STATE OF MINNESOTA

COUNTY OF OLMSTED

IN DISTRICT COURT

THIRD JUDICIAL DISTRICT

Clerk's Nos. 32058 and 32059

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State of Minnesota, by Robert W. Mattson,
its Attorney General, Petitioner,

Vs.

Marjorie A. Jones; E.M. Jones, also known as Emrys Jones; Francis R. Fitzgerald; Margaret S. Fitzgerald, also known as Margaret Fitzgerald; Wesley W. Mollenhauer; Joan K. Mollenhauer; The Federal Land Bank of Saint Paul; County of Olmsted; Harold L. Carson, also known as Harold Carson; Ethel Carson, also known as Ethel R. Carson; Patz Sales Co.; Minnie Theel; Herbert Theel; Esther Reynolds; Unknown heirs of Henry Theel, deceased; Lorraine Theel; Osborne W. Reynolds; Herbert Theel, Administrator of the Estate of Henry Theel, deceased; Leona Engel, Guardian of Minnie Theel, incompetent; Arthur A. Towey; Helen Towey, also known as Helen I. Towey; Racine Elevator Co. Dairyland Power Cooperative; Roy H. Strunk; Lola Strunk; Clara L. Fitzgerald; William E. O'Neill; James L. O'Neill; Loretta O'Neill; Redempta O'Neill; Mary O'Neill; Edward J. O'Neill; Catherine Sullivan; Mary Coupal; Theresa A. O'Neill; Frances O'Neill; William J. Sullivan; Edward J. Coupal; James P. O'Neill as legal guardian of Mary O'Neill; Peoples Cooperative Power Association; Irvin J. Skarstad; Hannah O. Skarstad; Metropolitan Life Inusrance Company; Doughboy Industries, Inc.; Iowa Development Company; Earl L. Scherr; Helen Scherr; Maxine Sattre; Mattie Sattre: Robert Sattre; Sharon Sattre; Thomas Sattre; Christopher Sattre; Ricki Sattre; Kurt Sattre; Maxine Sattre as mother and natural guardian of Sharon Sattre, Thomas Sattre, Christo her Sattre, Ricki Sattre and Kurt Sattre, minor children; Wilmar Scherr, also all other persons unknown claiming any right, title estate, interest or lien in the real estate described in the Petition herein,

Respondents,

AND

State of Minnesota, by Robert W. Mattson,
Its Attorney General, Petitioner,

Vs.

Ellen Leitzen, Bernard Leitzen, Northwestern Bell Telephone Company, County of Olmsted; Stephen D. Davis; Cora Marie Davis; The Federal Land Bank of Saint Paul; Robert Griffin; Ronald Davis; Wilmer Luhman; Elaine Luhman; Minnie Nietz; The Prudential Insurance Company of America, Francis W. Brennan, Rose Ellen Brennan, Ralph D. Harris, Leona R. Harris, Kenneth R. Koelsch, Florence M. Koelsch, John W. Baker, Rose M. Baker, Glenn C. Larrison, Beverly M. Larrison, Boyd D. Kinyon, Fern B. Kinyon, People's Cooperative Power Association of Olmsted County; Wesley Baker, Claire J. Fogarty, Leo W. Fogarty, Helen Fogarty, James Fogarty, George B. Raymond, Grace L. Raymond, John Patrick O'Neill, Phyllis Irene O'Neill, First National Bank of Rochester, Irvin J. Skarstad, Hannah O. Skarstad, Olmsted County Bank & Trust Company,

Respondents.

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IN THE MATTER OF THE CONDEMNATION OF
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES
IN THE ABOVE ENTITLED PROCEEDINGS WHICH HAVE
BEEN CONSOLIDATED BY ORDER OF DISTRICT COURT

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FINAL CERTIFICATE

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By authority of Section 117.20, 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 these consolidated proceedings are now complete; and that said State now owns said lands in fee simple absolute for highway purposes, together with the following rights, to-wit: to acquire all trees, shrubs, grass, and herbage within the right of way therein to be taken, and to keep and have the exclusive control of the same; also to acquire from the owners whose lands front thereon any existing right of access to said highway in those cases which are therein particularly mentioned, and to keep and have the exclusive control of all access to said highway in accordance with the law governing controlled access highways; also to construct slopes upon and remove materials from the lands specifically mentioned in the Petition, to be taken for those purposes as provided in the plans and specifications which are on file in the office of the Commissioner of Highways at Saint Paul, Minnesota; and also to acquire title in fee simple absolute to those parts of the lands particularly mentioned in the Petition, to be used for the purpose of constructing and maintaining thereon a certain channel change as provided in the plans and specifications on file in the office of the Commissioner of Highways at Saint Paul, Minnesota; and also the right to waste, dispose of and place gravel, stone, clay, dirt, sand and other materials on the lands therein specifically mentioned to be taken for those purposes; and also to acquire an easement for off-take ditch purposes on the lands specifically mentioned to be taken for those purposes; also to acquire temporary easements over the lands specifically described therein to be used for the construction and use of temporary tracks for the Chicago, Great Western Railway, said easement to terminate December 1,

1970; and further, that the Commissioner of Highways, on behalf of the State of Minnesota, disclaims any right to erect and maintain snow fences on any of the tracts therein involved.

Parcels 3 and 6 have been dismissed from the proceedings.

Stipulation filed with the Clerk of Court as to Parcels 22, 22C and 22D conbined said parcels into one parcel, viz Parcel 22 Revised and substituted the description contained in said stipulation for those set out in the Petition.

With reference to Parcel 320, extension of waste and disposal easement and railway shoo-fly easement, recorded in the office of the Register of Deeds of Olmsted County, hereby extends and renews waste and disposal easement, and shoo-fly easement, to expire on December 1, 1970, rather than December 1, 1969 as set forth in the proceedings.

With reference to Parcel 2, stipulation for settlement of appeal amended the proceedings as to the use of the strip for railroad shoo-fly purposes so that the rights of the state on said strip shall cease December 1, 1970, rather than December 1, 1969, as set forth in the proceedings.

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

Parcel 7 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the two following described tracts:

1. That part of the west half of the northwest quarter (W½ NW¼) of section 13, township 105 north, range 14 west lying southerly of the right of way of the Chicago, Great Western Railroad Company;

2. The northeast quarter of the northwest quarter (NE¼ NW¼) of section 13, township 105 north, range 14 west;

which lies within a distance of 100 feet southeasterly and 184 feet northwesterly of the following described line:

> Beginning at a point on the east line of section 12, township 105 north, range 14 west, distant 1048.7 feet south of the east quarter corner thereof; thence run southwesterly at an angle of 66°18' with said east section line for 3127.6 feet; thence deflect to the left on a 1°30' curve (delta angle 23°26') for 1562.2 feet; thence on tangent to said curve for 1805.3 feet and there terminating;

together with all that part of the first above described tract, which lies southeasterly of the above described strip and northwesterly of the following described line: From a point on the above described line, distant 300 feet northeasterly of its point of termination, run southeasterly at right angles with the above described line for 100 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 115 feet southeasterly (measured at right angles) from a point on the above described line, distant 200 feet northeasterly of its point of termination; thence run southwesterly and parallel with the above described line for 200 feet and there terminating;

containing 15.84 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway No. 90;

Parcel 13 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> The northeast quarter of the northwest quarter (NE¼ NW¼) of section 8, township 105 north, range 13 west;

which lies northwesterly of a line run parallel with and distant 100 feet southeasterly of the following described line:

> Beginning at a point on the west line of said section 8, distant 324.3 feet south of the northwest corner thereof;

thence run northeasterly at an angle of 82°10' with said west section line for 2038.7 feet; thence deflect to the left on a 2°00' curve (delta angle 42°00') for 2100 feet and there terminating;

together with all that part of the above described tract, which lies southeasterly of the above described strip and northwesterly of the following described line: From a point on the above described line, distant 1847.2 feet southwesterly of its point of termination, run southeasterly at right angles with the above described line for 100 feet to the point of beginning of the line to be described; thence run easterly to a point, distant 115 feet southeasterly (measured at right angles) from a point on the above described line, distant 1747.2 feet southwesterly of its point of termination; thence run northeasterly and parallel with the above described line for 300 feet and there terminating;

also together with all that part of the above described tract, which lies southerly of the last above described strip and easterly of the following described line: From the point of intersection of the first above described line with the north and south quarter line of section 5, township 105 north, range 13 west, run south along said north and south quarter line and the north and south quarter line of said section 8 for 600 feet; thence deflect to the right at an angle of 90° for 50 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 70 feet west (measured at right angles) from a point on the north and south quarter line of said section 8, distant 500 feet south of said intersection; thence run north and parallel with the north and south quarter line of said section 8 for 400 feet and there terminating;

containing 4.88 acres, more or less, in addition tc the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract not acquired herein, to Trunk Highway No. 90 and to County State Aid Highway No. 1, except that the abutting owner shall retain the right of access to said County State Aid Highway No. 1 southerly of a point distant 400 feet south of the intersection of the north and south quarter line of said section 5 with the first above described line (when measured along the north and south quarter lines of sections 5 and 8).

Parcel 16 S.P. 5580 (90=391) 902
I 090-3 (40) 208

All that part of the two following described tracts:

1. The northeast quarter of the southeast quarter (NE¼ SE¼) of section 5, township 105 north, range 13 west;

2. The northwest quarter of the southwest quarter (NW¼ SW¼) of section 4, township 105 north, range 13 west;

which lies within a distance of 184 feet northwesterly and 200 feet southeasterly of the following described line:

> Beginning at a point on the west line of section 8, township 105 north, range 13 west, distant 324.3 feet south of the northwest corner thereof; thence run northeasterly at an angle of 82°10' with said west section line for 2038.7 feet; thence deflect to the left on a 2°00' curve (delta angle 42°00') for 2100 feet; thence on tangent to said curve for 1545 feet; thence deflect to the right on a 1°45' curve (delta angle 45°35'30") for 2605.2 feet and there terminating;

together with all that part of the two above described tracts, which lies southeasterly of the above described strip and northwesterly and northerly of a line run parallel with and distant 50 feet southeasterly and southerly of the following described line: From a point on the above described line, distant 2705.2 feet southwesterly of its point of termination, run southeasterly at right angles with the above described line for 150 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90° for 100 feet; thence deflect to the right on a 1°50'02" curve (delta angle 12°00') for 654.3 feet; thence deflect to the right on a 5°17'15" curve (delta angle 36°58'30") for 699.3 feet; thence on tangent to said curve for 480.2 feet and there terminating;

also together with all that part of the two above described tracts, which lies southeasterly and southerly of the last above described strip and northwesterly and northerly of the following described line: From a point on the last above described line, distant 408.8 feet northeasterly of its point of beginning, run southeasterly at right angles with said last above described line for 50 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 65 feet southeasterly (measured at right angles) from a point on said last above described line distant 508.8 feet northeasterly of its point of beginning; thence run northeasterly and easterly and parallel with said last above described line for 1425 feet (when measured along said last above described line) and there terminating;

also together with all that part of the first above described tract, which lies northwesterly of the first above described strip and southeasterly of the following described line: From a point on the first above described line distant 2596.4 feet southwesterly of its point of termination, run northwesterly at right angles with the first above described line for 184 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 200 feet northwesterly (measured at right angles) from a point on said first above described line, distant 2696.4 feet southwesterly of its point of termination; thence run southwesterly and parallel with said first above described line for 1200 feet and there terminating;

also together with all that part of the first above described tract adjoining and southeasterly of the first above described strip, which lies northwesterly of the following described line: Beginning at a point on the first above described line,

distant 3396.4 feet southwesterly of its point of termination; thence run southeasterly at right angles with said line for 200 feet; thence run southwesterly to a point distant 215 feet southeasterly (measured at right angles) from a point on the first above described line, distant 3496.4 feet southwesterly of its point of termination and there terminating;

also together with a strip 66 feet in width adjoining and northwesterly of the first above described strip: Beginning opposite a point on the first above described line, distant 2096.4 feet southwesterly of its point of termination (when measured along said first above described line) and extending northeasterly to the north line of the first above described tract;

containing 17.44 acres, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway No. 90, except that the abutting owner shall retain the right of access to outer lanes only on both sides of said trunk highway.

Parcel 18 S.P. 5580 (90=391) 902
I 090-3 (40) 208

All that part of the two following described tracts:

1. The southeast quarter of the northwest quarter (SE¼ NW¼) of section 4, township 105 north, range 13 west, except railway right of way;

2. The south half of the northeast quarter (S½ NE¼) of section 4, township 105 north, range 13 west;

which lies within a distance of 100 feet southerly and 184 feet northerly of the following described line:

Beginning at a point on the west line of section 8, township 105 north, range 13 west, distant 324.3 feet south of the northwest corner thereof; thence run northeasterly at an angle of 82°10' with said west section line for 2038.7 feet; thence deflect to the left on a 2°00' curve (delta angle 42°00') for 2100 feet; thence on tangent to said curve for 1545 feet; thence deflect to the right on a 1°45' curve (delta angle 45°35'30") for 2605.2 feet; thence on tangent to said curve for 2602.5 feet; thence deflect to the left on a 2°35' curve (delta angle 67°06'30") for 2597.7 feet and there terminating;

together with all that part of the second above described tract, which lies northwesterly of the above described strip and southeasterly of a line run parallel with and distant 100 feet northwesterly of the following described line: From a point on the above described line, distant 2696.6 feet southwesterly of its point of termination, run northerly at right angles with the above described line for 84 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90° for 43.2 feet; thence deflect to the left on a 2°35' curve (delta angle 67°06'30") for 2597.7 feet and there terminating;

also together with all that part of the second above described tract, which lies northwesterly of the last above described strip and southeasterly of the following described line: From a point on the second above described line, distant 900 feet northeasterly of its point of beginning, run northwesterly at right angles with said second above described line for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 115 feet northwesterly (measured at right angles from a point on said second above described line, distant 1000 feet northeasterly of its point of beginning and there terminating;

containing 25.49 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway No. 90;

DESCRIPTION FOR FINAL CERTIFICATE

Parcel 21 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> The southwest quarter of the southwest quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$) of section 34, township 106 north, range 13 west;

which lies southeasterly of a line run parallel with and distant 296 feet northwesterly of the following described line:

> From a point on the east line of section 27, township 106 north, range 13 west, distant 612.7 feet north of the southeast corner thereof, run southwesterly at an angle of 68°30' with said east section line for 510.1 feet; thence deflect to the left on a 1°30' curve (delta angle 49°04'30") for 3271.7 feet; thence on tangent to said curve for 2941.2 feet to the point of beginning of the line to be described; thence continue southwesterly on the last described course for 800 feet and there terminating;

containing 1.97 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract not acquired herein, to Trunk Highway No. 90, except that the abutting owner shall retain the right of access to an outer lane only.

Description for Final Certificate

Parcel 22Rev. S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the four following described tracts:

1. The east half of the west half ($E\frac{1}{2}$ $W\frac{1}{2}$) of section 34, township 106 north, range 13 west; excepting therefrom the right of way of the Chicago and North Western Railway Company;

2. The south 90 acres of the west 120 acres of the southeast quarter ($SE\frac{1}{4}$) of section 27, township 106 north, range 13 west, except the west 5 acres thereof;

3. The east half of the southeast quarter of the southeast quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$) of section 27, township 106 north, range 13 west;

4. That part of the south half of the southwest quarter ($S\frac{1}{2}$ $SW\frac{1}{4}$) of section 26, township 106 north, range 13 west lying south and west of the Rochester and Marion Road as now travelled, except three acres in the extreme southeast corner thereof, and except the following: Commencing at a point on the south line of said section 26, where the west line of Trunk Highway intersects said section line and running thence west along the south line of said section, 424.5 feet to a place of beginning; thence running along said section line west 666 feet; thence north parallel to the west line of said section a distance of 1143 feet to the west side of Trunk Highway No. 52; thence running southeasterly along the west side of said highway a distance of 736 feet; thence south a distance of 540 feet to the place of beginning, also except commencing at the intersection of the center line of Trunk Highway No. 52 on the north line of the southwest quarter of the southwest quarter of said section 26; thence west along said north line, a distance of 135.69 feet to the point of beginning of the land to be described, said point also being on the southwesterly right of way line of Trunk Highway No. 52; thence continuing west on the north line of said southwest quarter of the southwest quarter a distance of 551.64 feet; thence 90° left a distance of 140 feet; thence 90° left a distance of 692.54 feet to the southwesterly right of way line of said Trunk Highway No. 52; thence northwesterly along said southwesterly right of way line a distance of 198.91 feet, more or less, to the point of beginning;

which lies within a distance of 100 feet southeasterly and 184 feet northwesterly of the following described line:

From a point on the east line of said section 27, distant 612.7 feet north of the southeast corner thereof; run northeasterly at an angle of 68°30' with said east section line for 1073 feet to the point of beginning of the line to be described; thence run southwesterly along the last described course for 1583.1 feet; thence deflect to the left on a 1°30' curve (delta angle 49°04'30") for 3271.7 feet; thence on tangent to said curve for 4486.4 feet and there terminating;

Parcel 22 Rev. - Continued: (2)

together with all that part of the second above described tract, which lies northwesterly of the above described strip and southeasterly of the following described line: From a point on the above described line, distant 1900 feet southwesterly of its point of beginning, run northwesterly at right angles with the above described line for 184 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 195 feet northwesterly (measured at right angles) of a point on the above described line, distant 2000 feet southwesterly of its point of beginning; thence run southwesterly and parallel with the above described line for 900 feet and there terminating;

also together with a strip 46 feet in width adjoining and northwesterly of the first above described strip and extending over and across the first above described tract;

also together with all that part of the first above described tract adjoining and northwesterly of the last above described strip which lies southwesterly of the following described line: Beginning at a point on the first above described line, distant 1545.2 feet northeasterly of its point of termination; thence run northwesterly at right angles with said line for 296 feet and there terminating;

also together with all that part of the fourth above described tract adjoining and southeasterly of the first above described strip, which lies northeasterly of the following described line: From the point of beginning of Line A described below, run southwesterly at right angles with said Line A for 150 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 180 feet southwesterly (measured at right angles) from a point on said Line A, distant 950 feet northwesterly of its point of beginning; thence run northwesterly parallel with said Line A for 900 feet and there terminating;

Line A. From a point on the west line of said section 26, distant 612.7 feet north of the southwest corner thereof, run northeasterly at an angle of 68°30' with said west section line for 251.4 feet; thence deflect to the right at an angle of 63°45'27" for 1609.8 feet to the point of beginning of the line to be described; thence run northwesterly along the last described course for 1896.4 feet; thence deflect to the left on a 1°30' curve (delta angle 19°41') for 1312.2 feet; thence on tangent to said curve for 1641.4 feet and there terminating;

also together with all that part of the second and third and fourth above described tracts adjoining and northwesterly of the first above described strip, which lies within a distance of 100 feet northeasterly and 190 feet southwesterly of Line A described above;

also together with all that part of the third and fourth above described tracts adjoining and northwesterly of the first above described strip, which lies northeasterly of the last above described strip;

also together with all that part of the second and third above described tracts adjoining and southwesterly of the next to the last above described strip, which lies northeasterly of the following described line: From a point on Line A, described above, distant 2500 feet southeasterly of its point of termination, run southwesterly at right angles with said Line A for 190 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 220 feet southwesterly (measured at right angles) from a point on said Line A, distant 2100 feet southeasterly of its point of termination; thence run northwesterly to a point distant 240 feet southwesterly (measured at right angles) from a point on said Line A, distant 1641.4 feet southeasterly of its point of termination; thence run northwesterly and parallel with said Line A for 341.4 feet; thence run northwesterly to a point distant 270 feet southwesterly (measured at right angles) from a point on said Line A, distant 1100 feet southeasterly of its point of termination; thence run northwesterly to a point distant 700 feet southwesterly (measured at right angles) from a point on said Line A, distant 600 feet southeasterly of its point of termination; thence run northwesterly and parallel with said Line A for 600 feet and there terminating;

also together with all that part of the second and third above described tracts adjoining and southeasterly of the first above described strip, which lies northwesterly of the following described line: From a point on the first above described line, distant 1500 feet southwesterly of its point of beginning run southeasterly at right angles with said line for 130 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 135 feet southeasterly (measured at right angles) from a point on the first above described line, distant 1700 feet southwesterly of its point of beginning; thence run southwesterly and parallel with said line for 700 feet and there terminating;

also together with a strip 30 feet in width adjoining and southeasterly of the first above described strip and extending over and across the first above described tract;

also together with all that part of the first above described tract adjoining and southeasterly of the last above described strip, which lies northwesterly of the following described line: From a point on the first above described line, distant 1945.2 feet northeasterly of its point of termination, run southeasterly at right angles with said line for 130 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 175 feet southeasterly (measured at right angles) from a point on the first above described line, distant 2445.2 feet northeasterly of its point of termination; thence run northeasterly and parallel with said line for 1400 feet; thence run northeasterly to a point distant 150 feet southeasterly (measured at right angles) from a point on the first above described line, distant 4045.2 feet northeasterly of its point of termination; thence run northeasterly and parallel with said line for 700 feet and there terminating;

also together with a triangular piece adjoining and northwesterly of the first above described strip and southwesterly of a line run parallel with and distant 190 feet southwesterly of Line A described above which lies easterly of the following described line: Beginning at a point on the northwesterly boundary of the first above described strip, distant 100 feet southwesterly of its intersection with said 190 foot parallel line; thence run northeasterly to a point on said 190 foot parallel line, distant 100 feet northwesterly of said intersection;

also together with a triangular piece adjoining and southeasterly of the first above described strip and southwesterly of a line run parallel with and distant 180 feet southwesterly of Line A described above which lies northeasterly of the following described line: Beginning at a point on the southeasterly boundary of the first above described strip, distant 100 feet southwesterly of its intersection with said 180 foot parallel line; thence run southeasterly to a point on said 180 foot parallel line, distant 100 feet southeasterly of said intersection;

also together with all that part of the first above described tract, which lies northerly of the right of way of County State Aid Highway No. 16 and southerly of the following described line: From the point of termination of Line B described below, run northerly at right angles with said Line B for 33 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 50 feet northerly (measured at right angles) from a point on said Line B, distant 100 feet westerly of its point of termination; thence run westerly and parallel with said Line B for 500 feet and there terminating;

Parcel 22Rev. - Continued: ((4)

Line B. From the point of termination of the first above described line, run easterly at an angle of 69°41' with said line for 281.2 feet; thence deflect to the right at an angle of 91° for 100 feet to the point of beginning of the line to be described; thence run northerly along the last described course for 100 feet; thence deflect to the right on a 7°00' curve (delta angle 90°50') for 1297.6 feet; thence on tangent to said curve for 260.8 feet and there terminating;

containing 78.54 acres, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from all that portion of the four above described tracts not acquired herein, to Trunk Highway No. 90 and to Trunk Highway No. 52, except that the abutting owner shall retain the right of access to the fourth above described strip and to an outer land only running along the south line of the first above described tract.

Parcel 24 S.P. 5580 (90=391) 902
I 090-3 (54) 216

All that part of the following described tract:

That part of the northwest quarter of the southwest quarter (NW¼ SW¼) of section 26, township 106 north, range 13 west, lying southwesterly of the right of way of Trunk Highway No. 52, as the same is presently located and traveled;

which lies southerly of the following described line:

From a point on the west line of said section 26, distant 612.7 feet north of the southwest corner thereof, run northeasterly at an angle of 68°30' with said west section line for 251.4 feet; thence deflect to the left at an angle of 116°14'33" for 286.6 feet; thence deflect to the left on a 1°30' curve (delta angle 19°41') having a length of 1312.2 feet for 753.6 feet; thence deflect to the right at an angle of 90° with the tangent of said curve at said point for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point on the southwesterly right of way line of said Trunk Highway No. 52, distant 840 feet northwesterly of its intersection with Line A described below and there terminating;

Line A. Beginning at a point on the west line of said section 26, distant 612.7 feet north of the southwest corner thereof; thence run northeasterly at an angle of 68°30' with said west section line for 1421.2 feet and there terminating;

together with all that part of the following described tract:

That part of the northwest quarter of the southwest quarter (NW¼ SW¼) of said section 26, lying northeasterly of the right of way of Trunk Highway No. 52 as presently located and traveled;

which lies southeasterly of a line run parallel with and distant 120 feet northwesterly of the following described line:

From the point of termination of Line A described above, run northwesterly at right angles with said Line A for 121 feet; thence deflect to the right at an angle of 93°48'50" for 100 feet to the point of beginning of the line to be described; thence run southwesterly along the last described course for 100 feet; thence deflect to the right on a 6°00' curve (delta angle 32°00') for 533.3 feet and there terminating;

also together with that part of the easterly 50 feet of the southerly 292 feet of the last above described tract, which lies northerly of the last above described strip;

containing 3.73 acres, more or less;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway Nos. 52 and 90, except that the abutting owner shall retain the right of access to an outer lane only.

Parcel 29 S.P. 5580 (90=391) 902
I 090-3 (54) 216

All that part of the three following described tracts:

1. The northwest quarter of the southeast quarter (NW¼ SE¼) of section 26, township 106 north, range 13 west;

2. The east half of the southeast quarter of the southwest quarter (E½ SE¼ SW¼) of section 26, township 106 north, range 13 west;

3. That part of the west half of the southeast quarter of the southwest quarter (W½ SE¼ SW¼) of section 26, township 106 north, range 13 west, described as follows: Commencing at the southwest corner of the east half of the southeast quarter of the southwest quarter (E½ SE¼ SW¼) of said section 26; running thence north 80 rods; running thence west 27 rods; running thence south 53 rods to the center of the Marion and Rochester Road; running thence in a southeasterly direction along the center of the Marion and Rochester Road to the place of beginning;

which lies within a distance of 100 feet northwesterly and 184 feet southeasterly of the following described line:

From a point on the west line of said section 26, distant 612.7 feet north of the southwest corner thereof; run northeasterly at an angle of 68°30' with said west section line for 1523 feet; thence deflect to the left at an angle of 90° for 84 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90° for 2444.8 feet; thence deflect to the right on a 1°00' curve (delta angle 21°21') for 2135 feet and there terminating;

together with all that part of the first above described tract, which lies northwesterly of the above described strip and southeasterly of the following described line: From a point on the above described line, distant 1950 feet northeasterly of its point of beginning, run northwesterly at right angles with the above described line for 100 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 116 feet northwesterly (measured at right angles) from a point on the above described line, distant 1850 feet northeasterly of its point of beginning; thence run southwesterly and parallel with the above described line for 500 feet and there terminating;

also together with all that part of the first above described tract, which lies southeasterly of the first above described strip and northwesterly of the following described line: From a point on the first above described line, distant 2450 feet northeasterly of its point of beginning, run southeasterly at right angles with the first above described line for 184 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 194 feet southeasterly (measured at right angles) from a point on the first above described line, distant 2350 feet northeasterly of its point of beginning; thence run southwesterly and parallel with the first above described line for 200 feet; thence run southwesterly to a point distant 224 feet southeasterly (measured at right angles) from a point on the first above described line, distant 1950 feet northeasterly of its point of beginning; thence run southwesterly and parallel with the first above described line for 500 feet; thence run southwesterly to a point distant 184 feet southeasterly (measured at right angles) from a point on the first above described line, distant 1200 feet northeasterly of its point of beginning and there terminating;

containing 11.19 acres, more or less;

together with all right of access, being the right of ingress to and egress from that portion of the three above described tracts not acquired herein, to Trunk Highway No. 90.

Parcel 30 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

That part of the northwest quarter (NW¼) of section 35, township 106 north, range 13 west, described by metes and bounds as follows: Commencing for a place of beginning at the northwest corner of said section; running thence east along the north line of said section a distance of 1527 feet; running thence south at right angles to said north line a distance of 496 feet; running thence east parallel with said north line a distance of 288 feet; running thence south at a right angles to said north line a distance of 926.71 feet; running thence west a distance of 1814.8 feet to a point in the west line of said section; running thence north along the west line of said section a distance of 1422.8 feet to the place of beginning, excepting therefrom the following: Beginning at the intersection of the center line of Main Street and the center line of Marion Street in the Village of Marion in the northwest quarter of said section 35; running thence west along the center of said Main Street a distance of 124.18 feet; thence deflecting to the right 89°47' bearing north 6' east a distance of 1346.55 feet to the center of the farm road; thence north 79°56' east along the center of said road a distance of 175.53 feet to the west line of lands owned by N. L. Kinney; running thence south 46' west a distance of 259.36 feet; thence south 89°17' east a distance of 201.8 feet to the west right of way line of Trunk Highway No. 52; thence south 42' east along the said right of way line a distance of 787.7 feet to the center of Rice Street; thence north 89°41' west along the center line of Rice Street to the center of Marion Street a distance of 258.83 feet; thence south 6' west along the center of Marion Street a distance of 329.77 feet to the place of beginning;

which lies within a distance of 100 feet northeasterly and 150 feet southwesterly of the following described line:

> From a point on the west line of section 26, township 106 north, range 13 west, distant 612.7 feet north of the southwest corner thereof, run northeasterly at an angle of 68°30' with said west section line for 251.4 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 63°45'27" for 1804.5 feet; thence deflect to the right on a 3°30' curve (delta angle 46°08') for 1318.1 feet and there terminating;

together with all that part of the above described tract, which lies southwesterly of the above described strip and northeasterly of the following described line: From a point on the above described line, distant 1609.8 feet southeasterly of its point of beginning, run southwesterly at right angles with the above described line for 150 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 180 feet southwesterly (measured at right angles) from a point on the above described line, distant 659.8 feet southeasterly of its point of beginning and there terminating;

also together with all that part of the above described tract, which lies southwesterly of the first above described strip and northeasterly of the following described line: Beginning at the point of beginning of the last above described line; thence run southwesterly along a line run at right angles with the first above described line for 50 feet; thence run southeasterly to a point distant 255 feet southwesterly (measured at right angles) from a point on said first above described line, distant 962.8 feet northwesterly of its point of termination; thence deflect to the right at an angle of 27°30' for 200 feet and there terminating;

also together with all that part of the above described tract, which lies northeasterly of the first above described strip, westerly of a line run parallel with and distant 1 foot west of the east line of said tract and southwesterly of a line run parallel with and distant 330 feet northeasterly of the first above described line;

containing 8.81 acres, more or less;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract, not acquired herein, to Trunk Highway No. 90, and to Trunk Highway No. 52.

Parcel 320 S.P. 5580 (90=391) 901

I 090-3 (35) 202

All that part of the following described tract:

> The south half of the northeast quarter ($S\frac{1}{2}$ $NE\frac{1}{4}$) of section 22, township 105 north, range 14 west, except railway right of way;

which lies southeasterly of a line run parallel with and distant 100 feet southeasterly of the first following described line and northwesterly of the second following described line:

Line 1. Beginning at a point on the east line of section 12, township 105 north, range 14 west, distant 1048.7 feet south of the east quarter corner thereof; thence run southwesterly at an angle of 66°18' with said east section line for 3127.6 feet; thence deflect to the left on a 1°30' curve (delta angle 23°26') for 1562.2 feet; thence on tangent to said curve for 6640.4 feet; thence deflect to the right on a 1°30' curve (delta angle 23°32') for 1568.9 feet; thence on tangent to said curve for 2395.2 feet and there terminating;

Line 2. From a point on Line 1 above described, distant 850 feet northeasterly of its point of termination, run southeasterly at right angles with said Line 1 for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 120 feet southeasterly (measured at right angles) from a point on said Line 1, distant 1000 feet northeasterly of its point of termination; thence run northeasterly and parallel with said Line 1 for 500 feet; thence run northeasterly to a point distant 100 feet southeasterly (measured at right angles) from a point on said Line 1, distant 1650 feet northeasterly of its point of termination and there terminating;

together with all that part of the above described tract, which lies northwesterly of a line run parallel with and distant 184 feet northwesterly of Line 1 above described and southeasterly of the followingdescribed line: From a point on said Line 1 above described, distant 900 feet northeasterly of its point of termination, run northwesterly at right angles with said Line 1 for 184 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 230 feet northwesterly (measured at right angles) from a point on Line 1 above described, distant 1200 feet northeasterly of its point of termination; thence run northeasterly and parallel with said Line 1 above described for 300 feet and there terminating;

containing 0.42 acre, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from all that part of the above described tract, not acquired herein, to the two above described strips;

also the fee simple in the lands hereinafter described to be taken for channel change purposes, the owners to retain the right to use said lands for any purposes not inconsistent with the purpose for which this land is acquired, said lands being described as follows:

All that part of the above described tract, which lies within a distance of 25 feet on each side of the following described line: From a point on Line 1 above described, distant 763 feet northeasterly of its point of termination, run northerly at an angle of 62°00' with the first above described line (measured from northeast to north) for 350 feet to the point of beginning of the line to be described; thence run southerly along the last described course for 800 feet and there terminating;

containing 0.55 acre, more or less, in addition to the existing highway;

also together with a strip 50 feet in width to be used for off-take ditch purposes, the center line of said strip being described as follows: Beginning at a point on Line 1 above described, distant 1896 feet northeasterly of its point of termination; thence run southerly at an angle of 110°00' with said Line 1 above described (measured from northeast to south) for 63.9 feet; thence deflect to the right on a 38°00' curve (delta angle 50°30') for 132.9 feet; thence on tangent to said curve for 453.2 feet and there terminating;

containing 0.35 acre, more or less;

also the right to waste, dispose of and place gravel, stone, clay, dirt, sand and other materials on the following described strips, which right shall cease on December 1, 1970 or on such earlier date upon which the Commissioner of Highways determines by formal order that it is no longer needed for highway purposes:

A strip being all that part of the above described tract, which lies southeasterly of the right of way of Trunk Highway No. 90 as presently located and the right of way hereinbefore described, westerly of the right of way of the Chicago, Great Western Railway and northwesterly of a line run parallel with and distant 400 feet southeasterly of Line 1 above described, excepting therefrom the above described channel change strip;

A strip being all that part of the above described tract, lying northwesterly of the right of way of Trunk Highway No. 90 as presently located and the right of way hereinbefore described, which lies southeasterly of a line run parallel with and distant 400 feet northwesterly of the following described line: Beginning at a point on Line 1 above described, distant 500 feet northeasterly of its point of termination; thence run northeasterly along said Line 1 above described for 500 feet and there terminating; excepting therefrom the above described channel change strip;

containing 8.29 acres, more or less;

together with all that part of the above described tract, to be used for railway shoo-fly purposes until December 1, 1970; which lies easterly of the right of way of the Chicago, Great Western Railway, southerly of the first above described strip and westerly of a line run parallel with and distant 50 feet easterly of the following described line: From a point on Line 1 above described, distant 1181.8 feet northeasterly of its point of termination, run southerly at an angle of 61°33' with the first above described line (measured from southwest to south)

for 756.4 feet to the point of beginning of the line to be described; thence run northerly along the last described course for 100 feet; thence deflect to the right on a 4°00' curve (delta angle 12°24') for 310 feet; thence on tangent to said curve for 118.7 feet; thence deflect to the left on a 4°30' curve (delta angle 50°09') for 1114.4 feet and there terminating;

containing 0.02 acre, more or less, in addition to the existing highway.

Parcel 2 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the two following described tracts:

1. The northeast quarter of the northeast quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$) of section 22, township 105 north, range 14 west, except railway right of way;

2. The west half of the northwest quarter ($W\frac{1}{2}$ $NW\frac{1}{4}$) of section 23, township 105 north, range 14 west;

which lies within a distance of 100 feet southeasterly and 184 feet northwesterly of the following described line:

> Beginning at a point on the east line of section 12, township 105 north, range 14 west, distant 1048.7 feet south of the east quarter corner thereof; thence run southwesterly at an angle of 66°18' with said east section line for 3127.6 feet; thence deflect to the left on a 1°30' curve (delta angle 23°26') for 1562.2 feet; thence on tangent to said curve for 6640.4 feet; thence deflect to the right on a 1°30' curve (delta angle 23°32') for 1568.9 feet; thence on tangent to said curve for 1395.2 feet and there terminating;

together with all that part of the two above described tracts, which lies northwesterly of the above described strip and southeasterly of the following described line: From a point on the above described line, distant 900 feet northeasterly of its point of termination, run northwesterly at right angles with the above described line for 184 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 230 feet northwesterly (measured at right angles) from a point on the above described line, distant 600 feet northeasterly of its point of termination; thence run southwesterly and parallel with the above described line for 400 feet and there terminating;

containing 10.97 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway No. 90;

together with a strip to be used for off-take ditch purposes, said strip being that part of the second above described tract, which lies southeasterly of the first above described strip and within a distance of 25 feet on each side of the following described line: Beginning at a point on the first above described line, distant 896 feet northeasterly of its point of termination; thence run southerly at an angle of 70° with the first above described line (measured from southwest to south) for 63.9 feet; thence deflect to the right on a 38°00' curve (delta angle 50°30') for 132.9 feet; thence on tangent to said curve for 300 feet and there terminating;

containing 0.28 acre, more or less;

also together with a strip to be used for railroad shoo-fly purposes, until December 1, 1970;

A strip being all that part of the first above described tract adjoining and northerly of the second above described strip and northeasterly of the right of way of the Chicago, Great Western Railway Company, which lies southwesterly of a line run parallel with and distant 50 feet northeasterly of the following described line: From a point on the first above described line distant 181.8 feet northeasterly of its point of termination; run northerly at an angle of 61°33' with said line (measured from northeast to north) for 108.4 feet; thence deflect to the left on a 04°00' curve (delta angle 45°39') for 1141.2 feet; thence on tangent to said curve for 100 feet to the point of beginning of the line to be described; thence run southeasterly along the last above described course for 100 feet; thence deflect to the right on a 04°00' curve (delta angle 45°39') having a length of 1141.2 feet for 225.9 feet; thence on tangent to said curve for 180 feet; thence deflect to the right on a 04°30' curve (delta angle 50°09') for 1114.4 feet and there terminating;

containing 0.25 acre, more or less, in addition to the existing highway.

Parcel 7A S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> The southwest quarter of the southwest quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$) of section 12, township 105 north, range 14 west;

which lies within a distance of 50 feet northwesterly of the northwesterly right of way line of the Chicago, Great Western Railway (now known as Chicago and North Western Railway Company) as the same is located and established across said tract;

containing 0.41 acre, more or less, in addition to the existing highway.

Parcel 9 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the two following described tracts:

1. That part of the east half of the southeast quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$) of section 12, township 105 north, range 14 west, lying south of the railway right of way;

2. That part ofthe southwest quarter of the southeast quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$) of section 12, township 105 north, range 14 west, lying south of the railway right of way, except the west 1 acre thereof;

which lies within a distance of 100 feet southeasterly and 183 feet northwesterly of the following described line and its northeasterly extension:

> Beginning at a point on the east line of said section 12, distant 1048.7 feet south of the east quarter corner thereof; thence run southwesterly at an angle of 66°18' with said east section line for 3000 feet and there terminating;

together with all that part of the first above described tract, which lies southerly of the above described strip and easterly of the following described line: From the point of beginning of the above described line, run south along the east line of said section 12 for 1000 feet; thence deflect to the right at an angle of 90° for 33 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 70 feet west (measured at right angles) from said east section line at a point distant 400 feet south of its intersection with said above described line; thence run north and parallel with said east section line for 300 feet and there terminating;

containing 18.14 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway No. 90 and to County State Aid Highway No. 20, except that the abutting owner shall retain the right of access to said County State Aid Highway No. 20, southerly of a point distant 400 feet south of the intersection of the east line of said section 12 with the first above described line (when measured along the center line of said County State Aid Highway No. 20).

Parcel 10 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> That part of the southwest quarter (SW¼) of section 7, township 105 north, range 13 west, which lies south and east of the right of way of the railroad across said quarter section;

which lies within a distance of 100 feet southeasterly and 183 feet northwesterly of the following described line and its southwesterly extension:

> Beginning at a point on the west line of said section 7, distant 1048.7 feet south of the west quarter corner thereof; thence run northeasterly at an angle of 66°18' with said west section line for 1439.9 feet; thence deflect to the left on a 1°30' curve (delta angle 12°49') for 854.4 feet; thence on tangent to said curve for 400 feet and there terminating;

together with all that part of the above described tract, which lies southeasterly of the above described strip and northwesterly of the following described line: From a point on the above described line, distant 454.9 feet northeasterly of its point of beginning, run southeasterly at right angles with the above described line for 100 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 120 feet southeasterly (measured at right angles) from a point on the above described line, distant 304.9 feet northeasterly of its point of beginning; thence run southwesterly and parallel with the above described line for 400 feet and there terminating;

also together with all that part of the above described tract, which lies southerly of the last above described strip and westerly of the following described line: From the point of beginning of the first above described line, run south along the west line of said section 7 for 1000 feet; thence deflect to the left at an angle of 90° for 33 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 70 feet east (measured at right angles) from the west line of said section 7 at a point thereon distant 400 feet south of its intersection with the first above described line; thence run north and parallel with the west line of said section 7 for 400 feet and there terminating;

containing 14.87 acres, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract not acquired herein, to Trunk Highway No. 90 and to County State Aid Highway No. 20, except that the abutting owner shall retain the right of access to said County State Aid Highway No. 20 southerly of a point distant 400 feet south of the intersection of the west line of said section 7 with the first above described line (when measured along the west line of said section 7).

Parcel 12A S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the two following described tracts:

1. That part of the northeast quarter of the northeast quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$) of section 7, township 105 north, range 13 west, lying southerly of the railway right of way;

2. The northwest quarter of the northwest quarter ($NW\frac{1}{4}$ $NW\frac{1}{4}$) of section 8, township 105 north, range 13 west;

which lies within a distance of 100 feet southeasterly and 183 feet northwesterly of the following described line:

> From a point on the west line of said section 8, distant 324.3 feet south of the northwest corner thereof, run northeasterly at an angle of 82°10' with said west section line for 1484.3 feet to the point of beginning of the line to be described; thence run southwesterly along the last described course for 500 feet; thence deflect to the left on a 1°30' curve (delta angle 29°30') for 1966.7 feet; thence on tangent to said curve for 826.1 feet and there terminating;

together with all that part of the second above described tract, which lies northwesterly of the above described strip and southeasterly of the following described line: From a point on the above described line, distant 1900 feet northeasterly of its point of termination, run northwesterly at right angles with the above described line for 183 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 195 feet northwesterly (measured at right angles) from a point on the above described line, distant 2000 feet northeasterly of its point of termination; thence run northeasterly and parallel with the above described line to a point distant 195 feet northwesterly (measured at right angles) from a point on the above described line, distant 2400 feet northeasterly of its point of termination; thence run northeasterly to

a point distant 184 feet northwesterly (measured at right angles) from a point on the above described line, distant 2500 feet northeasterly of its point of termination; thence run northeasterly and parallel with the above described line for 800 feet and there terminating;

also together with all that part of the second above described tract, which lies southeasterly of the first above described strip and northwesterly of the following described line: From a point on the first above described line, distant 1900 feet northeasterly of its point of termination, run southeasterly at right angles with the first above described line for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 115 feet southeasterly (measured at right angles) from a point on the first above described line, distant 2000 feet northeasterly of its point of termination; thence run northeasterly and parallel with the first above described line to a point distant 115 feet southeasterly (measured at right angles) from a point on the first above described line, distant 2500 feet northeasterly of its point of termination; thence run northeasterly to a point distant 100 feet southeasterly (measured at right angles) from a point on the first above described line, distant 2600 feet northeasterly of its point of termination and there terminating;

containing 19.22 acres, more or less;

together with all right of access, being the right of ingress to and egress from that portion of the two above described tracts, not acquired herein, to Trunk Highway No. 90.

Parcel 14 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> That part of the southwest quarter of the southwest quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$) of section 5, township 105 north, range 13 west, lying southeasterly of the right of way of the Chicago, Great Western Railway Company;

which lies southeasterly of a line run parallel with and distant 184 feet northwesterly of the following described line:

> Beginning at a point on the west line of section 8, township 105 north, range 13 west, distant 324.3 feet south of the northwest corner thereof; thence run northeasterly at an angle of 82°10' with said west section line for 1500 feet and there terminating;

containing 0.11 acre, more or less;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract, not acquired herein, to Trunk Highway No. 90.

Parcel 14C S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> The north 17 feet of that part of the southeast quarter of the southwest quarter ($SE\frac{1}{4}$ $SW\frac{1}{4}$) of section 5, township 105 north, range 13 west described as follows: Commencing at a point 33 feet east and 366 feet south of the southeast corner of Block 10, original plat of Simpson; running thence west a distance of 8 rods; running thence south a distance of 10 rods; running thence east a distance of 8 rods; running thence north a distance of 10 rods to the place of beginning;

which lies easterly of a line run parallel with and distant 55 feet westerly of the north and south quarter line of said section 5;

containing 0.01 acre, more or less, in addition to the existing highway.

Parcel 14D S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the three following described tracts:

1. The northwest quarter of the northeast quarter ($NW\frac{1}{4}$ $NE\frac{1}{4}$) of section 8, township 105 north, range 13 west;

2. The west half of the southeast quarter ($W\frac{1}{2}$ $SE\frac{1}{4}$) of section 5, township 105 north, range 13 west;

3. That part of the southeast quarter of the southwest quarter ($SE\frac{1}{4}$ $SW\frac{1}{4}$) of section 5, township 105 north, range 13 west, lying south of the railroad right of way, except the following described tracts: Commencing at a point 33 feet east and 366 feet south of the southeast corner of Block 10, Original Plat of Simpson; running thence west a distance of 8 rods; running thence south 10 rods and 34 feet; running thence east 8 rods; running thence north 10 rods and 34 feet to the place of beginning; also except commencing 66 feet south of the southeast corner of Block 10 in the Village plat of the Village of Simpson; thence south from said point of beginning 300 feet; thence west 225 feet; thence north 300 feet; thence east 225 feet to the place of beginning; also except that part platted as the Village Plat of the Village of Simpson;

which lies within a distance of 184 feet northwesterly and 210 feet southeasterly of the following described line:

Beginning at a point on the west line of said section 8, distant 324.3 feet southerly of the northwest corner thereof; thence run northeasterly at an angle of 82°10' with said west section line for 2038.7 feet; thence deflect to the left on a 2°00' curve (delta angle 42°00') for 2100 feet; thence on tangent to said curve for 552.8 feet and there terminating;

together with a strip being all that part of the second above described tract, adjoining and northwesterly of the above described strip which lies southeasterly of the following described line: Beginning at a point 184 feet northwesterly (measured at right angles) from a point on the above described line, distant 299 feet southwesterly of its point of termination; thence run northeasterly to a point distant 200 feet northwesterly (measured at right angles) from a point on the above described line distant 199 feet southwesterly of its point of termination; thence run northeasterly and parallel with the above described line for 100 feet and there terminating;

also together with a strip being all that part of the third above described tract, adjoining and northwesterly of the first above described strip which lies southeasterly of the following described line: Beginning at a point distant 184 feet northwesterly (measured at right angles) from a point on the first above described line, distant 2400 feet southwesterly of its point of termination; thence run northeasterly to a point distant 200 feet northwesterly (measured at right angles) from a point on the first above described line, distant 2300 feet southwesterly of its point of termination; thence run northeasterly and parallel with the first above described line for 350 feet and there terminating;

also together with a strip being all that partof the third above described tract, adjoining and northerly of the last above described strip which lies within a distance of 55 feet westerly of the north and south quarter line of said section 5;

also together with all that part of the second above described tract, adjoining and northerly of the first above described strip which lies westerly of the following described line: Beginning at a point on the north and south quarter line of said section 5; distant 900 feet northerly of itsintersection with the first above described line; thence run easterly at right angles with said quarter line for 50 feet;

thence run southeasterly to a point distant 70 feet easterly (measured at right angles) from a point on said quarter line, distant 800 feet northerly of its intersection with the first above described line; thence run southerly and parallel with said quarter line for 600 feet and there terminating;

also together with a triangular piece adjoining and southeasterly of the first above described strip and easterly of the easterly boundary of County State Aid Highway No. 1 which lies northwesterly of the following described line: Beginning at a point on the southeasterly boundary of the first above described strip, distant 100 feet northeasterly of its intersection with the easterly boundary of said County State Aid Highway No. 1; thence run southwesterly to a point on said easterly boundary, distant 100 feet southerly of said intersection and there terminating;

also together with a triangular piece adjoining and southeasterly of the first above described strip and westerly of the westerly boundary of the township road running in a northerly and southerly direction on the east line of the southwest quarter of the southeast quarter of said section 5 which lies northeasterly of the following described line: Beginning at a point on the first above described line, distant 755 feet southwesterly of its point of termination; thence run southeasterly at right angles to said first above described line for 400 feet and there terminating;

containing 18.55 acres, more or less, in addition to the existing highways;

together with all right of access, being the right of ingress to and egress from that part of the three above described tracts, not acquired herein, to Trunk Highway No. 90 and County State Aid Highway No. 1, except that the abutting owner shall retain the right of access on the southeasterly side to an outer lane only,

also said owner shall retain the right of access to County State Aid Highway No. 1 in the first above described tract, and in the second above described tract northerly of a line run easterly at right angles for 70 feet with the north and south quarter line of said section 5 from a point thereon distant 525 feet northerly of its intersection with the first above described line;

Parcel 15 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> The southeast quarter of the southeast quarter ($SE\frac{1}{4}$ $SE\frac{1}{4}$) of section 5, township 105 north, range 13 west;

which lies northwesterly of a line run parallel with and distant 200 feet southeasterly of the following described line:

> Beginning at a point on the west line of section 8, township 105 north, range 13 west, distant 324.3 feet south of the northwest corner thereof; thence run northeasterly at an angle of 82°10' with said west section line for 2038.7 feet; thence deflect to the left on a 2°00' curve (delta angle 42°00') for 2100 feet; thence on tangent to said curve for 753.8 feet and there terminating;

together with all that part of the above described tract, which lies southeasterly of the above described strip and northwesterly of the following described line: From the point of termination of the above described line, run southeasterly at right angles with said line for 200 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 215 feet southeasterly (measured at right angles) from a point on the above described line, distant 100 feet southwesterly of its point of termination; thence run southwesterly and parallel with the above described line for 800 feet and there terminating;

containing 2.99 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that part of the above described tract, not acquired herein, to Trunk Highway No.90, except that the abutting owner shall retain the right of access to an outer lane only.

Parcel 17 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

The southwest quarter of the northwest quarter ($SW\frac{1}{4}$ $NW\frac{1}{4}$) of section 4, township 105 north, range 13 west, except railway right of way;

which lies within a distance of 100 feet southeasterly and 184 feet northwesterly of the following described line:

Beginning at a point on the west line of section 8, township 105 north, range 13 west, distant 324.3 feet south of the northwest corner thereof; thence run northeasterly at an angle of 82°10' with said west section line for 2038.7 feet; thence deflect to the left on a 2°00' curve (delta angle 42°00') for 2100 feet; thence on tangent to said curve for 1545 feet; thence deflect to the right on a 1°45' curve (delta angle 45°35'30") for 2605.2 feet and there terminating;

together with all that part of the above described tract, which lies southerly of a line run parallel with and distant 40 feet northerly of the following described line: From a point on the above described line, distant 2705.2 feet southwesterly of its point of termination, run southeasterly at right angles with the above described line for 150 feet; thence deflect to the left at an angle of 90° for 100 feet; thence deflect to the right on a 1°50'02" curve (delta angle 12°00') for 654.3 feet; thence deflect to the right on a 5°17'15" curve (delta angle 36°58'30") for 699.3 feet; thence on tangent to said curve for 480.2 feet to the point of beginning of the line to be described; thence run westerly along the last described course for 525 feet and there terminating;

containing 7.95 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from all that part of the above described tract, not acquired herein, to Trunk Highway No. 90, except that the abutting owner shall retain the right of access to an outer lane only, on both sides of said trunk highway;

Parcel 19 S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

> The west half of the northwest quarter ($W\frac{1}{2}$ $NW\frac{1}{4}$) of section 3, township 105 north, range 13 west, except railway right of way;

which lies northwesterly of a line run parallel with and distant 100 feet southeasterly of the first following described line and southeasterly of a line run parallel with and distant 100 feet northwesterly of the second following described line:

Line 1. Beginning at a point on the east line of section 27, township 106 north, range 13 west, distant 612.7 feet north of the southeast corner thereof; thence run southwesterly at an angle of 68°30' with said east section line for 510.1 feet; thence deflect to the left on a 1°30' curve (delta angle 49°04'30") for 3271.7 feet; thence on tangent to said curve for 4056.0 feet; thence deflect to the right on a 2°35' curve (delta angle 67°06'30") for 2597.7 feet and there terminating;

Line 2. From a point on Line 1 above described, distant 3212.5 feet northeasterly of its point of termination, run northwesterly at right angles with said Line 1 for 84 feet to the point of beginning of Line 2 to be described; thence deflect to the left at an angle of 90° for 559.1 feet; thence deflect to the right on a 2°35' curve (delta angle 67°06'30") for 2597.7 feet and there terminating;

together with all that part of the above described tract, which lies southeasterly of the above described strip and northwestery of the following described line: From a point on Line 1 above described, distant 2401.1 feet northeasterly of its point of termination, run southeasterly at right angles with said Line 1 for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 130 feet southeasterly (measured at right angles) from a point on said Line 1, distant 2812.5 feet northeasterly of its point of termination and there terminating;

also together with all that part of the above described tract, which lies northwesterly of the first above described strip and southeasterly of the following described line: From a point on Line 2 above described, distant 856.8 feet northeasterly of its point of termination, run northwesterly at right angles with said Line 2 for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 115 feet northwesterly (measured at right angles) from a point onsaid Line 2, distant 956.8 feet northeasterly of its point of termination; thence run northeasterly and parallel with said Line 2 to a point distant 115 feet northwesterly (measured at right angles) from a point on said Line 2, distant 1856.8 feet northwesterly of its point of termination; thence run northeasterly to a point distant 100 feet northwesterly (measured at right angles) from a point on said Line 2, distant 1956.8 feet northeasterly of its point of termination and there termination and there terminating;

also together with all that part of the above described tract, which lies northwesterly of the first above described strip and southeasterly of the following described line: From a point on said Line 2 above described, distant 2456.8 feet northeasterly of its point of termination, run northwesterly at right angles with said Line 2 for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 146 feet northwesterly (measured at right angles) from a point on said Line 2, distant 2756.8 feet northeasterly of its point of termination; thence run northeasterly and parallel with said Line 2 above described for 200 feet and there terminating;

also together with all that part of the above described tract, which lies westerly of the right of way of County State Aid Highway No. 16 as presently located and easterly of the following described line: From the point of beginning of Line A to be described, run westerly at right angles with said Line A for 33 feet to the point of beginning of the line to be described; thence run northwesterly to a point distant 50 feet westerly (measured at right angles) from a point on said Line A, distant 100 feet northerly of its point of beginning; thence run northerly and parallel with said Line A for 400 feet; thence run northwesterly to a point distant 60 feet westerly (measured at right angles) from a point on said Line A, distant 600 feet northerly of its point of beginning; thence run northerly and parallel with said Line A to a point distant 60 feet westerly (measured at right angles) from a point on said Line A, distant 700 feet northerly of its point of beginning; thence run northeasterly to a point distant 50 feet northwesterly (measured at right angles) from a point on said Line A, distant 800 feet northeasterly of its point of beginning and there terminating;

Line A. From a point on the first above described line, distant 2697.7 feet northeasterly of its point of termination, run southwesterly along said first above described line for 100 feet; thence continue southwesterly along the last described course for 430.4 feet; thence deflect to the left at an angle of 110°19' for 281.2 feet; thence deflect to the right at an angle of 90° for 596.2 feet to the point of beginning of Line A to be described; thence run northerly along the last described course for 596.2 feet; thence deflect to the right on a 7°00' curve (delta angle 90°50') for 1297.6 feet and there terminating;

containing 14.45 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract, not acquired herein, to Trunk Highway No. 90, except that the abutting owner shall retain the right of access to the last above described strip, also said owner shall retain the right of access from that portion of the above described tract lying northwesterly of the right of way to an outer lane only.

Parcel 20 S.P.5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

The east half of the northwest quarter (E½ NW¼) of section 3, township 105 north, range 13 west, except railway right of way;

which lies northwesterly of a line run parallel with and distant 100 feet southeasterly of the following described line:

Beginning at a point on the east line of section 27, township 106 north, range 13 west, distant 612.7 feet north of the southeast corner thereof; thence run southwesterly at an angle of 68°30' with said east section line for 510.1 feet; thence deflect to the left on a 1°30' curve (delta angle 49°04'30") for 3271.7 feet; thence on tangent to said curve for 4056.0 feet; thence deflect to the right on a 2°35' curve (delta angle 67°06'30") having a length of 2597.7 feet for 196.6 feet and there terminating;

together with all that part of the above described tract, which lies southeasterly of the above described strip and northwesterly of the following described line: From the point of termination of the above described line, run southeasterly at right angles with said line for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 130 feet southeasterly (measured at right angles) from a point on the above described line, distant 411.4 feet northeasterly of its point of termination; thence run northeasterly and parallel with the above described line for 400 feet and there terminating;

also together with all that part of the above described tract, which lies southeasterly of a line run parallel with and distant 50 feet northwesterly and which lies westerly, northwesterly and northerly of a line run parallel with and distant 33 feet easterly, southeasterly and southerly of the following described line: From a point on the first above described line, distant 296.6 feet northeasterly of its point of termination, run southwesterly along the first above described line for 100 feet; thence continue southwesterly along the last described course for 430.4 feet; thence deflect to the left at an angle of 110°19' for 281.2 feet; thence deflect to the right at an angle of 90° for 596.2 feet to the point of beginning of the line to be described; thence run northerly along the last described course for 596.2 feet; thence deflect to the right on a 7°00' curve (delta angle 90°50') for 1297.6 feet; thence on tangent to said curve for 260.8 feet and there terminating;

also together with all that part of the above described tract, which lies easterly, southeasterly and southerly of the last above described strip and westerly, northwesterly and northerly of the following described line: From the point of beginning of the last above described line, run easterly at right angles withsaid line for 33 feet to the point of beginning of the line to be described; thence run northeasterly to a point distant 60 feet easterly (measured at right angles) from a point on said last above described line, distant 100 feet northerly of its point of beginning; thence run northerly, northeasterly and easterly and parallel with the last above described line to a point distant 60 feet southerly (measured at right angles) from a pointon said last above described line, distant 100 feet westerly of its point of termination; thence run northeasterly to a point distant 33 feet southerly (measured at right angles) from the point of termination of said last above described line and there terminating;

containing 3.00 acres, more or less, in addition to the existing highway;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract, not acquired herein, to Trunk Highway No. 90, except that the abutting owner shall retain the right of access, to the last two above described strips.

Parcel 22A S.P. 5580 (90=391) 902

I 090-3 (40) 208

All of the following described tract:

That part of the southwest quarter of the southwest quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$) of section 26, township 106 north, range 13 west, described as follows: Commencing at the intersection of the centerline of Trunk Highway No. 52 and the north line of said southwest quarter of the southwest quarter; thence west along said north line a distance of 135.69 feet to the point of beginning of the land to be described, said point also being on the southwesterly right of way line of said Trunk Highway No. 52; thence continuing west on the north line of said southwest quarter of the southwest quarter a distance of 551.64 feet; thence 90° left a distance of 140 feet; thence 90° left a distance of 692.54 feet to the southerly right of way line of said Trunk Highway No. 52; thence northwesterly along said southwesterly right of way line a distance of 198.91 feet, more or less, to the point of beginning;

containing 2.00 acres, more or less.

Parcel 22B S.P. 5580 (90=391) 902

I 090-3 (40) 208

All that part of the following described tract:

That part of the northeast quarter of the southeast quarter ($NE\frac{1}{4}$ $SE\frac{1}{4}$) of section 27, township 106 north, range 13 west, lying south and west of the Rochester and Marion Road, except the southwest quarter of the northeast quarter of the southeast quarter ($SW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$) of said section 27;

which lies southwesterly of a line run parallel with and distant 100 feet northeasterly of the following described line:

From a point on the west line of section 26, township 106 north, range 13 west, distant 612.7 feet north of the southwest corner thereof, run northeasterly at an angle of 68°30' with said west section line for 251.4 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 116°14'33" for 286.6 feet; thence deflect to the left on a 1°30' curve (delta angle 19°41') for 1312.2 feet and there terminating;

together with all that part of the above described tract, which lies northerly of the above described strip and southerly of the following described line: From a point on the above described line, distant 558.6 feet southeasterly of its point of termination, run northeasterly at right angles with the above described line for 100 feet to the point of beginning of the line to be described; thence run northeasterly to a point on the southwesterly right of way line of Trunk Highway No. 52 as presently located and traveled, distant 840 feet northwesterly of its intersection with the following described line and there terminating: Beginning at the point of beginning of the above described line; thence run northeasterly at an angle of 116°14'33" with the above described line for 1000 feet and there terminating;

containing 2.30 acres, more or less;

together with all right of access, being the right of ingress to and egress from that portion of the above described tract, not acquired herein, to the above described strips.

STATE OF MINNESOTA

County of Olmsted

DISTRICT COURT

Third **JUDICIAL DISTRICT**

STATE OF MINNESOTA, by Robert W. Mattson, its Attorney General,

Petitioner,

vs.

Marjorie A. Jones, et al.,

and

Ellen Leitzen, et al.,

Respondents.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES IN THE ABOVE ENTITLED PROCEEDINGS WHICH HAVE BEEN CONSOLIDATED BY ORDER OF DISTRICT COURT

- - - - - - - - - -

FINAL CERTIFICATE

- - - - - - - - - -

COPY

COPY

DOUGLAS M. HEAD
Attorney General

ERIC B. SCHULTZ
Acting Deputy Attorney General

Special Assistant Attorney General

Attorneys for State of Minnesota
Highway Building
St. Paul, Minnesota 55101

Transfer entered this 26th day of June 1970

County Auditor

Form 2802 (9-67) CP

State of Minnesota, }
COUNTY OF OLMSTED } ss.

I, Rosemary Forbes

Clerk of the District Court, in and for said County, hereby certify that I have compared the foregoing copy of

in re: FINAL CERTIFICATE State of Minnesota -vs- Jones etal 32058

State of Minnesota -vs- Leitzen etal 32059

with the records remaining on file in this office, that the same are correct transcripts from, and of the whole of such original records.

Witness my hand and seal of said District Court at Rochester Minnesota, in said County, this 18th day of June, 19 70

Rosemary Forbes Clerk

By Beverly J. Bailey Deputy

QPC—1000—10-68

Dated at Saint Paul, Minnesota, this 1st day of June, 1970.

DOUGLAS M. HEAD
Attorney General

ERIC B. SCHULTZ
[redacted]
Acting Deputy Attorney General

Michael R. Moriarty
MICHAEL R. MORIARTY
Special Assistant Attorney General

Attorneys for State of Minnesota
State Highway Building
St. Paul, Minnesota 55101

The above certificate is hereby approved.

Dated at Rochester, Minnesota, this 11 day of June, 1970.

O. Russell Olson (S)
Judge of District Court

This Instrument was drafted by
Michael R. Moriarty
Special Assistant Attorney General
Department of Highways
State Highway Building
St. Paul, Minnesota 55101

PROOFED
GRANTOR
GRANTEE
TRACED
PAID
CHG. Name
REV. STAMP
MTG. TAX

State of Minn.
Highway Dept.

REGISTER OF DEEDS OFFICE } ss.
Olmsted County, Minn.
I hereby certify that the within instrument was filed in this office for record on

JUL 1 - 1970

at 8 o'clock A.M.
Book 243 of Misc. on page 423
Lawrence H. Lunne Register of Deeds
By Lori Steinhaus Deputy

323542