASSUMED TO BEAR N29°24'31"E.

UTILITY EASEMENT DEFINED:
AN UNOBSTRUCTED EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF ALL NECESSARY UNDERGROUND OR SURFACE PUBLIC UTILITIES INCLUDING RIGHTS TO CONDUCT DRAINAGE AND TRIMMING ON SAID EASEMENT.

CONTROLLED ACCESS SHOWN AS THIS:
AND DEFINED AS: INGRESS OR EGRESS TO, FROM, OR ACROSS THE ADJUTING ROADWAY IS RESTRICTED BY THE ROAD AUTHORITY PURSUANT TO MINNESOTA STATE STATUTE 160.08



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Prepared By: **Pape Engineering & Land Surveying, Inc.**
111 1st St SW, Rochester, MN 55902, Tel: 509-2333
PROJECT NO: 1241