# CERTIFICATE OF SURVEY

## PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND A PART VACATED FOURTH AVENUE EAST AND ALL OF BLOCK 102, PLAT OF THE VILLAGE OF BENA, SECTION 26, TOWNSHIP 145 NORTH, RANGE 28 WEST, CASS COUNTY, MINNESOTA

## EXISTING LEGAL DESCRIPTION

58-026-2301
58327-5110,5210,5310,5410,5410,6010,6020,6210

Abstract Document #475815

No delinquent taxes and transfer entered;
Certificate of Real Estate Value
( X ) filed ( ) not required
Debra Bl , 2003
Sherri K. Anderson
County Auditor
by: BQ , Deputy

OFFICE OF COUNTY RECORDER
State of Minnesota, County of Cass
I hereby certify that the within instrument was filed in this office for record on the 31st day of Oct A.D. 03 at 11:15 O'clock A M and was duly recorded as Micro Doc. No. 475815
Kathy M. Hartley
COUNTY RECORDER

WARRANTY DEED — Individual to Joint Tenants

STATE DEED TAX DUE HEREON $145.20

DATE: 10/23/03

FOR VALUABLE CONSIDERATION, Pederson, Smith Roehl & Co., P.A. 401(k) Profit Sharing Plan, Grantor, hereby conveys and warrants to Patrick Rooney and Rhonda Rooney, husband and wife, as joint tenants, Grantees, real property in Cass County, Minnesota, described as follows:

**All of Block 91, less highway, Block 92 less highway, Blocks 93, 94, 99, Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 100; the South 100 feet of the West one-half of Block 100; the East one-half of Block 100; the East one-half of Block 101, all of Block 102, all in the Original Plat of Bena, Village of Bena.**

**And**

**The East one-half of the Southwest Quarter of the Northwest Quarter (E½ of SW¼ NW¼), Section 26, Township 145 North, Range 28 West, less the platted parts thereof.**

together with all hereditaments and appurtenances belonging thereto, subject to the following: mineral reservations, restrictions, easements and special assessments of record, if any.

CASS COUNTY MN # 3269
Deed tax $ 145.20
Date 10-31-03 By KB

PEDERSON, SMITH ROEHL & CO., P.A. 401(k) PROFIT SHARING PLAN
By: Jerome Roehl, Trustee

STATE OF MINNESOTA )
COUNTY OF CASS ) ss.

The foregoing instrument was acknowledged before me this 23rd day of October, 2003, by Jerome Roehl, Trustee for Grantor.

NOTARY PUBLIC — KAREN G. VALEN — CASS COUNTY, MINNESOTA — MY COMMISSION EXPIRES 1-31-2005

THIS INSTRUMENT WAS DRAFTED BY:
By: John E. Valen
5th & Michigan
P.O. Box 1105
Walker, MN 56484
(218) 547-2600

TAX STATEMENTS SENT TO:
Patrick and Rhonda Rooney
15017 16th Street NE
Bena, MN 56626

THE SELLERS CERTIFY THAT THERE ARE NO KNOWN WELLS ON THE ABOVE DESCRIBED PROPERTY.

PAGE 1 OF 1 PAGES

## PROPOSED DESCRIPTIONS

**TRACT 1**
That part of the East one-half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota, described as follows:
COMMENCING at the northeast corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 38 minutes 38 seconds West, along the north line of said East one-half of the Southwest Quarter of the Northwest Quarter, 200.13 feet to the intersection with the west line of the East 200.00 feet of said East one-half of the Southwest Quarter of the Northwest Quarter; thence continue South 89 degrees 38 minutes 38 seconds West, along said north line, 200.13 feet to the point of beginning of the tract to be herein described; thence South 02 degrees 26 minutes 37 seconds East 642.99 feet; thence South 88 degrees 42 minutes 52 seconds West 207.35 feet to the west line of said East one-half of the Southwest Quarter of the Northwest Quarter; thence North 33 degrees 42 minutes 57 seconds East 118.39 feet; thence North 41 degrees 32 minutes 54 seconds West 70.00 feet; thence North 01 degrees 17 minutes 08 seconds West 320.00 feet; thence South 88 degrees 42 minutes 52 seconds West 22.67 feet to said west line of the East one-half of the Southwest Quarter of the Northwest Quarter; thence North 01 degrees 17 minutes 08 seconds West, along said west line of the East one-half of the Southwest Quarter of the Northwest Quarter, 175.61 feet to the northwest corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence North 89 degrees 38 minutes 38 seconds East, along said north line, 194.38 feet to the point of beginning.

SUBJECT to easements, restrictions, and reservations of record.
TOGETHER with Easement #1.

**TRACT 2**
That part of the East one-half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota, described as follows:
COMMENCING at the northeast corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 38 minutes 38 seconds West, along the north line of said East one-half of the Southwest Quarter of the Northwest Quarter, 200.13 feet to the intersection with the west line of the East 200.00 feet of said East one-half of the Southwest Quarter of the Northwest Quarter and the point of beginning of the tract to be herein described; thence continue South 89 degrees 38 minutes 38 seconds West, along said north line, 200.13 feet; thence South 02 degrees 26 minutes 37 seconds East 642.99 feet; thence South 04 degrees 11 minutes 18 seconds East 207.39 feet to the northeast corner of said "Plat of the Village of Bena", a recorded plat in said County; thence South 01 degrees 23 minutes 35 seconds East, along the east line of said plat, 465.32 feet to the south line of said East one-half of the Southwest Quarter of the Northwest Quarter; thence North 89 degrees 17 minutes 05 seconds East, along said south line, 202.31 feet to the intersection with said west line of the East 200.00 feet of the East one-half of the Southwest Quarter of the Northwest Quarter; thence North 02 degrees 26 minutes 37 seconds West, along said west line, 1314.33 feet to the point of beginning.

SUBJECT to easements, restrictions, and reservations of record.
TOGETHER with Easement #1.
SUBJECT to and TOGETHER with Easement #2.

**TRACT 3**
The East 200.00 feet of the East one-half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota.

SUBJECT to easements, restrictions, and reservations of record.
TOGETHER with Easement #1 and Easement #2.

**TRACT 4**
That part of the East one-half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota and that part of the "Plat of the Village of Bena", a recorded plat in said County, described as follows:
COMMENCING at the northeast corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 38 minutes 38 seconds West, along the north line of said East one-half of the Southwest Quarter of the Northwest Quarter, 200.13 feet to the intersection with the west line of the East 200.00 feet of said East one-half of the Southwest Quarter of the Northwest Quarter; thence continue South 89 degrees 38 minutes 38 seconds West, along said north line, 200.13 feet; thence South 02 degrees 26 minutes 37 seconds East 642.99 feet to the point of beginning of the tract to be herein described; thence South 04 degrees 11 minutes 18 seconds East 207.39 feet to the northeast corner of said "Plat of the Village of Bena"; thence South 01 degrees 23 minutes 35 seconds East, along the east line of said plat, 300.00 feet to the easterly extension of the south line of Block 102, in said plat; thence South 88 degrees 36 minutes 25 seconds West, along said south line and its easterly extension, 380.00 feet to the southwest corner of said Block 102; thence North 01 degrees 23 minutes 35 seconds West, along the west line of said Block 102, a distance of 300.00 feet to the northwest corner of said Block 102; thence North 88 degrees 36 minutes 25 seconds East, along the north line of said Block 102, a distance of 162.15 feet to the intersection with the west line of said East one-half of the Southwest Quarter of the Northwest Quarter; thence North 01 degrees 17 minutes 08 seconds West, along said west line of the East one-half of the Southwest Quarter of the Northwest Quarter, 207.53 feet to the intersection with a line bearing South 88 degrees 42 minutes 52 seconds West from the point of beginning; thence North 88 degrees 42 minutes 52 seconds East 207.35 feet to the point of beginning.

SUBJECT to easements, restrictions, and reservations of record.
TOGETHER with Easement #1.
SUBJECT to and TOGETHER with Easement #2.

**RESORT ENHANCEMENT TRACT**
That part of the East one-half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota, described as follows:
COMMENCING at the northeast corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 38 minutes 38 seconds West, along the north line of said East one-half of the Southwest Quarter of the Northwest Quarter, 200.13 feet to the intersection with the west line of the East 200.00 feet of said East one-half of the Southwest Quarter of the Northwest Quarter; thence continue South 89 degrees 38 minutes 38 seconds West, along said north line, 200.13 feet; thence South 02 degrees 26 minutes 37 seconds East 642.99 feet; thence South 88 degrees 42 minutes 52 seconds West 207.35 feet to the west line of said East one-half of the Southwest Quarter of the Northwest Quarter and the point of beginning of the tract to be herein described; thence North 33 degrees 42 minutes 57 seconds East 118.39 feet; thence North 41 degrees 32 minutes 54 seconds West 70.00 feet; thence North 01 degrees 17 minutes 08 seconds West 320.00 feet; thence South 88 degrees 42 minutes 52 seconds West 22.67 feet to said west line of the East one-half of the Southwest Quarter of the Northwest Quarter; thence North 01 degrees 17 minutes 08 seconds West, along said west line of the East one-half of the Southwest Quarter of the Northwest Quarter, 470.40 feet to the point of beginning.

SUBJECT to easements, restrictions, and reservations of record.

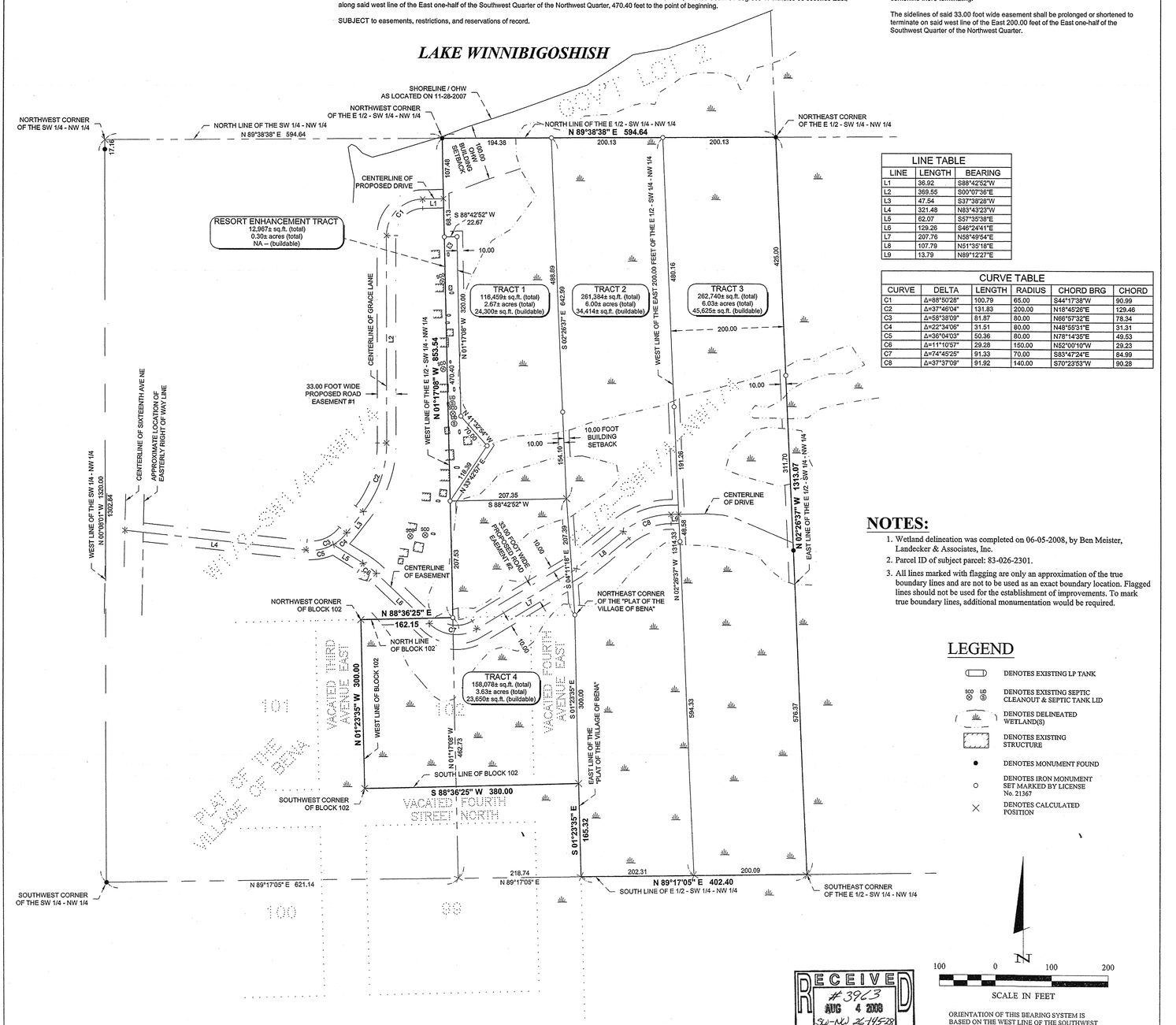
## PROPOSED DESCRIPTIONS

**ROAD EASEMENT #1**
A 33.00 foot wide easement for ingress, egress, and utility purposes over, under, and across that part of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota, the centerline of said 33.00 foot wide easement is described as follows:
COMMENCING at the northeast corner of the East one-half of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 38 minutes 38 seconds West, along the north line of said East one-half of the Southwest Quarter of the Northwest Quarter, 594.64 feet to the northwest corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence South 01 degrees 17 minutes 08 seconds East, along the west line of said East one-half of the Southwest Quarter of the Northwest Quarter, 107.48 feet to the point of beginning of the centerline to be herein described; thence South 88 degrees 42 minutes 52 seconds West 36.92 feet; thence southwesterly 100.79 feet, along a tangential curve, concave to the southeast, having a radius of 65.00 feet and a central angle of 88 degrees 50 minutes 28 seconds; thence South 00 degrees 07 minutes 36 seconds East, tangent to said curve, 369.55 feet; thence southwesterly 131.83 feet, along a tangential curve, concave to the northwest, having a radius of 200.00 feet and a central angle of 37 degrees 46 minutes 04 seconds; thence South 37 degrees 38 minutes 28 seconds West, tangent to said last described curve, 47.54 feet; thence westerly 81.87 feet, along a tangential curve, concave to the north, having a radius of 80.00 feet and a central angle of 58 degrees 38 minutes 09 seconds; thence North 83 degrees 43 minutes 23 seconds West, tangent to said last described curve, 321.48 feet to the centerline of Sixteenth Avenue Northeast and said described centerline there terminating.

The sidelines of said 33.00 foot wide easement shall be prolonged or shortened to terminate on the easterly right of way line of said Sixteenth Avenue Northeast and on said west line of the East one-half of the Southwest Quarter of the Northwest Quarter.

**ROAD EASEMENT #2**
A 33.00 foot wide easement for ingress, egress, and utility purposes over, under, and across that part of the Southwest Quarter of the Northwest Quarter, Section 26, Township 145 North, Range 28 West, Cass County, Minnesota, the centerline of said 33.00 foot wide easement is described as follows:
COMMENCING at the northeast corner of the East one-half of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 38 minutes 38 seconds West, along the north line of said East one-half of the Southwest Quarter of the Northwest Quarter, 594.64 feet to the northwest corner of said East one-half of the Southwest Quarter of the Northwest Quarter; thence South 01 degrees 17 minutes 08 seconds East, along the west line of said East one-half of the Southwest Quarter of the Northwest Quarter, 107.48 feet; thence South 88 degrees 42 minutes 52 seconds West 36.92 feet; thence southwesterly 100.79 feet, along a tangential curve, concave to the southeast, having a radius of 65.00 feet and a central angle of 88 degrees 50 minutes 28 seconds; thence South 00 degrees 07 minutes 36 seconds East, tangent to said curve, 369.55 feet; thence southwesterly 131.83 feet, along a tangential curve, concave to the northwest, having a radius of 200.00 feet and a central angle of 37 degrees 46 minutes 04 seconds; thence South 37 degrees 38 minutes 28 seconds West, tangent to said last described curve, 47.54 feet; thence southwesterly 31.51 feet, along a tangential curve, concave to the northwest, having a radius of 80.00 feet and a central angle of 22 degrees 34 minutes 06 seconds to the point of beginning of the centerline to be herein described; thence South 57 degrees 35 minutes 38 seconds East, not tangent to said last described curve, 62.07 feet; thence southeasterly 29.28 feet, along a tangential curve, concave to the southwest, having a radius of 150.00 feet and a central angle of 11 degrees 10 minutes 57 seconds; thence South 46 degrees 24 minutes 41 seconds East, tangent to said last described curve, 129.26 feet; thence easterly 91.33 feet, along a tangential curve, concave to the north, having a radius of 70.00 feet and a central angle of 74 degrees 45 minutes 25 seconds; thence North 58 degrees 49 minutes 54 seconds East, tangent to said last described curve, 207.76 feet; thence North 51 degrees 35 minutes 18 seconds East 107.79 feet; thence northeasterly 91.92 feet, along a tangential curve, concave to the southeast, having a radius of 140.00 feet and a central angle of 37 degrees 37 minutes 09 seconds; thence North 89 degrees 12 minutes 27 seconds East, tangent to said last described curve, 13.79 feet to the west line of the East 200.00 feet of the East one-half of the Southwest Quarter of the Northwest Quarter, said Section 26 and said described centerline there terminating.

The sidelines of said 33.00 foot wide easement shall be prolonged or shortened to terminate on said west line of the East 200.00 feet of the East one-half of the Southwest Quarter of the Northwest Quarter.




| LINE TABLE | | |
|---|---|---|
| LINE | LENGTH | BEARING |
| L1 | 36.92 | S88°42'52"W |
| L2 | 369.55 | S00°07'36"E |
| L3 | 47.54 | S37°38'28"W |
| L4 | 321.48 | N83°43'23"W |
| L5 | 62.07 | S57°35'38"E |
| L6 | 129.26 | S46°24'41"E |
| L7 | 207.76 | N58°49'54"E |
| L8 | 107.79 | N51°35'18"E |
| L9 | 13.79 | N89°12'27"E |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | DELTA | LENGTH | RADIUS | CHORD BRG | CHORD |
| C1 | Δ=88°50'28" | 100.79 | 65.00 | S44°17'38"W | 90.99 |
| C2 | Δ=37°46'04" | 131.83 | 200.00 | N18°45'26"E | 129.46 |
| C3 | Δ=58°38'09" | 81.87 | 80.00 | N66°57'32"E | 78.34 |
| C4 | Δ=22°34'06" | 31.51 | 80.00 | N48°55'31"E | 31.31 |
| C5 | Δ=36°04'03" | 50.36 | 80.00 | N76°14'35"E | 49.53 |
| C6 | Δ=11°10'57" | 29.28 | 150.00 | N52°00'10"W | 29.23 |
| C7 | Δ=74°45'25" | 91.33 | 70.00 | S83°47'24"E | 84.99 |
| C8 | Δ=37°37'09" | 91.92 | 140.00 | S70°23'53"W | 90.28 |

## NOTES:

1. Wetland delineation was completed on 06-05-2008, by Ben Meister, Landecker & Associates, Inc.
2. Parcel ID of subject parcel: 83-026-2301.
3. All lines marked with flagging are only an approximation of the true boundary lines and are not to be used as an exact boundary location. Flagged lines should not be used for the establishment of improvements. To mark true boundary lines, additional monumentation would be required.

## LEGEND

- DENOTES EXISTING LP TANK
- DENOTES EXISTING SEPTIC CLEANOUT & SEPTIC TANK LID
- DENOTES DELINEATED WETLAND(S)
- DENOTES EXISTING STRUCTURE
- DENOTES MONUMENT FOUND
- DENOTES IRON MONUMENT SET MARKED BY LICENSE No. 21367
- DENOTES CALCULATED POSITION

N

100 0 100 200
SCALE IN FEET

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER TO HAVE AN ASSIGNED BEARING OF N 00°08'01" W.

RECEIVED
#396.3
AUG 4 2008
SW-NW 26-145-28
COUNTY SURVEYOR

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| SHEET | CERTIFICATE OF SURVEY | PROJECT MANAGER: TLF | PROJECT No.: 082058 | DATE: 07-28-2008 |
|---|---|---|---|---|
| 1 OF 1 | Pat Rooney<br>15017 16th Avenue NE<br>Bena, MN 56626 | CHECKED BY: TLF | FILE NAME: C082058.dwg | SCALE: HORZ. 1" = 100' |
| | | DRAWN BY: WAG | FIELD BOOK: BOOK 296 PG. 53 | VERT. NONE |

| REVISIONS | | |
|---|---|---|
| DATE | DESCRIPTION | BY |
| | | |

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Terry L. Freeman, PLS #21367
DATE 7/25/08 LIC. NO. 21367

Landecker & Associates, Inc.
Engineering · Surveying · Planning
Walker, MN 56484
Phone: 218-547-1296 Fax: 218-547-2272

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