

CERTIFICATE OF SURVEY

PART OF THE SOUTH HALF,
SECTION 35, TOWNSHIP 139 NORTH, RANGE 26 WEST,
CASS COUNTY, MINNESOTA

DESCRIPTIONS

Complaint dated June 8, 2009

EXHIBIT A

Government Lots 5 and 7, Section 35, Township 139 North, Range 26 West, Cass County, Minnesota, including that portion of the land lying between the U.S. Government meander line of Smokey Hollow Lake (Johnson & Thornton, U.S. Deputy Surveyors, 1864) and the Ordinary Low Water Mark of Smokey Hollow Lake that accrues to said Government Lot 7, said portion being more particularly described as follows: Beginning at a point on the south line of said Government Lot 7 where said line intersects said U.S. Government meander line; thence northerly and northwesterly along said meander line to its intersection with the west line of said Government Lot 7; thence southwesterly on a straight line to the center of the north end of Smokey Hollow Lake; thence easterly on a straight line to the point of beginning; except that portion of the bed of Smokey Hollow Lake lying below the Ordinary Low Water Mark.

The above-described land includes that part of Government Lot 4 and other lands, Section 35, Township 139 North, Range 26 West, Cass County, Minnesota, described as follows: Commencing at a point on the West line of said Government Lot 4, said point is also the southeast corner of Government Lot 2, said Section 35; thence North 89 degrees 48 minutes 55 seconds East assumed bearing along the East-West Quarter line of said Section 35 a distance of 100.11 feet to the intersection with a line drawn parallel with and distant 100.00 feet East of the West line of said Government Lot 4; thence South 02 degrees 29 minutes 15 seconds West parallel with the West line of said Government Lot 4 and its extension southerly a distance of 500.54 feet to the intersection with a line drawn parallel with and distant 500.00 feet South of said East-West Quarter line, the point of beginning of the tract to be herein described; thence North 89 degrees 48 minutes 55 seconds East parallel to said East-West Quarter line 400.44 feet to the intersection with a line drawn parallel with and distant 500.00 feet East of the West line of said Government Lot 4 and its extension southerly; thence South 02 degrees 29 minutes 15 seconds West parallel with the West line of said Government Lot 4 and its extension southerly a distance of 503.19 feet to the South one-sixteenth line of said Section 35; thence South 87 degrees 23 minutes 05 seconds West along said South one-sixteenth line 197 feet, more or less, to the shore line of Smokey Hollow Lake; thence northerly and northwesterly along said shore line to the intersection with a line bearing South 02 degrees 29 minutes 15 seconds West from the point of beginning; thence North 02 degrees 29 minutes 15 seconds East parallel with the West line of said Government Lot 4 and its extension southerly 471 feet, more or less, to the point of beginning;

said part being more particularly described as follows: Beginning at the southeast corner of the above-described property, thence northerly along the easterly line of said above-described property 260 feet, more or less, to its intersection with a line drawn from (A) the point at which the west line of said Government Lot 7 intersects the U.S. Government meander line (Johnson & Thornton, U.S. Deputy Surveyors, 1864) to (B) the center of the north end of Smokey Hollow Lake; thence southwesterly along the last mentioned line 250 feet, more or less, to the Ordinary Low Water Mark of Smokey Hollow Lake; thence southeasterly and southerly along said Ordinary Low Water Mark 175 feet, more or less, to the south one-sixteenth line of said Section 35; thence easterly along said south one-sixteenth line 197 feet, more or less, to the point of beginning.

PROPOSED LEMIRE TRACT (EXHIBIT A of First Amended Complaint dated September 16, 2009)

That part of Section 35, Township 139 North, Range 26 West of the 5th Principal Meridian in Cass County, Minnesota described as follows: COMMENCING at the southeast corner of Government Lot 7, said Section 35; thence on an assigned bearing of North 88 degrees 54 minutes 14 seconds West along the south line of said Government Lot 7 a distance of 1062.29 feet, more or less, to the intersection with the original government meander line of Smokey Hollow Lake, the point of beginning of the tract to be herein described; thence North 33 degrees 46 minutes 33 seconds East, along said meander line, 14.45 feet to an angle point thereon; thence North 03 degrees 46 minutes 33 seconds East, along said meander line, 240.24 feet to an angle point thereon; thence North 36 degrees 13 minutes 27 seconds West, along said meander line, 445.26 feet, to the intersection with the west line of said Government Lot 7; thence South 66 degrees 01 minute 56 seconds West on a line toward a point in the center of the north end of said lake 1165 feet, more or less, to the shoreline of Smokey Hollow Lake; thence southerly along said shoreline to the intersection with a line bearing South 85 degrees 06 minutes 32 seconds West from the point of beginning, as said line is drawn toward said point in the center of the north end of the lake; thence North 85 degrees 06 minutes 32 seconds East 1321 feet, more or less, to the point of beginning.

Subject to easements, restrictions, and reservations of record.

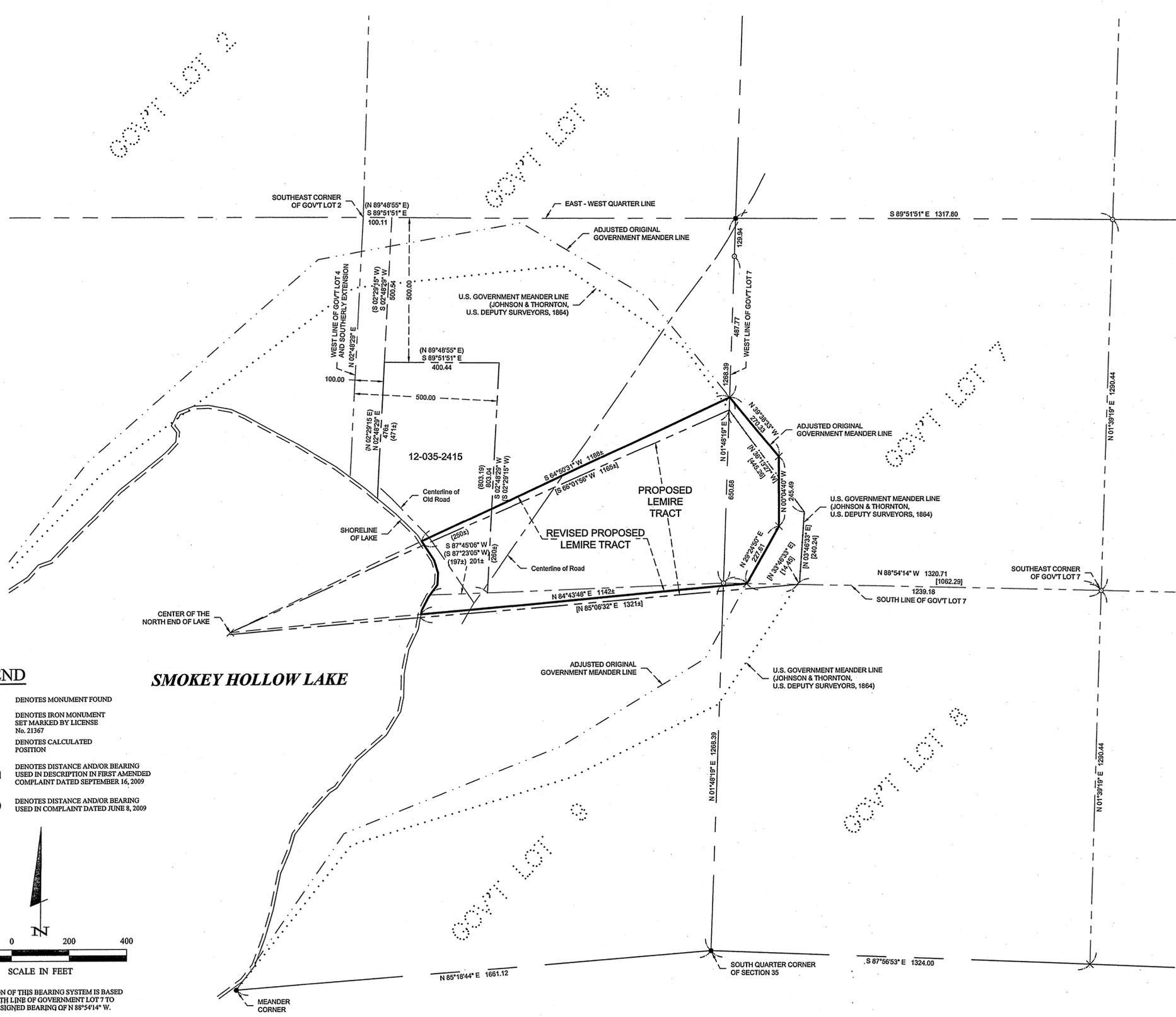
REVISED PROPOSED LEMIRE TRACT

That part of Section 35, Township 139 North, Range 26 West of the 5th Principal Meridian in Cass County, Minnesota described as follows: COMMENCING at the southeast corner of Government Lot 7, said Section 35; thence on an assigned bearing of North 88 degrees 54 minutes 14 seconds West along the south line of said Government Lot 7 a distance of 1239.18 feet, more or less, to the intersection with the adjusted original government meander line of Smokey Hollow Lake, the point of beginning of the tract to be herein described; thence North 29 degrees 24 minutes 50 seconds East, along said meander line, 227.61 feet to an angle point thereon; thence North 00 degrees 04 minutes 40 seconds West, along said meander line, 245.49 feet to an angle point thereon; thence North 39 degrees 38 minutes 33 seconds West, along said meander line, 270.33 feet, to the intersection with the west line of said Government Lot 7; thence South 64 degrees 50 minutes 31 seconds West on a line toward a point in the center of the north end of said lake 1188 feet, more or less, to the shoreline of Smokey Hollow Lake; thence southerly along said shoreline to the intersection with a line bearing South 84 degrees 43 minutes 48 seconds West from the point of beginning, as said line is drawn toward said point in the center of the north end of the lake; thence North 84 degrees 43 minutes 48 seconds East 1142 feet, more or less, to the point of beginning.

Subject to easements, restrictions, and reservations of record.

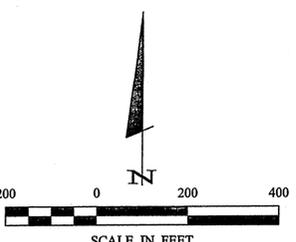
SURVEYORS NOTE:

Revised Proposed LeMire Tract description is based on lines drawn from the intersection of the adjusted original Government meander line (compass adjustment) with the west and south lines of Government Lot 7 to a point in the center of the north end of Smokey Hollow Lake. There has been no location of occupation of this area. No monumentation of lines or corners have been done other than as shown.

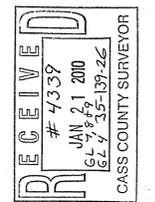


LEGEND

- DENOTES MONUMENT FOUND
- DENOTES IRON MONUMENT SET MARKED BY LICENSE No. 21367
- × DENOTES CALCULATED POSITION
- [123.45] DENOTES DISTANCE AND/OR BEARING USED IN DESCRIPTION IN FIRST AMENDED COMPLAINT DATED SEPTEMBER 16, 2009
- (123.45) DENOTES DISTANCE AND/OR BEARING USED IN COMPLAINT DATED JUNE 8, 2009



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE SOUTH LINE OF GOVERNMENT LOT 7 TO HAVE AN ASSIGNED BEARING OF N 88°54'14" W.



RECEIVED #4339 JAN 21 2010 G.L. 7, 35-139-26 CASS COUNTY SURVEYOR		LANDecker & Associates, Inc. Engineering, Surveying - Planning Walker, MN 56489 Phone: 218-547-1286 Fax: 218-547-2272	
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	Terry L. Freeman, PLS #21367 DATE: 12/24/09 LIC. NO. 21367	PROJECT NO.: 082005 FILE NAME: C092005.dwg FIELD BOOK: PG. NA BOOK NO.: PG. NA	PROJECT MANAGER: TLF CHECKED BY: TLF DRAWN BY: WAG
REVISIONS DATE DESCRIPTION 12-22-2009 Added previous descriptions	DATE: 12-22-2009 SCALE: 1" = 200' HORZ.: NONE VERT.: NONE	SHEET: 1 OF 1	CERTIFICATE OF SURVEY LeMire Family LLC 2657 Stagecoach Trails Afton, MN 55001 Attn: Keith LeMire

Wayne Bentley 12/24/2009 8:30 AM - F:\Drawings\2009\082005 LE MIRE.dwg