See Sheet

Transfer entered this 21st
day of December 20 09
W. Mark Krupski
Director of Property Records & Licensing
Deputy, Olmsted County, MN

84.20.32.039874 split
84.20.43.039872 split
84.20.41.039880 split
84.20.41.039877 split
84.20.41.039879 split
84.20.41.039878 split
84.21.32.039884 split
84.29.14.040010 split
84.29.11.040003 split
84.29.14.040010 split

OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 12/21/2009 at 2:00 PM and was duly recorded as document number A- 1219536

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Fees: $46.00

STATE OF MINNESOTA

COUNTY OF OLMSTED

CONDEMNATION

IN DISTRICT COURT

THIRD JUDICIAL DISTRICT
Court File No. C3-05-3276

ORIGINAL

State of Minnesota, by its Commissioner of Transportation,

Petitioner,

vs.

Duane A. Koenig, also known as Duane Koenig, DeLores Koenig, also known as DeLores I. Koenig, Eastwood Bank, Fraser Construction Co., Jon L. Donlinger, Valorie Ann Donlinger, Qwest Wireless, LLC, formerly known as US West Wireless, LLC, County of Olmsted, James L. Heimsness, Teresa A. Heimsness, Beverly Ann Wittlief, also known as Beverly A. Wittlief, Kathleen S. Krudwig, James L. Krudwig, ABN AMRO Mortgage Group, Inc., Pine Island Bank, formerly known as The Security State Bank of Pine Island, Brian Kaul, Arthur R. Kaul, Mary J. Kaul, Pine Island Telephone Company, Brad Jones, Rochester Construction Company, Inc., Evelyn Rucker, also known as Evelyn D. Rucker, Shamrock Enterprises of Rochester, LLC, Olmsted National Bank, Jim Larsen, Judy Larsen, Luella C. Rueber, as trustee of the LUELLA C. RUEBER Trust, dated June 13, 1995, Robert W. Rueber, as successor trustee of the VIRIL E. RUEBER Trust dated June 13, 1995, also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Petition herein,

Respondents.

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

FINAL CERTIFICATE

STATE OF MINNESOTA
COUNTY OF OLMSTED
I certify this to be a true copy of the original record in my custody.
Dated: 12/7/09
Charles L. Kjos
Court Administrator
By _____ Deputy Clerk

FILED
DEC 4 2009
12/16/09 DW MDOT
COURT ADMINISTRATOR
Olmsted County, MN

By authority of §117.205 Minnesota Statutes, I hereby certify that the lands or rights herein described have been taken by the State of Minnesota in eminent domain proceeding 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 appeals, if taken, have been disposed of; that all damages have been paid by the State of Minnesota; that said proceedings are now complete; and that said State now owns said lands in fee simple absolute, together with the following rights, to-wit: has acquired from the owners whose lands front thereon any existing right of access to said highway in those cases which are herein particularly mentioned; and has acquired a temporary easement in those cases which are herein particularly mentioned.

With reference to all parcels, the award assumed that the property was free of all pollutants, contaminants, and hazardous wastes. The commission had not assessed any damage for the presence of pollutants, contaminants, and hazardous wastes on the subject property. The award was made with the express understanding that the petitioner, State of Minnesota, has reserved all rights to recover damages, testing cost, and clean-up costs attributable to the existence of pollutants, contaminants, or hazardous wastes on the property from the respondent in a separate legal action. The commission had not considered the impact of pollutants, contaminants, and hazardous wastes on the fair market value of the subject property either before or after the taking in its assessment of damages.

Parcel 422B was dismissed from the original proceedings.

Said lands are situated in Olmsted County, Minnesota, and are described as follows:

84.20.32.039874 split

FEE ACQUISITION

Parcel 417 C.S. 5508 (52=20-36)

S.P. 5508-84

Pt NW SW
Pt NE SW
Pt SE SW SE
Pt NW SE SE

All of the following:

That part of the Southwest Quarter, the West Half of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, all in Section 20, Township 108 North, Range 14 West, shown as Parcel 417 on Minnesota Department of Transportation Right of Way Plats Numbered 55-79, 55-85, and 55-86 as the same are on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 52.72 acres, more or less, of which 13.74 acres is encumbered by an existing highway easement and 2.88 acres is encumbered by existing road easements;

together with other rights as set forth below, forming and being part of said Parcel 417:

Access:

All right of access as shown on said plats by the access control symbol.

84.20.43.039872 split

FEE ACQUISITION

Parcel 417A C.S. 5508 (52=20-36)

S.P. 5508-84

All of the following:

That part of the Southwest Quarter of the Southeast Quarter of Section 20, Township 108 North, Range 14 West, shown as Parcel 417A on Minnesota Department of Transportation Right of Way Plat Numbered 55-79 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 0.83 acre, more or less, which is encumbered in its entirety by an existing highway easement;

together with other rights as set forth below, forming and being part of said Parcel 417A:

Access:

All right of access as shown on said plat by the access control symbol.

84.20.41.039880 split

FEE ACQUISITION

Parcel 417C C.S. 5508 (52=20-36)

S.P. 5508-84

All of the following:

That part of the Northeast Quarter of the Southeast Quarter of Section 20, Township 108 North, Range 14 West, shown as Parcel 417C on Minnesota Department of Transportation Right of Way Plat Numbered 55-86 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 0.26 acre, more or less;

together with other rights as set forth below, forming and being part of said Parcel 417C:

Access:

All right of access as shown on said plat by the access control symbol.

84.20.41.039877 split
84.20.41.039879 split

FEE ACQUISITION

Parcel 417D C.S. 5508 (52=20-36)

S.P. 5508-84

All of the following:

That part of the Northeast Quarter of the Southeast Quarter of Section 20, Township 108 North, Range 14 West, shown as Parcel 417D on Minnesota Department of Transportation Right of Way Plat Numbered 55-86 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 1.69 acres, more or less;

together with other rights as set forth below, forming and being part of said Parcel 417D:

Access:

All right of access as shown on said plat by the access control symbol.

FEE ACQUISITION

Parcel 417E C.S. 5508 (52=20-36)

S.P. 5508-84

All of the following: 84.20.41.039878 split 84.21.32.039884 split

That part of the East Half of the Southeast Quarter of Section 20, and the Northwest Quarter of the Southwest Quarter of Section 21, both in Township 108 North, Range 14 West, shown as Parcel 417E on Minnesota Department of Transportation Right of Way Plat Numbered 55-86 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 10.10 acres, more or less;

together with other rights as set forth below, forming and being part of said Parcel 417E:

Access:

All right of access as shown on said plat by the access control symbol.

84.20.14.040010 split

FEE ACQUISITION

Parcel 419A C.S. 5508 (52=20-36)

S.P. 5508-84

All of the following:

That part of the Southeast Quarter of the Northeast Quarter of Section 29, Township 108 North, Range 14 West, shown as Parcel 419A on Minnesota Department of Transportation Right of Way Plats Numbered 55-78 and 55-86 as the same are on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 1.57 acres, more or less;

together with other rights as set forth below, forming and being part of said Parcel 419A:

Access:

All right of access as shown on said plats by the access control symbol.

FEE ACQUISITION

Parcel 521 C.S. 5508 (52=20-36)

S.P. 5508-84

All of the following: Pt NW NE Pt NE NE 84.29.11.040003 split Pt SE SE 84.29.14.040010 split

That part of the North Half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter, both in Section 29, Township 108 North, Range 14 West, shown as Parcel 521 on Minnesota Department of Transportation Right of Way Plat Numbered 55-77 as the same is on file and of record in the office of the County Recorder in and for Olmsted County, Minnesota;

containing 5.98 acres, more or less, of which 4.23 acres is encumbered by an existing highway easement, and .02 acre is encumbered by an existing road easement;

together with other rights as set forth below, forming and being part of said Parcel 521:

Access:

All right of access as shown on said plat by the access control symbol.

Dated at Saint Paul, Minnesota, this 2nd day of December, 2009.

Donald D. Goedken
Attorney at Law
Attorney Registration No. 0035609

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
395 John Ireland Boulevard
Mail Stop 632
St. Paul, MN 55155
Fax No.: 651-366-3450
Phone: 651-366-3441

This instrument was drafted by the
State of Minnesota, Department of
Transportation, Legal and Property
Management Unit, M.S. 632
St. Paul, Minnesota 55155
100229