Document No. **A1595398**
OFFICE OF THE COUNTY RECORDER
OLMSTED COUNTY, MN
I hereby certify that this document was filed
in this office on 10-31-2023 at 11:28 AM
MARY BLAIR-HOEFT - DIR. PROPERTY RECORDS/LICENSING
Fee Amount: $46.00 by deputy: ms

DECLARATION OF EASEMENT-DEXTER WAREHOUSE COMPANY LLC

**"COVER SHEET ADDED BY OLMSTED COUNTY PROPERTY RECORDS OFFICE FOR RECORDING PURPOSES.
THIS PAGE IS NOW THE NEW FIRST PAGE OF YOUR DOCUMENT."**

Lots 1 & 2 Blk1 Duver Warehouse
61.22.32.084506 /61.22.32.084507

pt NW-SW 22-106-11
61.22.32.086788

DECLARATION OF EASEMENT

THIS DECLARATION executed this 24 day of OCTOBER, 2023 by Dexter Warehouse Company LLC, a Minnesota limited liability company ("Declarant").

RECITALS

A. Declarant is the owner of the real property legally described on Exhibit A attached hereto and by this reference incorporated herein ("Property").

B. Declarant is in the process of replatting the Property as Dover Warehouse Second Subdivision, Olmsted County, Minnesota.

C. Declarant is being required to establish an access easement over and across a portion of the Property in order to provide access to the real property being platted as Lot 1, Block 1, Dover Warehouse Second Subdivision, Olmsted County, Minnesota ("Benefitted Property").

D. Declarant is willing to create the easement as set forth herein.

NOW, THEREFORE, Declarant hereby makes the following declarations:

1. Declarant hereby establishes an easement over and across that part of the Property legally described on Exhibit B and depicted on Exhibit C attached hereto and by this reference incorporated herein ("Access Easement Area"). This Easement shall be used for access to the Benefitted Property for commercial purposes and traffic incidental or necessary thereto for the general operation and maintenance of the facilities to be located on the Benefitted Property.

3rd pg
10-31-2023
GGG Inc.
WV

2. Once the Access Easement Area is initially improved, the cost of operating, maintaining, repairing or replacing the Access Easement Area shall be borne equally by the owner of the Benefitted Property and the residual portion of the Property which is to be platted as Lot 2, Block 1, Dover Warehouse Second Subdivision. Olmsted County, Minnesota ("Servient Property"). Any extraordinary work to be completed on the Access Easement Area shall require the prior approval of the both the Benefitted Property and the Servient Property.

3. The easement and covenants set forth in this Declaration:

    a. are made for the direct benefit of the future owner of the Benefitted Property and are appurtenant thereto;

    b. create an equitable servitude upon the Servient Property;

    c. constitute covenants running with the land;

    d. shall be binding on every person or entity having any fee, leasehold or other interest in or encumbrance on any portion of either the Benefitted Property or Servient Property at any time; and

    e. shall continue in full force and effect perpetually.

[SIGNATURE PAGE TO FOLLOW]

IN WITHESS WHEREOF, Declarant has set its hand as of the day and year first above written.

DECLARANT

DEXTER WAREHOUSE COMPANY LLC

By Eric Kilen

Its Chief Manager

STATE OF MINNESOTA)

) SS

COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 24th day of October, 2023 by Eric Kilen, the Chief Manager of Dexter Warehouse Company LLC, a Minnesota limited liability company on behalf of said company.

Kristina M. Loida

Notary Public

KRISTINA M LOIDA
Notary Public
State of Minnesota
My Commission Expires
January 31, 2024

THIS INSTRUMENT WAS DRAFTED BY:
Dunlap & Seeger, P.A.
30 3rd Avenue SE, Suite 400
Rochester, MN 55904

RETURN TO:
G-Cubed, Inc.
14070 Hwy 52 SE
Chatfield, MN 55923

CONSENT TO EASEMENT

First Farmers & Merchants Bank, as Mortgagee in that certain Mortgage given by Dexter Warehouse Company LLC, a Minnesota limited liability company, to First Farmers & Merchants Bank, dated March 10, 2021, filed for record on March 16, 2021, as Document Number 1529074, in Olmsted County, Minnesota, hereby subordinates its interest as mortgagee thereto.

First Farmers & Merchants Bank

By _____

Its President / CEO

STATE OF MINNESOTA)

) SS

COUNTY OF Olmsted)

The foregoing instrument was acknowledged before me this 25 day of October 2023, by Dave Feddersen, the President of First Farmers & Merchants Bank.

Kayla Marie Munsch
Notary Public
Minnesota
My Commission Expires January 31, 2024

Kayla Munsch

Notary Public

EXHIBIT A

Lot 1 and Lot 2, Block 1, Dover Warehouse Subdivision, Olmsted County, Minnesota.

And

That part of the Northwest Quarter of the Southwest Quarter of Section 22, Township 106 North, Range 11 West, Olmsted County, Minnesota, described as follows:

Beginning at the southeast corner of Lot 2, Block 1, DOVER WAREHOUSE SUBDIVISION, according to the recorded plat thereof on file at the office of the Olmsted County Recorder; thence on an assumed bearing of North 01°16'56" West, along the east line of said Block 1, DOVER WAREHOUSE SUBDIVISION, a distance of 624.92 feet to the northeast corner of said Block 1 which is also the south line of 6th Street SE, as dedicated in HENRY ESTATES SECOND COMMERCIAL CENTER, according to the recorded plat thereof on file at the office of the Olmsted County Recorder; thence North 88°43'04" East, along said south line of said 6th Street SE, 285.40 feet to the southeast corner of said HENRY ESTATES SECOND COMMERCIAL CENTER; thence South 01°29'13" East, along a line which is the southerly extension of the east line of said HENRY ESTATES SECOND COMMERCIAL CENTER, 624.25 feet to the south line of said Northwest Quarter of the Southwest Quarter; thence South 88°35'02" West, along said south line, 287.63 feet to the point of beginning.

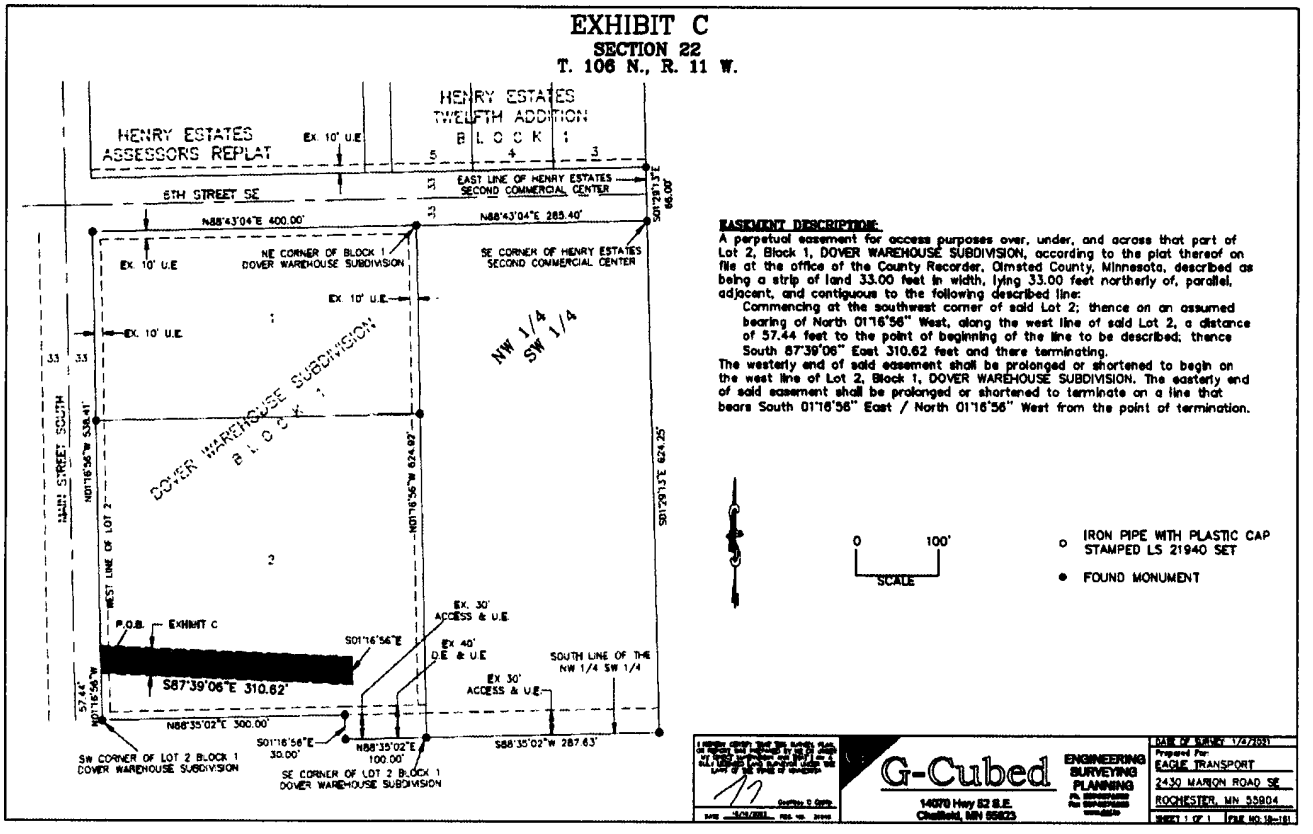
EXHIBIT B

A perpetual easement for access purposes over, under, and across that part of Lot 2, Block 1, DOVER WAREHOUSE SUBDIVISION, according to the plat thereof on file at the office of the County Recorder, Olmsted County, Minnesota, described as being a strip of land 33.00 feet in width, lying 33.00 feet northerly of, parallel, adjacent, and contiguous to the following described line:

Commencing at the southwest corner of said Lot 2; thence on an assumed bearing of North 01°16'56" West, along the west line of said Lot 2, a distance of 57.44 feet to the point of beginning of the line to be described; thence South 87°39'06" East 310.62 feet and there terminating.

The westerly end of said easement shall be prolonged or shortened to begin on the west line of Lot 2, Block 1, DOVER WAREHOUSE SUBDIVISION. The easterly end of said easement shall be prolonged or shortened to terminate on a line that bears South 01°16'56" East / North 01°16'56" West from the point of termination.

EXHIBIT C


EXHIBIT C
SECTION 22
T. 106 N., R. 11 W.
HENRY ESTATES ASSESSORS REPLAT
HENRY ESTATES TWELFTH ADDITION
BLOCK 1
EX. 10' U.E.
EAST LINE OF HENRY ESTATES SECOND COMMERCIAL CENTER
6TH STREET SE
N88°43'04"E 400.00'
N88°43'04"E 285.40'
S01°29'13"E 66.00'
NE CORNER OF BLOCK 1 DOVER WAREHOUSE SUBDIVISION
SE CORNER OF HENRY ESTATES SECOND COMMERCIAL CENTER
DOVER WAREHOUSE SUBDIVISION
BLOCK 1
NW 1/4 SW 1/4
MAIN STREET SOUTH
WEST LINE OF LOT 2
N01°16'56"W 538.41'
N01°16'56"W 624.92'
S01°29'13"E 624.25'
P.O.B.
EXHIBIT C
S01°16'56"E
EX. 30' ACCESS & U.E.
EX. 40' D.E. & U.E.
SOUTH LINE OF THE NW 1/4 SW 1/4
S87°39'06"E 310.62'
N88°35'02"E 300.00'
S01°16'56"E 30.00'
N88°35'02"E 100.00'
S88°35'02"W 287.63'
SW CORNER OF LOT 2 BLOCK 1 DOVER WAREHOUSE SUBDIVISION
SE CORNER OF LOT 2 BLOCK 1 DOVER WAREHOUSE SUBDIVISION
EASEMENT DESCRIPTION:
A perpetual easement for access purposes over, under, and across that part of Lot 2, Block 1, DOVER WAREHOUSE SUBDIVISION, according to the plat thereof on file at the office of the County Recorder, Olmsted County, Minnesota, described as being a strip of land 33.00 feet in width, lying 33.00 feet northerly of, parallel, adjacent, and contiguous to the following described line:
Commencing at the southwest corner of said Lot 2; thence on an assumed bearing of North 01°16'56" West, along the west line of said Lot 2, a distance of 57.44 feet to the point of beginning of the line to be described; thence South 87°39'06" East 310.62 feet and there terminating.
The westerly end of said easement shall be prolonged or shortened to begin on the west line of Lot 2, Block 1, DOVER WAREHOUSE SUBDIVISION. The easterly end of said easement shall be prolonged or shortened to terminate on a line that bears South 01°16'56" East / North 01°16'56" West from the point of termination.
0
100'
SCALE
IRON PIPE WITH PLASTIC CAP STAMPED LS 21940 SET
FOUND MONUMENT
G-Cubed
ENGINEERING SURVEYING PLANNING
14070 Hwy 52 S.E.
Chatfield, MN 55923
DATE OF SURVEY 1/27/2021
Prepared For:
EAGLE TRANSPORT
2430 MARION ROAD SE
ROCHESTER, MN 55904
SHEET 1 OF 1
FILE NO. 18-181