Document No. **A1601937**
OFFICE OF THE COUNTY RECORDER
OLMSTED COUNTY, MN
I hereby certify that this document was filed
in this office on 03-21-2024 at 2:51 PM
MARY BLAIR-HOEFT - DIR. PROPERTY RECORDS/LICENSING
Fee Amount: $46.00 by deputy: sk

Olmsted County Minnesota
03-21-2024
Certificate of Real Estate Value#
Deed Tax $ 0.00
Transfer Entered
Mary Blair-Hoeft/Lorri Starkson, designee
Copy 1601936

FINAL CERTIFICATE

Parcel IDs

64.25.32.087723 NT	64.25.32.087725 NT
64.25.13.087721 NT	63.30.31.088191 NT
63.30.43.086682 NT	63.30.13.086680 NT
63.30.14.036173 SPLIT	

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

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STATE OF MINNESOTA

COUNTY OF OLMSTED

DISTRICT COURT
THIRD JUDICIAL DISTRICT
CIVIL DIVISION

County of Olmsted, a political subdivision of the State of Minnesota,

Petitioner,

v.

SENECA FOODS CORPORATION, a New York Corporation; NORTHERN NATURAL GAS COMPANY; a Delaware corporation; C. MIKE O'NEILL and YVONNE MARIE O'NEILL, husband and wife; BRIDGET M. MUELLER and ANTHONY MUELLER, wife and husband, JEFFERY M. O'NEILL; JOSEPH A. O'NEILL; COLLEEN A. MOWRER and DARYL E. MOWRER, wife and husband; GERALD R. O'NEILL; ANDREW G. O'NEILL; JEROME FAIRBO FARMS, INC. n/k/a Jennie-O Turkey Store, Inc., a Minnesota corporation; NORTHWESTERN BELL TELEPHONE COMPANY, now known as Qwest Corporation, doing business as CenturyLink QC; WILLIAMS HILLTOP POLLED HEREFORD FARMS, a Minnesota Partnership; and all others, presently unknown, having a marital interest in the parcels which are the subject of this proceeding,

Respondents.

Case Type: Condemnation
COURT FILE NO. 55-CV-21-3177

FINAL CERTIFICATE

Certified to be a true and correct copy of the document filed with the Court.
State of Minnesota, District Court
County of Olmsted
By:
Dated: January 17, 2024

Thomas M. Canan, attorney for Petitioner, County of Olmsted, certifies as follows, pursuant to Minnesota Statutes Section 117.205:

1. A Petition for Condemnation was filed by Petitioner with the Olmsted County District Court on June 4, 2021, which stated the necessity of acquiring certain lands hereinafter described in order to construct improvements to County Road (CR) 101,

Jeremy Douglas
PWSC 3/20/24 sh
N/C 2082

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County State Aid Highway (CSAH) 1, and CSAH 20, all within Olmsted County.

2. On July 19, 2021, after Petitioner determined that an easement held by Respondent Northwestern Bell Telephone Company, now known as Qwest Corporation and doing business as CenturyLink QC would not be affected by the condemnation project and would remain in full force and effect, Petitioner filed a Notice of Dismissal dismissing Respondent Northwestern Bell Telephone Company from this condemnation action.

3. On August 4, 2021, after Petitioner determined that Respondent Northern Natural Gas Company's easement would not be affected by the condemnation project and would remain in full force and effect, Petitioner filed a Notice of Dismissal dismissing Respondent Northern Natural Gas Company from this condemnation action.

4. On August 10, 2021, a Stipulation of Settlement and Order for Dismissal regarding Petitioner's acquisition of fee title, temporary easement rights, and access control interests of Parcel 3, Olmsted County Highway Right of Way (hereinafter "ROW") Plat 238, formerly owned by Williams Hilltop Polled Herefords, was filed and subsequently ordered by the Olmsted County District Court. The settlement as to Parcel 3, ROW Plat 238 included compensation of $3,000 paid directly to Respondent "Williams Hilltop Polled Herefords".

5. On August 11, 2021, a Stipulation of Settlement and Order for Dismissal regarding Petitioner's acquisition of fee title, temporary easement rights, and access control interests of Parcel 3, ROW Plat 237 and Parcel 1 of ROW Plat 238, formerly owned by Jennie-O Turkey Store, Inc., successor in interest by corporate merger, consolidation, amendment, or conversion to Jerome Fairbo Farms, Inc., a wholly-owned

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subsidiary of Hormel Foods Corporation, was filed and subsequently ordered by the Olmsted County District Court. The settlement as to Parcel 3 of ROW Plat 237 and Parcel 1 of ROW Plat No. 238 included compensation of $37,100, of which $33,990 was paid directly to Respondent Jennie-O Turkey Store, Inc., successor in interest by corporate merger, consolidation, amendment, or conversion to Jerome Fairbo Farms, Inc., a wholly-owned subsidiary of Hormel Foods Corporation in a check made payable to "Jennie-O Turkey Store, Inc." and the remaining $3,110 was paid to Olmsted County to satisfy the property taxes due and owing at the time the settlement was reached.

6. On August 18, 2021, a public purpose hearing was held before the Honorable Kathy M. Wallace. By Order of this Court, dated September 3, 2021, the Petition for Condemnation was granted, directing that Petitioner be entitled to title and possession of the property described in the attached Exhibit A on September 7, 2021, or such other date that complied with the provisions of Minn. Stat. § 117.042.

7. On August 30, 2021, Petitioner paid to Respondent Seneca Foods Corporation, the amount of its approved appraisal value of $349,000, for Parcels 1, 2, and 3 of ROW Plat 235, and $28,900, for Parcel 1, of ROW Plat 236, for a total approved appraisal value of $377,900.

8. On September 3, 2021, Petitioner paid to Respondent C. Mike O'Neil, the amount of its approved appraisal value of $53,300, for Parcel 4 of ROW Plat 237 and Parcel 2 of ROW Plat 238.

9. On September 3 and September 7, 2021, Petitioner paid the amount of its approved appraisal value of $3,000, for Parcel 5 of ROW Plat 237, as follows:

a. C. Mike O'Neil $1,500.00,
b. Andrew O'Neil $250.00,

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c. Gerald O'Neil $250.00,
d. Joseph O'Neil $250.00,
e. Jeffery O'Neil $250.00,
f. Colleen A. Mowrer and Daryl E. Mowrer $250.00, and
g. Bridget and Anthony Mueller $250.00.

10. Respondent C. Mike O'Neill died on July 4, 2022. A probate action was commenced shortly thereafter (Olmsted County District Court File No. 55-PR-22-5040). After this probate action was commenced, the County learned that C. Mike O'Neill had a son who predeceased him. This son, Tim O'Neill, had a daughter, Meghan Nicole Edwards. Ms. Edwards, who is not a party to this action, provided a *Consent and Waiver of Notice of and Hearing Pertaining to Olmsted County's Acquisition of Partial Interest in Parcel 5, County Highway Right of Way Plat No. 237 from Distributee Meghan Nicole Edwards* wherein she waived any partial interest she may have claimed in the property, her right to receive notice of and to participate in a hearing in the probate proceeding as to whether she held an interest in Parcel 5, ROW Plat 237. Ms. Edwards further waived her right to object to payments made to other heirs of Mr. C. Mike O'Neill and to notice of or to participate in a commissioner's hearing in this condemnation proceeding. This consent, dated February 22, 2023, is on record with the Olmsted County Recorder's office as Document No. 1596267, having been recorded on November 15, 2023.

11. On December 8, 2022, an Amended ROW Plat 236 was filed with the Olmsted County Recorder as Document No. 1578389. This plat was amended to include an access opening for Parcel 1 of ROW Plat 236.

12. On December 20, 2022, a Stipulation of Settlement and Order for Dismissal regarding Petitioner's acquisition of fee title, temporary easement rights, and access control interests of Parcels 1, 2, and 3, ROW Plat 235, formerly owned by Seneca Foods Corporation, was filed and subsequently ordered by the Olmsted County District Court.

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The settlement as to Parcels 1, 2, and 3, of ROW Plat 235 included compensation of $550,000 paid directly to Respondent Seneca Foods Corporation.

13. On December 20, 2022, a Stipulation of Settlement and Order for Dismissal regarding Petitioner's acquisition of fee title, temporary easement rights, and access control interests of Parcel 1, Amended ROW Plat 236, formerly owned by Seneca Foods Corporation, was filed and subsequently ordered by the Olmsted County District Court. The settlement as to Parcel 1, Amended ROW Plat 236 included compensation of $175,000 paid directly to Respondent Seneca Foods Corporation.

14. On April 3, 2023, a hearing was held before the Honorable Kathy M. Wallace regarding the interests of Respondent Gerald O'Neill. From this hearing, an order issued granting Petitioner all right, title, and interest to the property interest held by Gerald O'Neill in Parcel 5 of ROW Plat 237. This order is on file with the Olmsted County Recorder as Document No. 1596530.

15. On November 17, 2023, a Stipulation of Settlement and Order for Dismissal regarding Petitioner's acquisition of fee title, temporary easement rights, and access control interests of Parcel 5, ROW Plat 237, formerly owned by C. Mike O'Neill, also known as Cyril Michael O'Neill, and Yvonne Marie O'Neill, also known as Yvonne M. O'Neill, husband and wife; Bridget M. Mueller and Anthony Mueller, wife and husband; Jeffery M. O'Neill, a single person; Joseph A. O'Neill, a single person; Colleen A. Mowrer and Daryl E. Mowrer, wife and husband; Gerald R. O'Neill, a single person; and Andrew G. O'Neill, a single person (hereinafter and collectively "O'Neill"), was filed and subsequently ordered by the Olmsted County District Court. The settlement as to Parcel 5, ROW Plat 237, included compensation of $3,000 paid directly to Respondents O'Neill.

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16. On November 17, 2023, a Stipulation of Settlement and Order for Dismissal regarding Petitioner's acquisition of fee title, temporary easement rights, and access control interests of Parcel 4, ROW Plat 237 and Parcel 2, ROW Plat 238, formerly owned by C. Mike O'Neill and his wife, Yvonne M. O'Neill, was filed and subsequently ordered by the Olmsted County District Court. The settlement as to Parcel 4, ROW Plat 237 and Parcel 2, ROW Plat 238, included compensation of $53,300 paid directly to Respondent C. Mike O'Neill.

17. The amounts so paid represent the full amount due and owing as damages arising from the condemnation to be paid to any interested parties as a result of the taking herein of the premises described on Exhibit A attached hereto, together with any and all streets and alleys adjacent thereto, vacated or to be vacated, and together with any and all appurtenant easements.

THEREFORE, I hereby certify that:

A. the lands described on the attached Exhibit A have been taken by the County of Olmsted in eminent domain proceedings in conformity with the requirements of Minnesota Statutes Chapter 117, as amended;

B. commissioners were duly appointed by the Court to ascertain and report the amount of damages sustained by the Respondents on account of such takings;

C. all parties settled their claims without the need for said commissioners to qualify, make, and file their report of such damages;

D. no appeals have been taken or rights to pursue appeals have been waived by the parties pursuant to executed stipulations of settlement and orders for dismissal, and the time to appeal from the stipulations of settlement has expired;

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E. all damages, as determined by agreement, have been paid by the County of Olmsted;

F. the proceedings for the taking of certain rights in said lands are now complete;

G. said County now holds fee title or temporary easements in said lands for the purpose of maintaining the same for public right of way purposes; and

H. the final certificate was executed and approved on the dates shown and endorsed hereon.

No state deed tax is due the State of Minnesota on this instrument.

I declare under penalty of perjury that everything I have stated in this document is true and correct in accordance with Minn. Stat. § 358.116.

MARK A. OSTREM
OLMSTED COUNTY ATTORNEY

Dated: January 10, 2024

/s/ Thomas M. Canan
Thomas M. Canan, #201467
Senior Assistant County Attorney
Olmsted County Government Center
151 4th Street SE
Rochester, MN 55904
(507) 328-7615
tom.canan@olmstedcounty.gov

COUNSEL FOR RESPONDENT

The above Final Certificate is hereby approved.

BY THE COURT: Wallace, Katherine
2024.01.19
13:33:51 -06'00'
Judge of District Court

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State of Minnesota
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PLAT 235 PARCEL 1, 2 & 3 FEE ACQUISITION
C-20-101

Property ID: 64.25.32.041966; 64.25.32.069072

All of the following:
Those parts of the Southwest Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, shown as Parcel 1 and Parcel 2 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 235, on file and of record in the office of the Olmsted County Recorder.

AND

That part of the Southeast Quarter of the Northwest Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, shown as Parcel 3 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 235, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH:
A temporary easement for highway purposes over, under and across those parts of the Southwest Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, designated as "T.E. Parcel 1" and "T.E. Parcel 2" AND that part of the Southeast Quarter of the Northwest Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, designated as "T.E. Parcel 3"; all shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 235, on file and of record in the office of the Olmsted County Recorder.

Together with all right of access from Parcels 1, 2 and 3 as shown on said Plat No. 235

Names of parties interested in the above described land and nature of interest:

OWNER:	SENECA FOODS CORPORATION	Fee
MORTGAGEE:	N/A	None
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS		None

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PLAT 236 PARCEL 1 FEE ACQUISITION
C-20-101

Property ID: 64.25.13.041961

All of the following:
That part of the Southwest Quarter of the Northeast Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, shown as Parcel 1 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 236, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the Southwest Quarter of the Northeast Quarter of Section 25, Township 106 North, Range 14 West, Olmsted County, Minnesota, shown as "T.E. Parcel 1" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 236, on file and of record in the office of the Olmsted County Recorder.

Together with all right of access from Parcel 1 as shown on said Plat No. 236

Names of parties interested in the above described land and nature of interest:

OWNER:	SENECA FOODS CORPORATION	Fee
MORTGAGEE:	N/A	None
Doc. No.		
Doc. No.		
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS	NORTHERN NATURAL GAS	
Doc No.	1043304	

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PLAT 237 PARCEL 4 FEE ACQUISITION
C-20-101

Property ID: 63.30.31.036184

All of the following:
That part of the Northeast Quarter of the Southwest Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as Parcel 4 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 237, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the Northeast Quarter of the Southwest Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as "T.E. Parcel 4" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 237, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: All right of access from Parcel 4 as shown on said Plat No. 237

Names of parties interested in the above described land and nature of interest:

OWNER:	C. MIKE O'NEILL and YVONNE MARIE O'NEILL, husband and wife	Fee
MORTGAGEE:	N/A	None
Doc. No.		
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS		None

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PLAT 238 PARCEL 2 FEE ACQUISITION
C-20-101

Property ID: 63.30.31.036184

All of the following:
That part of the West Half of the Southeast Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as Parcel 2 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 238, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the West Half of the Southeast Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as "T.E. Parcel 2" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 238, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: All right of access from Parcel 2 as shown on said Plat No. 238

Names of parties interested in the above described land and nature of interest:

OWNER:	C. MIKE O'NEILL and YVONNE MARIE O'NEILL, husband and wife	Fee
MORTGAGEE:	N/A	None
Doc. No.		
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS		None

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PLAT 237 PARCEL 5 FEE ACQUISITION
C-20-101

Property ID: 63.30.31.036184

All of the following:
That part of the Northeast Quarter of the Southwest Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as Parcel 5 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 237, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the Northeast Quarter of the Southwest Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as "T.E. Parcel 5" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 237, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: All right of access from Parcel 5 as shown on said Plat No. 237

Names of parties interested in the above described land and nature of interest:

OWNER:	C. MIKE O'NEILL and YVONNE MARIE O'NEILL, husband and wife	FEE 50% INTEREST
	BRIDGET M. MUELLER and ANTHONY MUELLER, wife and husband; JEFFERY M. O'NEILL JOSEPH A. O'NEILL COLLEEN A. MOWRER and DARYL E. MOWRER, wife and husband; GERALD R. O'NEILL ANDREW G. O'NEILL	FEE 50% INTEREST
MORTGAGEE:	N/A	None
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS		None

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PLAT 237 PARCEL 3 FEE ACQUISITION
C-20-101

Property ID: 63.30.43.036180

All of the following:
That part of the South Half of the Northwest Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as Parcel 3 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 237, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the South Half of the Northwest Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as "T.E. Parcel 3" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 237, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: All right of access from Parcel 3 as shown on said Plat No. 237

Names of parties interested in the above described land and nature of interest:

OWNER:	JEROME FAIRBO FARMS, INC. n/k/a Jennie-O Turkey Store, Inc., a Minnesota Corporation	FEE
MORTGAGEE:	N/A	None
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS	NORTHWESTERN BELL TELEPHONE COMPANY, now known as Qwest Corporation, doing business as CenturyLink QC	Doc. 520447

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PLAT 238 PARCEL 1 FEE ACQUISITION
C-20-101

Property ID: 63.30.13.036174

All of the following:
That part of the South Half of the Northeast Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as Parcel 1 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 238, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the South Half of the Northeast Quarter of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as "T.E. Parcel 1" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 238, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: All right of access from Parcel 1 as shown on said Plat No. 238

Names of parties interested in the above described land and nature of interest:

OWNER:	JEROME FAIRBO FARMS, INC. n/k/a Jennie-O Turkey Store, Inc., a Minnesota Corporation	FEE
MORTGAGEE:	N/A	None
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS	NORTHWESTERN BELL TELEPHONE COMPANY, now known as Qwest Corporation, doing business as CenturyLink QC	Doc. 520447

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PLAT 238 PARCEL 3
CR-20-101

Property ID: 63.30.14.036173

All of the following:
That part of the East Half of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as Parcel 3 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 238, on file and of record in the office of the Olmsted County Recorder.

TOGETHER WITH: A temporary easement for highway purposes over, under and across that part of the East Half of Section 30, Township 106 North, Range 13 West, Olmsted County, Minnesota, shown as "T.E. Parcel 3" on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 238, on file and of record in the office of the Olmsted County Recorder.

Names of parties interested in the above described land and nature of interest:

OWNER:	WILLIAMS HILLTOP POLLED HEREFORDS, a Minnesota Partnership	FEE
MORTGAGEE:	N/A	None
LIEN CLAIMANTS:		None
County of Olmsted:		Taxes
ASSESSMENTS:		None
EASEMENTS	Highway Easement	Doc. 243439