

APACHE VILLAGE

Instrument of Dedication

KNOW ALL MEN BY THESE PRESENTS: That Lowell H. Penz and Darlene M. Penz, husband and wife, and F.B. Clements and Co., a Minnesota partnership, and 1228 Apache Drive Partnership, a Minnesota partnership, and Paul J. Hruska and Lois S. Hruska, husband and wife, owners and proprietors, and Kasson State Bank, a Minnesota Corporation, mortgagee, and TCF Bank Savings fsb, a Federally Chartered Stock Savings Bank, mortgagee, and Norwest Bank Minnesota Southeast, a National Association, mortgagee, of the following described property situated in the City of Rochester, State of Minnesota, to wit:

A part of the North One-Half of the Northwest Quarter of Section 11, Township 106 North, Range 14 West, Rochester, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence East, assumed bearing, along the north line of said Northwest Quarter, 825.40 feet; thence South, 201.41 feet to the south line of T.H. No. 14 right-of-way for a point of beginning; thence South 56 degrees 55 minutes 08 seconds East along the northerly line of Block 2, APACHE MALL SHOPPING CENTER SUBDIVISION, 907.43 feet (previously platted 907.35 feet); thence South 07 degrees 03 minutes 08 seconds East along the easterly line of said Subdivision, 320.43 feet; thence North 00 degrees 40 minutes 43 seconds West, parallel with the east line of said Northwest Quarter, 38.71 feet to the centerline of the Zumbro River as it existed in the year 1970; thence North 29 degrees 16 minutes 52 seconds East along said centerline, 291.10 feet; thence North 04 degrees 34 minutes 27 seconds East along said centerline, 529.72 feet to the south right-of-way line of T.H. No. 14 (said point being 144 feet south of the centerline of the west-bound lane of said T.H. No. 14); thence South 89 degrees 34 minutes 22 seconds West along said right-of-way line, 983.87 feet to the point of beginning.

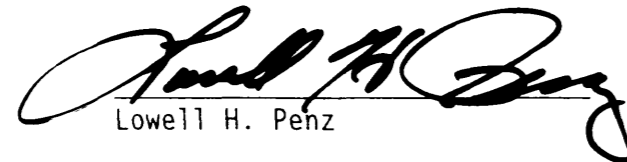
Together with:

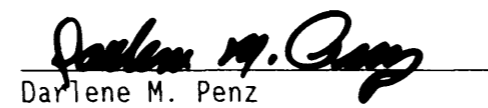
All of Lots 1 and 4, Block 2, and Lot 2, Block 2 except the west 295.00 feet of the south 90.00 feet thereof, all in APACHE MALL SHOPPING CENTER SUBDIVISION, Rochester, Minnesota.

Containing 9.34 acres more or less.

have caused the same to be surveyed and platted as APACHE VILLAGE and do hereby donate and dedicate to the public for the public use forever the cul-de-sac and drive and also dedicate the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said Lowell H. Penz and Darlene M. Penz, husband and wife, have caused these presents to be signed this 23rd day of July, 1990.


Lowell H. Penz


Darlene M. Penz

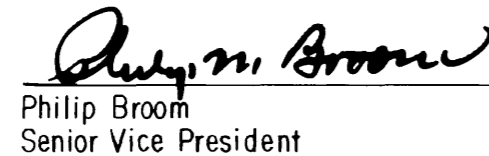
State of Minnesota
County of Olmsted

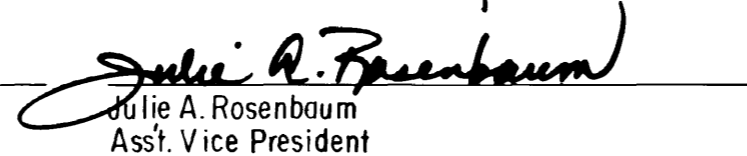
The foregoing instrument was acknowledged before me this 23rd day of July, 1990, by Lowell H. Penz and Darlene M. Penz, husband and wife.


Notary Public, Olmsted County, Minnesota

My commission expires  WILLIAM E. TOINTON
NOTARY PUBLIC - MINNESOTA
OLMSTED COUNTY
My Commission Expires 8/4/95

In witness whereof said TCF Bank Savings fsb, a Federally Chartered Stock Savings Bank, has caused these presents to be signed by its proper officers this 30th day of August, 1990.

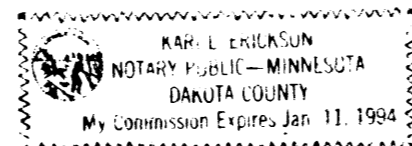

Philip Broom
Senior Vice President


Julie A. Rosenbaum
Asst. Vice President

State of Minnesota
County of Hennepin

The foregoing instrument was acknowledged before me this 30th day of August, 1990, by Philip Broom, Senior Vice President, and Julie A. Rosenbaum, Asst. Vice President, officers of TCF Bank Savings fsb, a Federally Chartered Stock Savings Bank, on behalf of the Federally Chartered Stock Savings Bank.


Notary Public, Hennepin County, Minnesota

 KARL L. ERICKSON
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires Jan. 11, 1994

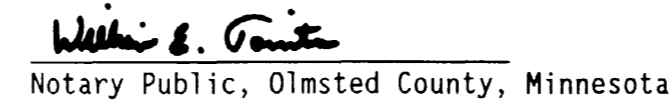
My commission expires 1-11-94

In witness whereof said Lowell H. Penz, attorney in fact for F.B. Clements and Co., a Minnesota partnership, and 1228 Apache Drive Partnership, a Minnesota partnership, has caused these presents to be signed this 23rd day of July, 1990.


Lowell H. Penz, Attorney in Fact

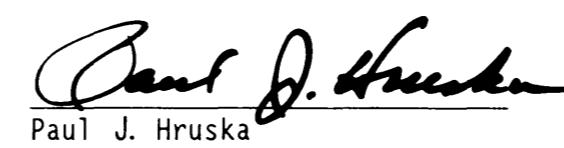
State of Minnesota
County of Olmsted

The foregoing instrument was acknowledged before me this 23rd day of July, 1990, by Lowell H. Penz, attorney in fact for F.B. Clements and Co., a Minnesota partnership, and 1228 Apache Drive Partnership, a Minnesota partnership


Notary Public, Olmsted County, Minnesota

My commission expires  WILLIAM E. TOINTON
NOTARY PUBLIC - MINNESOTA
OLMSTED COUNTY
My Commission Expires 8/4/95

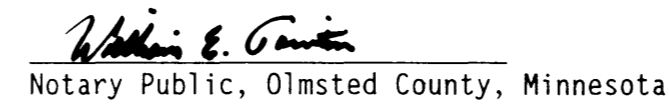
In witness whereof said Paul J. Hruska and Lois S. Hruska, husband and wife, have caused these presents to be signed this 24th day of July, 1990.

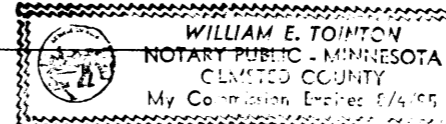

Paul J. Hruska


Lois S. Hruska

State of Minnesota
County of Olmsted

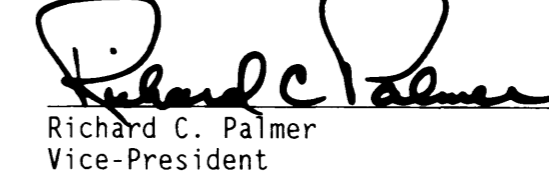
The foregoing instrument was acknowledged before me this 24th day of July, 1990, by Paul J. Hruska and Lois S. Hruska, husband and wife.


Notary Public, Olmsted County, Minnesota

My commission expires  WILLIAM E. TOINTON
NOTARY PUBLIC - MINNESOTA
OLMSTED COUNTY
My Commission Expires 8/4/95

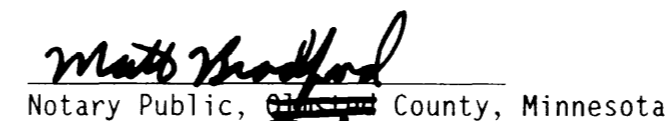
In witness whereof said Kasson State Bank, a Minnesota Corporation, has caused these presents to be signed by its proper officers this 29th day of July, 1990.


Charles E. Glarner
Senior Loan Officer


Richard C. Palmer
Vice-President

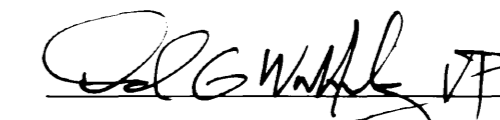
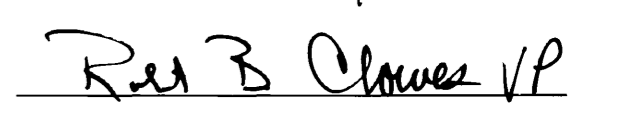
State of Minnesota
County of ~~Olmsted~~ Dodge

The foregoing instrument was acknowledged before me this 29th day of July, 1990, by Charles E. Glarner, Senior Loan Officer, and Richard C. Palmer, Vice President, officers of Kasson State Bank, a Minnesota Corporation, on behalf of the Corporation.


Notary Public, ~~Olmsted~~ Dodge County, Minnesota

My commission expires 

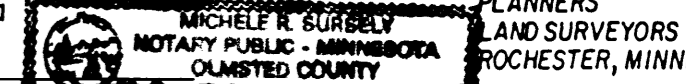
In witness whereof said Norwest Bank Minnesota Southeast, a National Association, has caused these presents to be signed by its proper officers this 11th day of Sept, 1990.

 
Robert B. Clawes VP Robert B. Clawes VP

State of Minnesota
County of Olmsted

The foregoing instrument was acknowledged before me this 11th day of Sept, 1990, by David G. Witterberg, Vice President, and Robert B. Clawes, Vice President, officers of Norwest Bank Minnesota Southeast, a National Association, on behalf of the Association.


Notary Public, Olmsted County, Minnesota

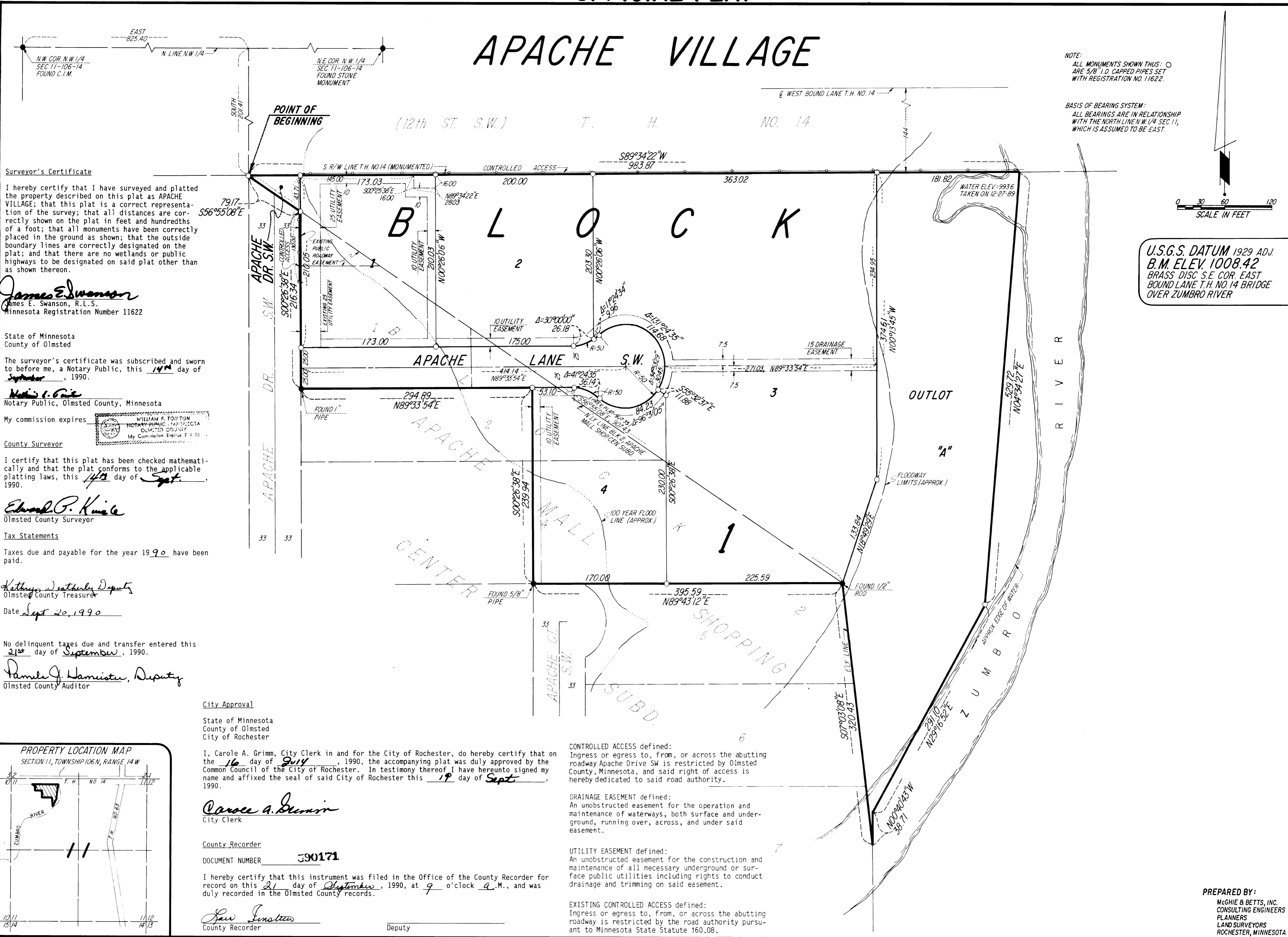
 MICHELE R. SURABEL
NOTARY PUBLIC - MINNESOTA
OLMSTED COUNTY

My commission expires

PREPARED BY:
MCGHIE & BETTS, INC.
CONSULTING ENGINEERS
PLANNERS
LAND SURVEYORS

OFFICIAL PLAT

APACHE VILLAGE



NOTE:
ALL MONUMENTS SHOWN THUS: ○
ARE 5/8" I.D. CAPPED PIPES SET
WITH REGISTRATION NO. 11622.

BASIS OF BEARING SYSTEM:
ALL BEARINGS ARE IN RELATIONSHIP
WITH THE NORTH LINE N.W. 1/4 SEC. 11,
WHICH IS ASSUMED TO BE EAST.



U.S.G.S. DATUM 1929 ADJ.
B.M. ELEV. 1008.42
BRASS DISC S.E. COR. EAST
BOUND LANE T.H. NO. 14 BRIDGE
OVER ZUMBRO RIVER

Surveyor's Certificate

I hereby certify that I have surveyed and platted the property described on this plat as APACHE VILLAGE; that this plat is a correct representation of the survey; that all distances are correctly shown on the 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 wetlands or public highways to be designated on said plat other than as shown thereon.

James E. Swanson
James E. Swanson, R.L.S.
Minnesota Registration Number 11622

State of Minnesota
County of Olmsted

The surveyor's certificate was subscribed and sworn to before me, a Notary Public, this 14th day of September, 1990.

William F. Tontton
Notary Public, Olmsted County, Minnesota

My commission expires

County Surveyor

I certify that this plat has been checked mathematically and that the plat conforms to the applicable platting laws, this 14th day of Sept., 1990.

Edward P. Kniel
Olmsted County Surveyor

Tax Statements

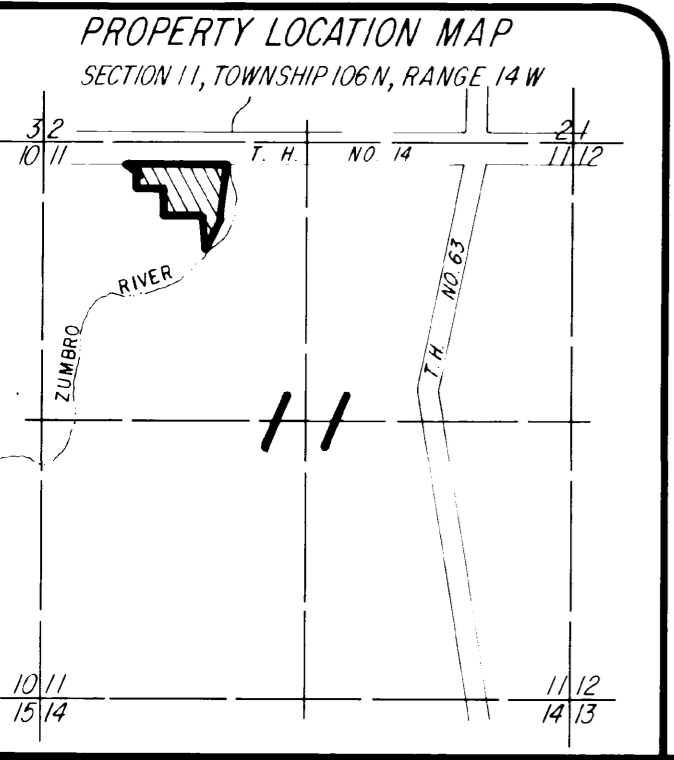
Taxes due and payable for the year 1990 have been paid.

Kathryn Weatherly Deputy
Olmsted County Treasurer

Date Sept 20, 1990

No delinquent taxes due and transfer entered this 21st day of September, 1990.

Pamela J. Hamister, Deputy
Olmsted County Auditor



City Approval

State of Minnesota
County of Olmsted
City of Rochester

I, Carole A. Grimm, City Clerk in and for the City of Rochester, do hereby certify that on the 16 day of Sept, 1990, 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 19 day of Sept, 1990.

Carole A. Grimm
City Clerk

County Recorder
DOCUMENT NUMBER 590171

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this 21 day of September, 1990, at 9 o'clock A.M., and was duly recorded in the Olmsted County records.

Jan Linstedt
County Recorder
Deputy

CONTROLLED ACCESS defined:
Ingress or egress to, from, or across the abutting roadway Apache Drive SW is restricted by Olmsted County, Minnesota, and said right of access is hereby dedicated to said road authority.

DRAINAGE EASEMENT defined:
An unobstructed easement for the operation and maintenance of waterways, both surface and underground, running over, across, and under said easement.

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.

EXISTING CONTROLLED ACCESS defined:
Ingress or egress to, from, or across the abutting roadway is restricted by the road authority pursuant to Minnesota State Statute 160.08.

PREPARED BY:
McGHEE & BETTS, INC.
CONSULTING ENGINEERS
PLANNERS
LAND SURVEYORS
ROCHESTER, MINNESOTA