OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 11/16/2011 at 2:00 PM and was duly recorded as document number A- 1272765

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Fees: $46.00

Received from/return to:
OLMSTED COUNTY PUBLIC WORKS
ATT DALE PRESTEGARD
2122 CAMPUS DR SE
ROCHESTER MN 55904

COVER SHEET

pt NW-NW → 10-106-11
60.10.22.032029

DOCUMENT TYPE: Resolution 11-54 Vacating Excess Right of Way on CSAH 10

NAME: Olmsted County Public Works

RETURN TO: Dale Prestegard

LEGAL DESCRIPTION:

That part of the Northwest Quarter, NW ¼, of the Northwest Quarter, NW ¼, of Section 10, Township 106 North, Range 11 West, further described on the attached resolution;

Cover sheet added by Olmsted County Public Works Office for Recording Purposes.

11-14-11
Co. Public Works
Dale P.

RESOLUTION No. 11-54

WHEREAS, right of way was acquired from adjoining property owner Laurence Palmby for the reconstruction and realignment of County State Aid Highway, CSAH, 10 from Dover to CSAH 2 west, and;

WHEREAS, during construction fill material was used from certain locations adjacent to the CSAH 10 right of way removing several high spots and flattening the backslopes, and;

WHEREAS, it has been determined by the County Public Works Department that excess right of way exists at these locations which the County does not wish to maintain; and,

WHEREAS, therefore the County's right of way easement in this area should be vacated so that the adjacent property owner will again own this land in fee title subject only to other existing title restrictions, and;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does, pursuant to the authority of Minnesota Statute 163.11, Subd. 4, vacate and relinquish their interest in the following described portion of CSAH 10:

That part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 106 North, Range 11 West, Olmsted County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northwest Quarter, thence on an assumed bearing of North 89 degrees 41 minutes 35 seconds East along the north line of said Northwest Quarter of the Northwest Quarter, 65.00 feet to the northeast corner of Olmsted County Right of Way Plat No. 175; thence South 00 degrees 54 minutes 11 seconds East along the east line of said Olmsted County Right of Way Plat No. 175, a distance of 510.31 feet to the point of beginning; thence South 04 degrees 43 minutes 02 seconds East along the east line of said Olmsted County Right of Way Plat No. 175, a distance of 150.33 feet; thence South 00 degrees 54 minutes 11 seconds East along the east line of said Olmsted County Right of Way Plat No. 175, a distance of 50.00 feet; thence South 03 degrees 23 minutes 10 seconds West along the east line of said Olmsted County Right of Way Plat No. 175, a distance of 200.56 feet; thence North 00 degrees 11 minutes 13 seconds East, 400.03 feet to the point of beginning.

The Board of Commissioners further authorizes execution, personal service, posting and filing of this resolution and such other documents as in the opinion of the County Attorney are necessary to effect this vacation.

Dated at Rochester, Minnesota this 11th day of October, 2011.

OLMSTED COUNTY BOARD OF COMMISSIONERS

Paul Wilson, Chairperson

ATTEST:

Richard G. Devlin, Clerk/Administrator

T:\Highway Division\Engineering Division\EngEmpFolders\Dale Prestegard\Turnbacks\CSAH 10\Resoultion to vacate rw Palmby.docx

STATE OF MINNESOTA) AFFIDAVIT OF PERSONAL SERVICE
) ss
COUNTY OF OLMSTED)

Dale Prestegard, County of Olmsted, City of Rochester, being first duly sworn on oath, deposes and states that on the 14th day of October, 2011, he personally served the annexed:

RESOLUTION 11-54 OF THE OLMSTED COUNTY BOARD VACATING A PORTION OF FORMER RIGHT OF WAY OF COUNTY ROAD 10

Upon the following parties: Laurence and Juanita Palmby

At the following address: 607 County Road 10 SE Dover, MN 55929

By hand-delivering to said parties above-named at the address shown, the last known address of said party, a copy thereof enclosed in a sealed envelope.

Dale Prestegard

Subscribed and sworn to before me,
this 14 day of October, 2011

NOTARY PUBLIC

LORI COLLINS
Notary Public
Minnesota
My Commission Expires January 31, 2015

STATE OF MINNESOTA) AFFIDAVIT OF PUBLIC POSTING
) ss
COUNTY OF OLMSTED)

Dale Prestegard, County of Olmsted, City of Rochester, being first duly sworn on oath, deposes and states that on the 17 day of October, 2011, he personally observed the public posting of the annexed:

RESOLUTION 11-54 OF THE OLMSTED COUNTY BOARD VACATING A PORTION OF FORMER RIGHT OF WAY OF COUNTY ROAD 10

AND

RESOLUTION 11-55 OF THE OLMSTED COUNTY BOARD VACATING A PORTION OF FORMER RIGHT OF WAY OF COUNTY ROAD 10

Copies of said resolutions were publicly posted on the County Administration bulletin board located on the ground floor of the Government Center at 151 4th Street SE Rochester, MN 55904

Said resolutions shall remain publicly posted for 10 days beginning on the above said date and ending on October 27, 2011.

Dale Prestegard

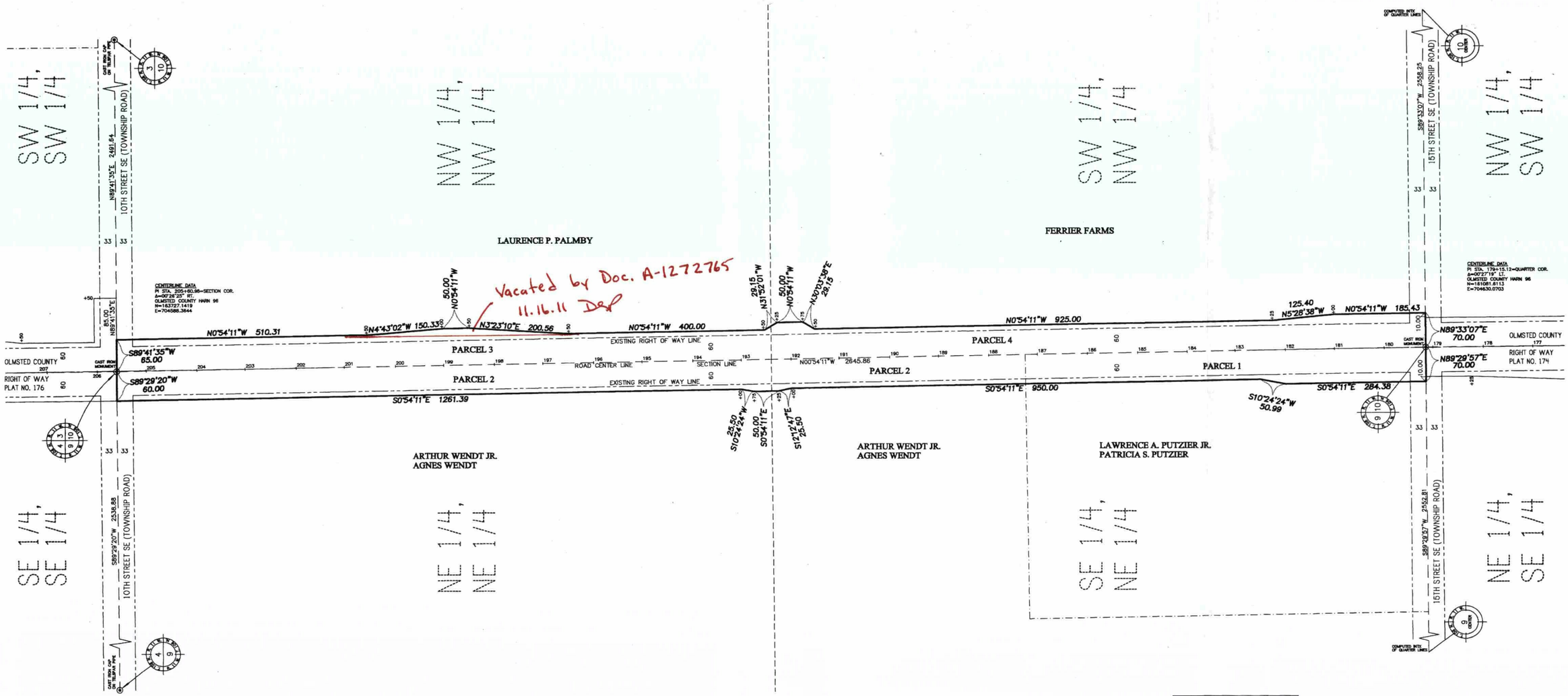
Subscribed and sworn to before me,
this 18 day of Oct, 2011

SUSAN J. STRUCKMANN
Notary Public
Minnesota
My Commission Expires January 31, 2016

Susan J. Struckmann
NOTARY PUBLIC

OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 175

COUNTY STATE AID HIGHWAY NO. 10



The Board of County Commissioners for Olmsted County, Minnesota, pursuant to County Board Resolution Number 09-72, dated October 13, 2009, is hereby designating the definite location of County State Aid Highway No. 10, located in Sections 9 and 10, Township 106 North, Range 11 West, Olmsted County, Minnesota

PROPERTY RECORDS AND LICENSING

DOCUMENT NUMBER A-1217245

I hereby certify that this instrument was filed in the Office of Property Records and Licensing for record on this 17th day of November 2009, at 4 o'clock P.M. and was duly recorded in the Olmsted County records.

W. Mark Krupski
Olmsted County Director of Property Records and Licensing

By Wendy von Wald Deputy

COUNTY SURVEYOR

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota; that this plat meets requirements of Minnesota Statutes, Section 160.085 and Section 160.14, Subd 1; that parcel ownerships are delineated on the plat; that monuments for the guidance of future surveys will be correctly placed in the ground after completion of construction; that all measurements are correctly shown on this plat; and that the outside boundary lines are correctly designated on this plat.

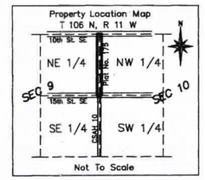
Joel S. Thoreson Registration No. 42638 Date 11/17/09
Olmsted County Surveyor

COUNTY ENGINEER

I hereby certify that this plat prepared by the Olmsted County Public Works Department is a true and correct representation of the highway location and that the right-of-way is correctly designated on the plat.

Michael Sheehan Registration No. 10397 Date 11/17/09
Michael Sheehan
Olmsted County Engineer

PARCEL NUMBER	OWNER	LOCATION	ENTIRE R/W TRACT	EXISTING R/W	NEW R/W	R/W INTEREST	RECORDED DOC. NO.
1	LAWRENCE A. PUTZIER JR. PATRICIA S. PUTZIER	SE 1/4, NE 1/4 SEC. 9, T106N, R11W	1.19 AC.	0.95 AC.	0.24 AC.	EASEMENT	686844
2	ARTHUR WENDT JR. AGNES WENDT	E 1/2, NE 1/4 SEC. 9, T106N, R11W	2.54 AC.	2.11 AC.	0.43 AC.	EASEMENT	456785
3	LAURENCE P. PALMBY	NW 1/4, NW 1/4 SEC. 10, T106N, R11W	1.96 AC.	1.53 AC.	0.43 AC.	EASEMENT	978539
4	FERRIER FARMS	SW 1/4, NW 1/4 SEC. 10, T106N, R11W	1.90 AC.	1.53 AC.	0.37 AC.	EASEMENT	959607



LEGEND
- ⊙ –PUBLIC LAND SURVEY CORNER
- ● –DENOTES FOUND 1/2" PIPE UNLESS NOTED OTHERWISE
- SECTION LINE
- SIXTEENTH LINE
- PROPERTY LINE
- RIGHT OF WAY BOUNDARY
- EXISTING ROAD R/W
- PARCEL 2 PARCEL IDENTIFICATION
- 159+00 NEW ROAD ALIGNMENT

1 Inch = 100 Feet

50 0 100 200

Scale in Feet

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON HARN 96 NAD 83 OLMSTED COUNTY COORDINATE SYSTEM

Olmsted County
Public Works File P306