In case of default on the part of the said mortgagor in any of the conditions or covenants of this mortgage or of said prior incumbrances, the said mortgagee may at his, her, their or its option declare the whole principal sum described in the note or notes secured by this mortgage due and payable without any other notice whatsoever, and the said mortgagee is hereby empowered to foreclose this mortgage by advertisement or in any other manner provided by law, and is authorized and empowered to sell said land as provided by law and apply the proceeds to the payment of the costs and expenses of sale, and a sum as attorney's fees, equal to the maximum amount permitted by law, and all sums secured hereby, and to pay the residue, if any to the persons entitled thereto by law. If suit is brought to foreclose this mortgage, the said mortgagor hereby authorizes the court to appoint a receiver, for the benefit of the mortgagee, of the rents, issues and profits from said above mortgaged property.

The words mortgagor and mortgagee as used in this instrument include the plural as well as the singular, and also include the mortgagor's and mortgagee's heirs, executors, administrators successors and assigns.

Signed, Sealed and Delivered in Presence of — Henry Waters (Seal)

Theo.F.Franke — Katherine Waters (Seal)

Mabelle Franke

State of Minnesota

County of Olmsted, ss.

On this 20th day of September A.D. 1929, before me, a Notary Public within and for said County, personally appeared Henry Waters and Katherine Waters, his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

(Notarial Seal) — Theo.F.Franke — Theo.F.Franke

Olmsted Co.,Minn. — Notary Public,Olmsted County,Minn.

My Commission Expires April 21, 1936

No. 105663, Filed for Record this 24 day of Sept. A.D. 1929 at 10 o'clock A.M.

NOTICE OF LIS PENDENS

STATE OF MINNESOTA — IN DISTRICT COURT

COUNTY OF OLMSTED — THIRD JUDICIAL DISTRICT

State of Minnesota, by G.A.Youngquist, its Attorney General, Petitioner,

v.

F.E.Voll, Rochester Loan & Trust Company, a corporation, Eugene Strickler, George Lackner, Clarence McPeek, Worth McPeek, Charles E. Sinclair, Edward E. Opfer, E.R.Sitz, Caroline A. Gwinn; James E. Connelly, James Connelly, Ruby Connelly, Pearl Connelly, Walter Connelly, Perry S. Hair, Mary Kindall, Henry S. Field, William J. Mayo, Charles H. Mayo, George H. Jones, Henry S. Field, Jr., W.M.Krug, Hilda L. Field, Harry G. Campbell, Fred Thiem, Town Line Cheese Company, a corporation, Patrick Conway, Patrick H. Conway, John Conway, Mutual Benefit Life Insurance Company, a corporation, Ada Dorsey, Daniel Campion, Edward Fallen, William P. Adamson, Josephine W. Bryan, Gustave F. Hameister, and Beth Hoton, Respondents.

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

NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN that a proceeding has been commenced in this court by the above named petitioner against the above named respondents, the object of which is to acquire an

JAYE-OLSON CO., MINNEAPOLIS, MINN.

easement for highway purposes in the following described real estate situate in Olmsted County, Minnesota, and to obtain the right to construct and maintain temporary snow fences upon said real estate and on the lands adjacent thereto, to-wit:

Parcel 1 (7-33-1)

The northerly 50 feet of the north half of southwest quarter ($N\frac{1}{2}$ $SW\frac{1}{4}$) of section 31, township 107 north, range 15 west;

the southerly 50 feet of the south half of northwest quarter ($S\frac{1}{2}$ $NW\frac{1}{4}$) of section 31, township 107 north, range 15 west;

excepting therefrom the right of way of existing highway;

containing 1.98 acres, more or less.

Parcel 2 (7-33-2)

The southerly 50 feet of the southwest quarter of northeast quarter ($SW\frac{1}{4}$ $NE\frac{1}{4}$) of section 31, township 107 north, range 15 west;

the northerly 50 feet of the northwest quarter of southeast quarter ($NW\frac{1}{4}$ $SE\frac{1}{4}$) of section 31, township 107 north, range 15 west;

excepting therefrom the right of way of existing highway;

containing 1.02 acres, more or less.

Parcel 3 (7-33-3)

The northerly 50 feet of the northeast quarter of southeast quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of section 31, township 107 north, range 15 west;

the southerly 50 feet of the southeast quarter of northeast quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of section 31, township 107 north, range 15 west;

all that part of the north half of southwest quarter ($N\frac{1}{2}$ $SW\frac{1}{4}$) of section 32, township 107 north, range 15 west, which lies northerly of a line run from a point on the east boundary thereof, distant 67.0 feet south of the northeast corner thereof, to a point on the west boundary thereof distant 50.0 feet south of the northwest corner thereof;

together with all that portion of the north half of southwest quarter of said section 32 which lies southerly of the above described strip, westerly of the westerly right of way boundary of the public highway running north and south along the west boundary of said southwest quarter of section 32 and northeasterly of the following described line:

Beginning at a point on the southerly boundary of the above described stip, distant 100 feet west from the intersection of said southerly boundary with the westerly boundary of said public highway; thence run southerly to a point on said westerly boundary of public highway distant 100 feet south of said intersection and there terminating;

excepting therefrom the right of way of existing highway;

containing 2.66 acres, more or less.

Parcel 4 (7-33-4)

The southerly 50 feet of the following described tract:

South half of northwest quarter ($S\frac{1}{2}NW\frac{1}{4}$) of section 32, township 107 north, range 15 west, except the easterly 230 feet thereof;

excepting therefrom the right of way of existing highway;

containing 0.46 acre, more or less.

Parcel 5 (7-33-5)

A strip of land extending over and across the following described tract:

West half of southeast quarter ($W\frac{1}{2}SE\frac{1}{4}$) of section 32, township 107 north, range 15

west, except the following described parcel : Beginning at the point of intersection of a line drawn parallel with ~~the~~ and thru the center of Tremain Street, Village of Byron, and the south line to trunk highway No. 7; thence west on the south line of trunk highway No. 7, 60 feet; thence south 50 feet parallel with west line of the west half of southeast quarter; thence east 120 feet parallel with trunk highway No. 7; thence north 50 feet to trunk highway No. 7; thence west 60 feet along trunk highway No. 7 to place of beginning, all in west half of southeast quarter;

said strip being all that part of the above described tract which lies northerly of the following described line:

Beginning at a point on the east boundary of the above described tract, distant 69.3 feet south from the northeast corner thereof; thence run westerly to a point on the west boundary of the above described tract distant 67.0 feet south from the northwest corner thereof and there terminating;

together with all that part of the above described tract which lies southerly of the above described strip, easterly of the easterly right of way boundary of the public highway running north and south along the west boundary of said track and northwesterly of the following described line:

Beginning at a point on the south boundary of above described strip, distant 100 feet east from the intersection of said south boundary with the said easterly right of way boundary of the public highway; thence run ~~southerly~~ westerly to a point on the said easterly boundary of public highway distant 100 feet south from said intersection and there terminating; excepting therefrom the right of way of existing highway;

containing 1.04 acres, more or less.

Parcel 6 (7-33-6)

A strip of land extending over and across the following described tract:

Beginning at the point of intersection of a line drawn parallel with and thru the center of Tremain Street, Village of Byron, and the south line to trunk highway No. 7; thence west on the south line of trunk highway No. 7, 60 feet; thence south 50 feet parallel with west line of the west half of southeast quarter; thence east 120 feet parallel with trunk highway No. 7; thence north 50 feet to trunk highway No. 7; thence west 60 feet along trunk highway No. 7 to place of beginning, all in west half of south-east quarter;

said strip being all that part of the above described tract which lies northerly of the following described line:

Beginning at a point on the east boundary of the northwest quarter of southeast quarter of section 32, township 107 north, range 15 west, distant 69.3 feet south from the northeast corner thereof; thence run westerly to a point on the west boundary of said northwest quarter of southeast quarter of section 32 distant 67 feet south from the northwest corner thereof and there terminating;

excepting therefrom the right of way of existing highway;

containing 0.10 acre, more or less.

Parcel 11 (7-33-11)

A strip of land extending over and across the following described tract:

Northwest quarter of northwest quarter ($NW\frac{1}{4}NW\frac{1}{4}$) of section 3, township 106 north, range 15 west;

said strip being all that part of the above described tract which lies northerly of the

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following described line:

Beginning at a point on the east boundary of the above described tract, distant 35.6 feet south from the north-east corner thereof; thence run westerly to a point on the west boundary of said tract distant 33 feet south from the northwest corner thereof and there terminating; excepting therefrom the right of way of existing highway;

containing 0.03 acre, moreorless.

Parcel 12 (7-33-12)

A strip of land extending over and across the two following described tracts:

1. South half of south half of southwest quarter ($S\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}$) of section 34, township 107 north, range 15 west;

2. Northeast quarter of northwest quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of section 3, township 106 north, range 15 west;

said strip being all that part of the first above described tract which lies south of the following described line:

Beginning at a point on the east boundary of said southwest quarter of section 34, distant 60.6 feet north from the southeast corner thereof; thence run westerly to a point on the westerly boundary of said southwest quarter distant 68.2 feet north from the southwest corner thereof and there terminating;

together with all that part of the second above described tract which lies northerly of the following described line:

Beginning at a point on the east boundary of said northeast quarter of northwest quarter of section 3, distant 39.4 feet south from the northeast corner thereof; thence run westerly to a point on the westerly boundary of said northeast quarter of northwest quarter distant 35.6 feet south from the northwest corner thereof and there terminating; excepting therefrom the right of way of existing highways;

containing 2.01 acres, more or less.

Parcel 13 (7-33-13)

A strip of land extending over and across the following described tract:

West half of southeast quarter ($W\frac{1}{2}SE\frac{1}{4}$) of section 34, township 107 north, range 15 west; said strip being all that part of the above described tract which lies southerly of the following described line:

Beginning at a point on the east boundary of said tract, distant 36.8 feet north from the southeast corner thereof; thence run westerly to a point on the west boundary of said tract distant 60.6 feet north from the southwest corner thereof and there terminating; excepting therefrom the right of way of existing highways; containing 0.46 acre, more or less.

Parcel 13A (7-33-13A)

A strip of land extending over and across the following described tract:

East half of southeast quarter ($E\frac{1}{2}SE\frac{1}{4}$) of section 34, township 107 north, range 15 west; said strip being all that part of the above described tract which lies southerly of the following described line:

Beginning at a point on the east boundary of said tract, distant 34.2 feet north from the southeast corner thereof; thence run westerly to a point on the west boundary of

said tract distant 36.8 feet north from the southwest corner thereof and there terminating;
excepting therefrom the right of way of existing highway;
containing 0.04 acre, more or less.

Parcel 14 (7-33-14)

A strip of land extending over and across the following described tract:

North half of northeast quarter ($N\frac{1}{2}NE\frac{1}{4}$) of section 3, township 106 north, range 15 west, except the west 6 rods of the east 30 rods of the north 16 rods;
said strip being all that part of the above described tract which lies northerly of the following described line:

Beginning at a point on the east boundary of said northeast quarter of section 3, distant 65.8 feet south from the northeast corner thereof; thence run westerly to a point on the west boundary of the northeast quarter of said northeast quarter of section 3 distant 65.8 feet south from the northwest corner thereof, thence run westerly to a point on the west boundary of the said northeast quarter of section 3 distant 39.4 feet south from the northwest corner thereof and there terminating;
excepting therefrom the right of way of existing highways;
containing, 1.50 acres, more or less.

Parcel 15 (7-33-15)

The northerly 65.8 feet of the following described tract:

The west 6 rods of the east 30 rods of the north 16 rods of the northeast quarter of northeast quarter ($NE\frac{1}{4}NE\frac{1}{4}$) of section 3, township 106 north, range 15 west;
excepting therefrom the right of way of existing highway;
containing 0.07 acre, more or less.

Parcel 16 (7-33-16)

A strip of land extending over and across the following described tract:

West half of northwest quarter ($W\frac{1}{2}$ $NW\frac{1}{4}$) of section 2, township 106 north, range 15 west;
said strip being all that part of the above described tract which lies northerly of the following described line:

Beginning at a point on the east boundary of the above described tract, distant 51.3 feet south from the northeast corner thereof, thence run westerly for a distance of 810 feet to a point which is 66.0 feet, when measured at right angles from the north boundary of the above described tract; thence run westerly to a point on the west boundary of the above described tract distant 65.8 feet south from the northwest corner thereof and there terminating;
excepting therefrom the right of way of existing highway;
containing 0.80 acre, more or less.

Parcel 17 (7-33-17)

A strip of land extending over and across the following described tract:

West 60 acres of the southwest quarter ($SW\frac{1}{4}$) of section 35, township 107 north, range 15 west;
said strip being all that part of the above described tract which lies southerly of the following described line:

Beginning at a point on the east boundary of the above described tract, distant 41.7

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feet north from the southeast corner thereof; thence run westerly to a point on the west boundary of said tract distant 34.2 feet north from the southwest corner thereof and there terminating.

excepting therefrom the right of way of existing highway:

containing 0.10 acre, more or less.

Parcel 18 (7-33-18)

A strip of land extending over and across the following described tract;

East 100 acres of the southwest quarter ($SW\frac{1}{4}$) of section 35, township 107 north, range 15 west;

said strip being all that part of the above described tract which lies southerly of the following described line;

Beginning at a point on the east boundary of the above described tract, distant 68.2 feet north from the southeast corner thereof ( said corner being at the intersection of said east boundary with the center line of present trunk highway as the same is now located and established); thence run westerly for a distance of 650 feet to a point which is 61.7 feet north, when measured at right angles from the south boundary of said tract; thence run westerly to a point on the west boundary of said tract distant 41.7 feet north from the southwest corner thereof and there terminating;

excepting therefrom the right of way of existing highway;

containing 0.92 acre, more or less.

Parcel 19 (7-33-19)

A strip of land extending over and across the following described tract;

East half of northwest quarter ($E\frac{1}{2}$ $NW\frac{1}{4}$) of section 2, township 106 north, range 15 west;

said strip being all that part of the above described tract which lies northerly of the following described line;

Beginning at a point on the east boundary of said tract, distant 33.0 feet south from the northeast corner thereof ( said cornerebeing at the intersection of said easterly boundary with the center line of present trunk highway as the same is now located and established); thence run westerly to a point on the west boundary of the above described tract distant 51.3 feet south from the northwest corner thereof and there terminating;

excepting therefrom the right of way of existing highway;

containing 0.21 acre, more or less.

Parcel 20 (7-33-20)

A strip of land extending over and across the following described tract;

All that Northeast quarter ($NE\frac{1}{4}$) of section 2, township 106 north, range 15 west;

said strip being all that part of the above described tract which lies northerly of the following described line:

Beginning at a point on the east boundary of the above described tract, distant 50 feet south from the northeast corner thereof ( said corner being at the intersection of said easterly boundary with the center line of present trunk highway as the same is now located and established); thence run westerly to a point on the west boundary of the above described tract distant 33 feet south from the northwest corner thereof ( said corner being at the intersection of said westerly boundary with the center line of present trunk highway as now located and established), and there terminating;

excepting therefrom the right of way of existing highway;

containg 0.50 acre, more or less.

Parcel 21 (7-33-21)

A strip of land extending over and across the following described tract;

Southeast quarter (SE¼) of section 35, township 107 north, range 15 west;

said strip being all that part of the above described tract which lies southerly of the following described line:

Beginning at the east boundary of the above described tract, distant 50.0 feet north from the southeast corner thereof ( said corner being at the intersection of said easterly boundary with the center line of present trunk highway as now located and established); thence run westerly to a point on the west boundary of said tract distant 68.2 feet north from the southwest cornerethereof ( said corner being at the intersection of said westerly boundary with the center line of present trunk highway as now located and established), and there terminating;

excepting therefrom the right of way of existing highway;

containing 1.56 acres, more or less.

Dated September 23, 1929

STATE OF MINNESOTA

By G.A.Youngquist

Attorney General

W.H.Gurney

Assistant Attorney General

Attorneys for Petitioner,

102 State Capitol

St. Paul, Minnesota.

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No. 105678, Filed for Record this 24 day of Sept. A.D. 1929 at 3¾o'clock P.M.

THIS INDENTURE, Made this 24th day of August in the year of our Lord One Thousand Nine Hundred Twenty-nine between Pauline I. Ploetz, a widow, Fred W. Ploetz, a single man, and Edward J. Ploetz, and Alice A. Ploetz, his wife, of Chatfield, State of Minnesota, parties of the first part, and the State of Minnesota, a sovereign body with its seat of government at the City of St. Paul therein, and its assigns, party of the second part;

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Twelve Thousand, Five Hundred and No/100 ($12,500.00) Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell and convey to the said party of the second part and its assigns, forever, all those tracts, or parcels of land lying and being in the County of Olmsted and State of Minnesota, described as follows, to-wit:

The Southwest Quarter (SW¼) and the South One-half of the South One-half of the North-west Quarter (S½ of S½ of NW¼) of Section Five (5), in Township One Hundred Five (105) North, of Range Eleven (11) West, containing 200 acres, more or less, according to the Government survey thereof.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the party of the second part and its assigns, FOREVER, and the said parties of the first part, do covenant with the said party of the second part and its assigns that they are lawfully seized in fee of said premises, that

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Released in Book 160 of Mtge, Page 553.

Registering tax herein of $.....paid

Treasurer's Receipt No.....

Clerk's Fee.....

Countersigned.....