

# CERTIFICATE OF SURVEY

PART OF GOV'T. LOT 5, SECTION 7, T134N, R29W  
CASS COUNTY, MINNESOTA

**Survey Report:**

- The existing legal descriptions of record (Doc. No.'s 227804 & 220036) use the shore of Gull Lake as a defining call by both length and direction. Because the shore fluctuates with the rising and falling of the water level as well as erosion, the boundary lines would also move. This method of description is not acceptable by today's title standard. A suggested new description is shown herein.
- The monumentation of the subject property can be verified from previous surveys by Dean Anderson, L.S. No. 3091 dated April of 1961 and April of 1978. The suggested new description defines these monumented boundaries.
- The road easement for access in the existing legal descriptions of record only makes reference to Government Lot 5. As shown on this survey, the existing roadway used for access to this property crosses other parts of Section 7 and also parts of Section 18. Therefore a new easement description has been included defining the road easement from the subject property to C.S.A.H. 77 (the public road).
- The property is subject to a road easement for access to the south. This easement is not contained in the abstract of title for this property but is described in Doc. No. 237669. The easement is specific as to location but the width is not defined. The validity of this easement should be confirmed. The location and width of this easement is included in the suggested legal description.
- It is recommended that the new suggested legal description and the road easement description be used in the necessary legal proceedings to clear title on this parcel and access to this parcel.

**SUGGESTED LEGAL DESCRIPTION:**

That part of Government Lot 5, Section 7, Township 134 North, Range 29 West, Cass County, Minnesota described as follows:  
Commencing at the southwest corner of said Government Lot 5; thence South 89 degrees 43 minutes 29 seconds East, assumed bearing, 384.19 feet along the south line of said Government Lot 5 to an iron monument; thence North 51 degrees 32 minutes 58 seconds East 252.06 feet to an iron monument; thence North 81 degrees 31 minutes 15 seconds East 300.00 feet; thence North 10 degrees 54 minutes 31 seconds East 197.80 feet to an iron monument at the point of beginning of the tract to be described; thence North 70 degrees 10 minutes 03 seconds West 158.64 feet to an iron monument; thence North 39 degrees 52 minutes 23 seconds West 223.98 feet to an iron monument; thence North 60 degrees 36 minutes 23 seconds East 217.22 feet to an iron monument; thence North 14 degrees 09 minutes 33 seconds East 314 feet, more or less, along the monumented line to the shore of Gull Lake; thence southwesterly along said shore to its intersection with the line which bears South 70 degrees 10 minutes 03 seconds East from the point of beginning; thence North 70 degrees 10 minutes 03 seconds West 18 feet, more or less, to the point of beginning.

Subject to an 16 foot easement across said parcel described as follows:

A 16.00 foot wide permanent easement for Ingress and Egress purposes over and across Government Lot 5, Section 7, Township 134 North, Range 29 West, Cass County, Minnesota. The centerline of said easement is described as follows:  
Commencing at the southwest corner of said Government Lot 5; thence South 89 degrees 43 minutes 29 seconds East, assumed bearing, 384.19 feet along the south line of said Government Lot 5 to an iron monument; thence North 51 degrees 32 minutes 58 seconds East 252.06 feet to an iron monument; thence North 81 degrees 31 minutes 15 seconds East 300.00 feet; thence North 10 degrees 54 minutes 31 seconds East 197.80 feet to an iron monument; thence North 70 degrees 10 minutes 03 seconds West 158.64 feet, along a line hereinafter referred to as Line "A", to an iron monument and said Line "A" there ending; thence North 39 degrees 52 minutes 23 seconds West 223.98 feet to an iron monument; thence North 60 degrees 36 minutes 23 seconds East 217.22 feet to an iron monument; thence North 14 degrees 09 minutes 33 seconds East 314 feet, more or less, along the monumented line to the shore of Gull Lake; thence southwesterly along said shore to its intersection with the line which bears South 70 degrees 10 minutes 03 seconds East from the point of beginning; thence North 70 degrees 10 minutes 03 seconds West 18 feet, more or less, to the point of beginning.

All in accordance with the Certificate of Survey dated 12-1-99 prepared by Jeffrey W. Miller, L.S., Reg. No. 13336, on file in the Cass County Surveyor's Office.

**ROAD EASEMENT DESCRIPTION:**

A 20.00 foot wide permanent easement for Ingress and Egress purposes over and across the Southeast Quarter of the Southwest Quarter and Government Lot 5, Section 7, and Government Lot 1, Section 18, in Township 134 North, Range 29 West, Cass County, Minnesota. The centerline of said easement is described as follows:  
Commencing at the southwest corner of said Government Lot 5; thence South 89 degrees 43 minutes 29 seconds East, assumed bearing, 384.19 feet along the south line of said Government Lot 5 to an iron monument; thence North 51 degrees 32 minutes 58 seconds East 252.06 feet to an iron monument; thence North 81 degrees 31 minutes 15 seconds East 300.00 feet; thence North 10 degrees 54 minutes 31 seconds East 197.80 feet to an iron monument; thence North 70 degrees 10 minutes 03 seconds West 158.64 feet to an iron monument; thence North 39 degrees 52 minutes 23 seconds West 223.98 feet to an iron monument; thence North 60 degrees 36 minutes 23 seconds East 217.22 feet to an iron monument; thence North 14 degrees 09 minutes 33 seconds East 314 feet, more or less, along the monumented line to the shore of Gull Lake; thence southwesterly along said shore to its intersection with the line which bears South 70 degrees 10 minutes 03 seconds East from the point of beginning; thence North 70 degrees 10 minutes 03 seconds West 18 feet, more or less, to the point of beginning.

**LEGAL DESCRIPTIONS OF RECORD FROM ABSTRACT OF TITLE:**

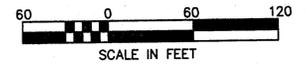
Document No. 227804 (Entry No. 74)

That part of Government Lot Five (5), Section Seven (7), Township One Hundred Thirty-four (134) North, Range Twenty-nine (29) West, Cass County, Minnesota described as follows: Commencing at the iron pipe monument on the shore of Gull Lake where the south line of said Lot 5 intersects said shore; thence North 51 degrees 29 minutes East (considering the South line of said Lot 5 as an East-West Line) 252.3 feet along the shore Gull Lake; thence North 81 degrees 29 minutes East 300 feet continuing along said shore; thence North 10 degrees 54 minutes East 50.00 feet continuing along said shore; thence North 18 degrees 36 minutes East 250.00 feet continuing along said shore; thence North 70 degrees 12 minutes West 288.60 feet to a road; thence South 14 degrees 27 minutes West 205.9 feet along said road; thence South 39 degrees 52 minutes East 187.10 feet; thence South 70 degrees 15 minutes East 116.5 feet to the point of beginning, subject to an easement for the existing road along the northwesterly line of said tract and granting an easement for ingress and egress along the existing road across the balance of said Lot 5 and to the public highway.

AND

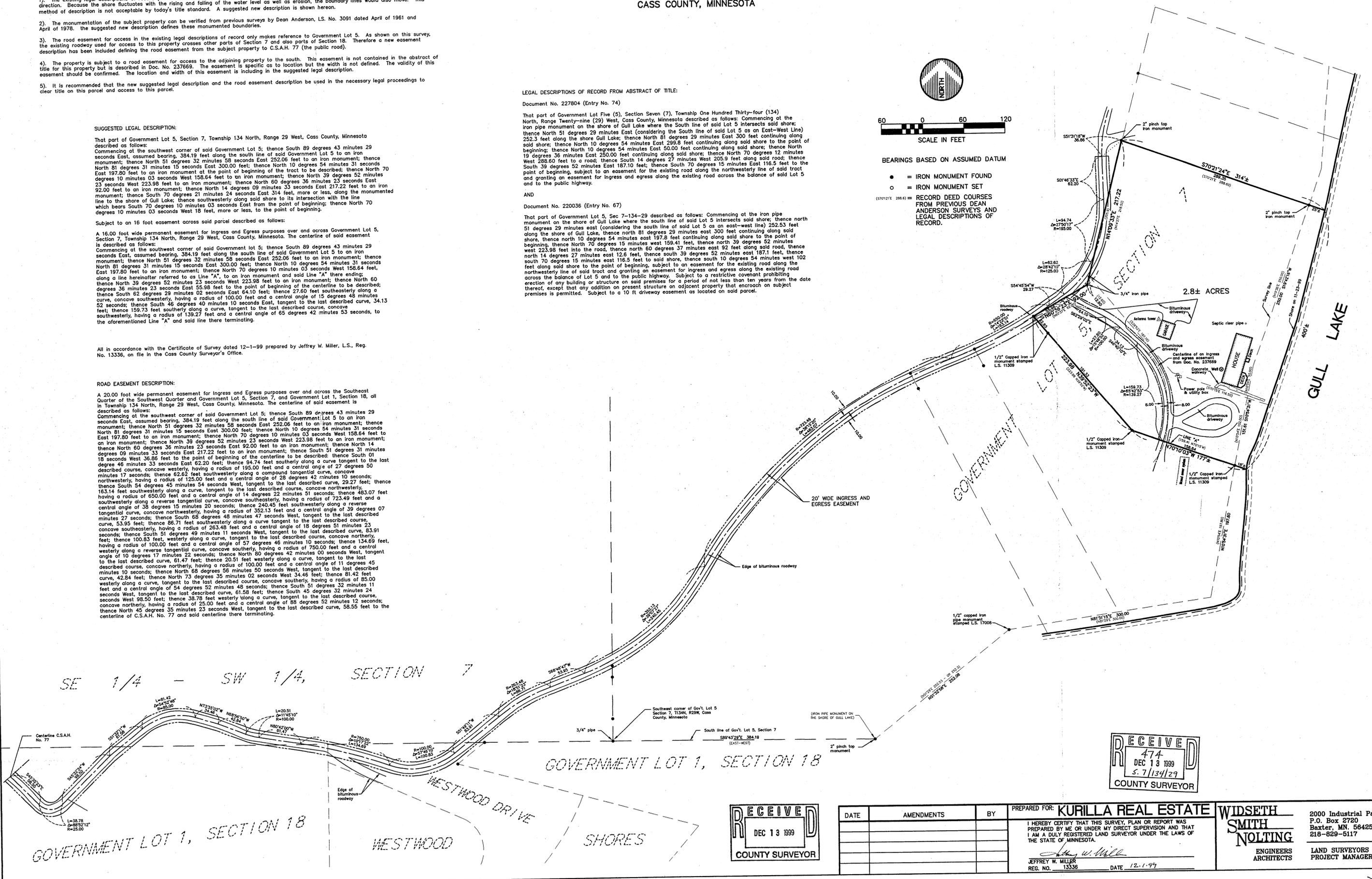
Document No. 220036 (Entry No. 67)

That part of Government Lot 5, Sec 7-134-29 described as follows: Commencing at the iron pipe monument on the shore of Gull Lake where the south line of said Lot 5 intersects said shore; thence north 51 degrees 29 minutes east (considering the south line of said Lot 5 as an east-west line) 252.53 feet along the shore of Gull Lake; thence north 81 degrees 29 minutes east 300 feet continuing along said shore; thence north 10 degrees 54 minutes east 197.8 feet continuing along said shore to the point of beginning; thence north 70 degrees 10 minutes west 158.64 feet; thence north 39 degrees 52 minutes west 223.98 feet into the road; thence north 60 degrees 37 minutes east 92 feet along said road; thence north 14 degrees 27 minutes east 126 feet; thence south 39 degrees 52 minutes east 187.1 feet; thence south 70 degrees 15 minutes east 116.5 feet to said shore; thence south 10 degrees 54 minutes west 102 feet along said shore to the point of beginning, subject to an easement for the existing road along the northwesterly line of said tract and granting an easement for ingress and egress along the existing road across the balance of Lot 5 and to the public highway. Subject to a restrictive covenant prohibiting erection of any building or structure on said premises for a period of not less than ten years from the date thereof, except that any addition on present structure on adjacent property that encroach on subject premises is permitted. Subject to a 10 ft driveway easement as located on said parcel.



BEARINGS BASED ON ASSUMED DATUM

- = IRON MONUMENT FOUND
- = IRON MONUMENT SET
- = RECORD DEED COURSES FROM PREVIOUS DEAN ANDERSON SURVEYS AND LEGAL DESCRIPTIONS OF RECORD.



**RECEIVED**  
474  
DEC 13 1999  
S. J. MILLER  
COUNTY SURVEYOR

**RECEIVED**  
DEC 13 1999  
COUNTY SURVEYOR

DATE	AMENDMENTS	BY	PREPARED FOR:
			<b>KURILLA REAL ESTATE</b>
			I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
			<i>Jeffrey W. Miller</i> JEFFREY W. MILLER REG. NO. 13336 DATE 12.1.99
			<b>WIDSETH SMITH NOLTING</b> ENGINEERS ARCHITECTS LAND SURVEYORS PROJECT MANAGERS
			2000 Industrial Park Road P.O. Box 2720 Baxter, MN. 56425 218-829-5117