

CITY OF ROCKVILLE, MINNESOTA
QUALIFIED MINOR SUBDIVISION

FEE: \$100.00

RECORDING FEE \$46.00 (PER DOCUMENT)

10-18

Need separate checks: 1 for Qualified Minor application & 1 for recording fee(s)
PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER
AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

Date Application Submitted: 10-9-2012
(Must submit at least ten (10) day prior to the next Planning Commission)

Parcel (1) # 76.42142.0037

Parcel (2) # _____

Location: Section 02 Township 123 Range 029

Legal Description parcel (1): see Attach Document +

Legal Description parcel (2): See Attach Document
19.88 Acres ±

Owners Name Steven J Lex Phone 320-229-0104
First Name Middle Initial Last Name

Address 8949 County Rd 6 Email: Lex.Steven@gmail.com
St. Cloud, MN 56301

The following must be submitted:

Certificate of Survey -fifteen (15) copies 11"x 17"

[Signature] Date 10-9-2012
Signature of person

LEX FAMILY REV TRUST
8949 COUNTY ROAD 6
ST. CLOUD, MN 56301

Office use only:

Complete Application date _____

R# 2369 Qualified Minor Subd. Check # 2617 Date 10-9-12 101.41000.34103 \$100.00 Permit # _____
Application qualified minor subdivision.form.wd

Recording Fee CK 2618 46.00 10-9-12

LEXSTAFF REPORT
11/5/2012

RE: QUALIFIED MINOR SUBDIVISION
Parcel I.D. No. 76-42142.0037 – Section 02, Township 123, Range 029

Owner: Lex Family Revocable Trust
Steven Lex
Property Address: 8949 County Road 6, St. Cloud, MN 56301

REQUEST

1. Steven Lex would like to subdivide 4.5 acres from the total parcel for single family dwelling purposes.

RELEVANT INFORMATION

1. Property is zoned R-1.
2. Property is 19.88 acres approximately.
3. The owner(s) are proposing to sell 4.5 acres east of the home site for building purposes.
4. The Lex Family currently lives on Tract B.
5. Wetlands delineation was done on this parcel in 2003.
6. Stearns County would request that the developer update the wetlands delineation plan.
7. Setback from the wetlands is 10'.

RECOMMENDATION

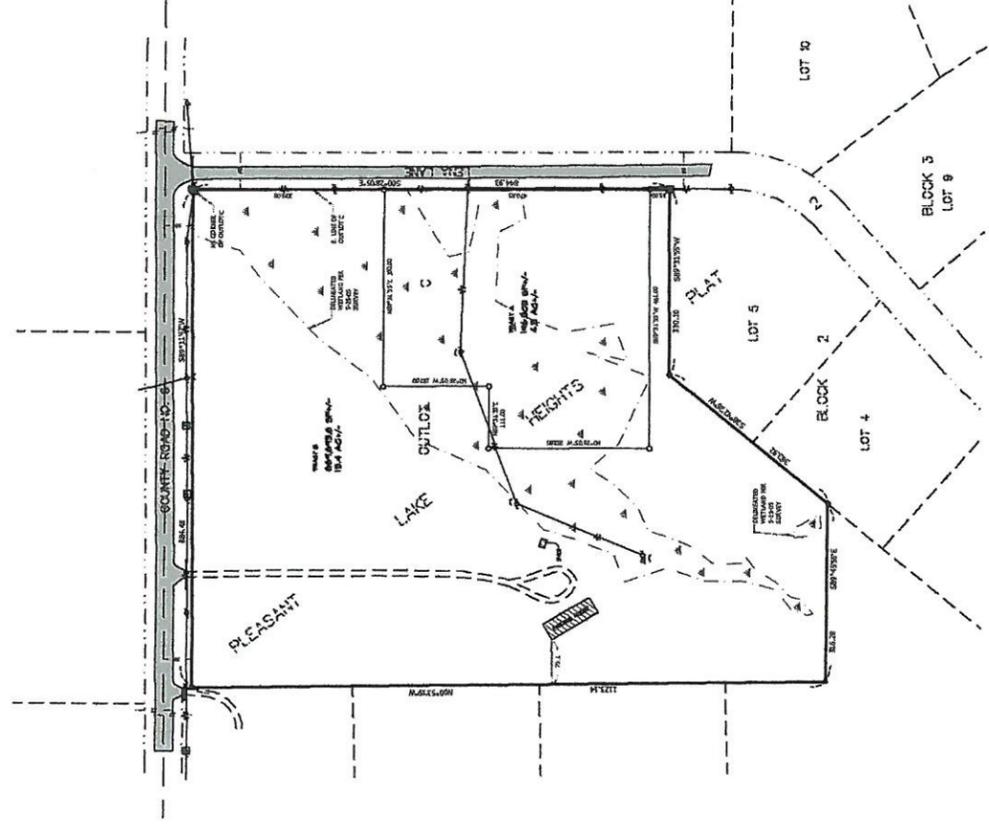
1. Without knowing where the proposed home(s) would be located staff will only comment that the split appears to be okay.
2. The proposed buyer and seller need to work out re-setting the wetland stakes so that an accurate site plan can be drawn up of the potential buyer.

Submitted by:
Rena Weber
Zoning Administrator

Lex Staff Report.2012

MINOR SUBDIVISION

- LEGEND**
- DC SANITARY SEWER
 - DC STREET SEWER
 - DC WATER MAIN
 - EMBED TELEPHONE
 - EMBED GAS MAIN
 - EMBED ELECTRIC
 - EMBED CABLE TELEVISION
 - AERIAL UTILITIES
 - TRAIL LINE
 - ROAD SIDE
 - TRAILER
 - UTILITY POLE OR JUNCTION
 - POLE BOX
 - TELEPHONE BOX



- MARKERS FROM MONUMENT FOUND
 - MARKERS FROM MONUMENT FOUND PLUS MONUMENT WITH 'STANTIC' EMBLEM
 - CAST IRON MONUMENT
- 0 100 200
 0 100 200
 MARKERS FROM MONUMENT FOUND
 MARKERS FROM MONUMENT FOUND PLUS MONUMENT WITH 'STANTIC' EMBLEM
 CAST IRON MONUMENT

ORIGINAL LAND DESCRIPTION
 SHALL BE AS SHOWN ON THE ORIGINAL RECORD MAP OF THE COUNTY OF STANTIC, MISSOURI, RECORDED IN BOOK 10, PAGE 100, AND AS SHOWN ON THE ORIGINAL RECORD MAP OF THE COUNTY OF STANTIC, MISSOURI, RECORDED IN BOOK 10, PAGE 100.

PROPOSED TRACT A:
 The land of Daniel C. Starnes, as shown on the original record map of the County of Stantic, Missouri, recorded in Book 10, Page 100, and as shown on the original record map of the County of Stantic, Missouri, recorded in Book 10, Page 100, and as shown on the original record map of the County of Stantic, Missouri, recorded in Book 10, Page 100.

PROPOSED TRACT B:
 The land of Daniel C. Starnes, as shown on the original record map of the County of Stantic, Missouri, recorded in Book 10, Page 100, and as shown on the original record map of the County of Stantic, Missouri, recorded in Book 10, Page 100, and as shown on the original record map of the County of Stantic, Missouri, recorded in Book 10, Page 100.

		DATE: 10/20/12 3:55 PM PROJECT: STANTIC LEASTEN, LEV 101.dwg DRAWN BY: [Name] CHECKED BY: [Name]
SHEET NO. 1 OF 1	PROJECT NO. 101	CLIENT: STEVEN LEX 8949 C.A. NO. 5 ST. LOUIS, MO 63126
REVISION DATE	APPROVED BY DATE	PREPARED BY DATE

CERTIFICATE OF COMPLIANCE

STATE OF MINNESOTA)
COUNTY OF STEARNS) ss
CITY OF ROCKVILLE)

RE: Parcel I.D. No. 76.42142.0037 – Section 2, Township 123, Range 029

The Rockville City Planning Commission and City Council have reviewed this 19.88 acre split and found it to be in compliance with the standards set forth in the City of Rockville as it is a separate tract of land and can be built upon. This split may be recorded.

The total property in question is 19.88 acres owned by Lex Family Rev Trust. The Lex's wish to sell a total of 4.5 acres.

ORIGINAL LAND DESCRIPTION

Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, a duly recorded plat on file and of record in the Office of the County Recorder, Stearns County, Minnesota.

PROPOSED TRACT A

Stearns County, Minnesota.

That part of Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, a duly recorded plat on file and of record in the Office of the County Recorder, Stearns County, Minnesota, described as follows: Commencing at the northeast corner of said Outlot C; thence South 00 degrees 28 minutes 05 seconds East, assumed bearing, along the east line of said Outlot C, a distance of 339.08 feet, to the point of beginning of the tract of land to be described; thence continue South 00 degrees 28 minutes 05 seconds East, 470.85 feet; thence South 89 degrees 31 minutes 55 seconds West, 461.00 feet; thence North 00 degrees 28 minutes 05 seconds West, 283.85 feet; thence North 89 degrees 31 minutes 55 seconds East, 111.00 feet; thence North 00 degrees 28 minutes 05 seconds West, 187.00 feet; thence North 89 degrees 31 minutes 55 seconds East, 350.00 feet, to the point of beginning.

PROPOSED TRACT B

Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, a duly recorded plat on file and of record in the Office of the County Recorder, Stearns County, Minnesota.

LESS AND EXCEPT

That part of Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, a duly recorded plat on file and of record in the Office of the County Recorder, Stearns County, Minnesota, described as follows: Commencing at the northeast corner of said Outlot C; thence South 00 degrees 28 minutes 05 seconds East, assumed bearing, along the east line of said Outlot C, a distance of 339.08 feet, to the point of beginning of the tract of land to be described; thence continue South 00 degrees 28 minutes 05 seconds East, 470.85 feet; thence South 89 degrees 31 minutes 55 seconds West, 461.00 feet; thence North 00 degrees 28 minutes 05 seconds West, 283.85 feet; thence North 89 degrees 31 minutes 55 seconds East, 111.00 feet; thence North 00 degrees 28 minutes 05 seconds West, 187.00 feet; thence North 89 degrees 31 minutes 55 seconds East, 350.00 feet, to the point of beginning.

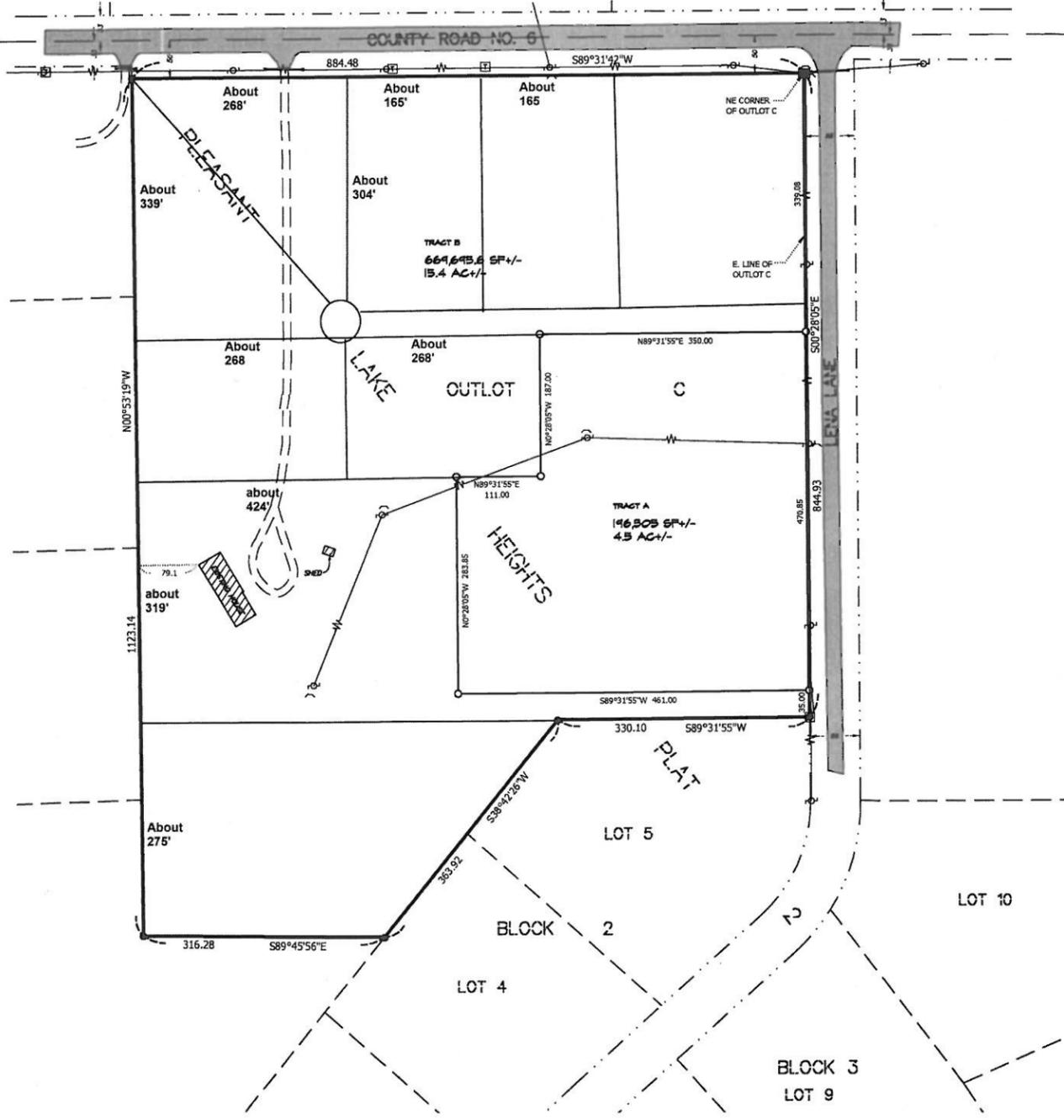
Approved this 7th day of November, 2012

Verena M. Weber-CMC
Administrator/Clerk

THIS INSTRUMENT DRAFTED BY:
CITY OF ROCKVILLE (VMW)
209 Broadway Street East
Rockville, MN 56369
(320) 251-5836

Cert. of Compliance.Lex.wd.doc

Steven Lee Concept Plan
10/9/12



STOMMES STAFF REPORT (UPDATED 11/5/12)
10/9/12

RE: SITE PLAN APPROVAL

76.41627.0202 Owners: John H. Stommes

Property Address: 10631 Broadway Street East, St. Cloud, MN 56301

REQUEST:

Approval to rezone 31.6 acres in A-40 District to I-2 Industrial

RELEVANT INFORMATION

1. Property is zoned A-40
2. Property is 31.6 acres approximately.
3. The owner is proposing to construct two building to store and maintain gavel crushing equipment. There will be no gravel crushing, clear cutting of trees on this parcel.
4. One letter of concern (e-mail from Emilee Hoff (Symanietz) is recorded.
5. 20 Notices of Public Hearing were sent out.

RECOMMENDATION

1. Access to this tract will be from an existing ingress road to be widened and culvert installed.
2. This will only be used for inside storage and maintenance of equipment.
3. There will be no clear cutting of trees.
4. Approve with these conditions.

11/5/12

REQUEST TO SPLIT OFF A 5 ACRE PORTION AND REZONE IT I-2

Mr. Stommes cannot do an Administrative Split on the five acre as he intends to build on the split portion so that is why this has become a Qualified Minor Subdivision.

Mr. Stommes is incurring additional expense in having the 5 acres surveyed.

I did not charge Mr. Stommes an additional fee for the additional work as it was at the Planning Commission's request.

In the future I would not recommend making changes like this on the spur of the moment – there are repercussions such as "Declaration of Restriction". Staff reviewed this and determined that this clause should help eliminate the declaration:

1. The owners of an eligible parcel who apply for a subdivision for use as a Residential Dwelling site shall execute a Declaration of Restriction for a forty (40) acre equivalent land area which is defined as forty (40) acres less the acreage of the Residential Dwelling site that is to be conveyed. **The Declaration of Restriction shall prohibit any additional development of the equivalent land area unless rezoned.** No property conveyance shall occur unless the Declaration of Restriction is first recorded in the Office of the County Recorder.

Because they may come back and wish to build on the remaining property – it will have to be rezoned.

Submitted by:
Rena Weber
Zoning Administrator

CERTIFICATE OF COMPLIANCE

STATE OF MINNESOTA)
COUNTY OF STEARNS) ss
CITY OF ROCKVILLE)

RE: Parcel I.D. No. 76.41627.0202 – Section 9, Township 123, Range 029

The Rockville City Planning Commission and City Council have reviewed this 31.6 acre split and found it to be in compliance with the standards set forth in the City of Rockville as it is a separate tract of land and can be built upon. This split may be recorded.

The total property in question is 31.6 acres owned by John H. Stommes. John Stommes wishes to subdivide a total of 5 acres and further rezone the 5 acres to I-2 Industrial 2.

ORIGINAL LAND DESCRIPTION:
31.6 Acres lying E'ly of Highway #23 less Highway and Less 11.59 Acres less Highway 23 ROW.

PROPOSED TRACT A

That part of the North Half of the Southeast Quarter of Section 9, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at monument B23 of Minnesota Department Of Transportation Right Of Way Plat No. 73-45, Stearns County, Minnesota, according to the recorded plat thereof; thence North 27 degrees 27 minutes 41 seconds East, assumed bearing, along a southeasterly line of said Minnesota Department Of Transportation Right Of Way Plat No. 73-45, a distance of 228.21 feet to the point of beginning; thence continue North 27 degrees 27 minutes 41 seconds East, along said southeasterly line, 56.95 feet, to monument B22 of said Minnesota Department Of Transportation Right Of Way Plat No. 73-45; thence northeasterly 384.61 feet, along said southeasterly line, along a tangential curve, concave to the southeast, having a radius of 1023.62 feet and a central angle of 21 degrees 31 minutes 42 seconds; thence North 89 degrees 27 minutes 17 seconds East, not tangent to last described curve, 497.83 feet; thence South 00 degrees 10 minutes 35 seconds East, 229.48 feet; thence South 48 degrees 45 minutes 10 seconds West, 182.35 feet; thence South 89 degrees 27 minutes 17 seconds West, 624.28 feet, to the point of beginning.

PROPOSED TRACT B - Remaining Residual

Tracts of land lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

That part of the NW1/4 of the SE1/4 and the NE1/4 of the SE1/4, all in of Section 9, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the Northeast corner of said NE1/4 of the SE1/4; thence S 00°10'57" W, on an assumed bearing, along the east line of said NE1/4 of the SE1/4, a distance of 1312.36 feet, to the Southeast corner of said NE1/4 of the SE1/4; thence on a bearing of S 89°27'17" W, along the south line of

said NE1/4 of the SE1/4, a distance of 498.25 feet, to monument B16 of Minnesota Department Of Transportation Right Of Way Plat No.73-45, Stearns County, Minnesota, according to the recorded plat thereof, and being the point of beginning of the land to be described; thence on a bearing of S 89°27'17" W, along said south line, a distance of 170.51 feet; thence on a bearing of N 01°10'51" E, a distance of 770.67 feet; thence on a bearing of N 88°48'31" W, a distance of 381.77 feet; thence on a bearing of S 35°10'54" W, a distance of 963.15 feet, to the south line of said NW1/4 of the SE1/4; thence on a bearing of S 89°27'17" W, along said south line of the NW1/4 of the SE1/4; a distance of 619.10 feet, to the easterly right of way line of Broadway Street East (F.K.A. Trunk Highway No.23); thence on a bearing of N 27°27'41" E, along said easterly right of way line, a distance of 590.30 feet, to a southwesterly line of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of S 62°32'19" E, along said southwesterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 25.12 feet, to monument B23 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of N 27°27'41" E, along a southeasterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 285.16 feet, to monument B22 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence 681.65 feet northeasterly along a tangent curve, concave to the southeast, and along a southeasterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, having a radius of 1023.62 feet and a central angle of 38°09'15", to monument B21 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of N 76°00'26" E, not tangent to last described curve and along a southeasterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 303.12 feet, to monument B20 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of S 89°46'57" E, along a southeasterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 460.51 feet, to monument B19 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of S 01°05'15" E, along a westerly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 229.66 feet, to monument B18 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of S 17°41'12" E, along a westerly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 68.51 feet, to monument B17 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of S 01°05'15" E, along a westerly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 986.09 feet, to monument B16 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45, and the point of beginning.

AND:

That part of the NE1/4 of the SE1/4, of Section 9, Township 123, Range 29, Stearns County, Minnesota, described as follows: Beginning at the Northeast corner of said NE1/4 of the SE1/4; thence S 00°10'57" W, on an assumed bearing, along the east line of said NE1/4 of the SE1/4, a distance of 1312.36 feet, to the Southeast corner of said NE1/4 of the SE1/4; thence on a bearing of S 89°27'17" W, along the south line of said NE1/4 of the SE1/4, a distance of 196.40 feet, to monument B4 of Minnesota Department Of Transportation Right Of Way Plat No.73-45, Stearns County, Minnesota, according to the recorded plat thereof; thence on a bearing of N 00°10'32" E, along a easterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 595.40 feet, to monument B1 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45; thence on a bearing of N 01°05'15" W, along a easterly line of Minnesota Department Of Transportation Right Of Way Plat No.73-45, a distance of 716.30 feet, to monument B4526 of said Minnesota Department Of Transportation Right Of Way Plat No.73-45 and the north line of said NE1/4 of the SE1/4; thence on a bearing of N 89°17'03" E, along said north line, a distance of 212.36 feet, to the point of beginning.

Less and Except:

That part of the North Half of the Southeast Quarter of Section 9, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at monument B23 of Minnesota Department Of Transportation Right Of Way Plat No. 73-45, Stearns County, Minnesota, according to the recorded plat thereof; thence North 27 degrees 27 minutes 41 seconds East, assumed bearing, along a southeasterly line of said Minnesota Department Of Transportation Right Of Way Plat No. 73-45, a distance of 228.21 feet to the point of beginning; thence continue North 27 degrees 27 minutes 41 seconds East, along said southeasterly line, 56.95 feet, to monument B22 of said Minnesota Department Of Transportation Right Of Way Plat No. 73-45; thence northeasterly 384.61 feet, along said southeasterly line, along a tangential curve, concave to the southeast, having a radius of 1023.62 feet and a central angle of 21 degrees 31 minutes 42 seconds; thence North 89 degrees 27 minutes 17 seconds East, not tangent to last described curve, 497.83 feet; thence South 00 degrees 10 minutes 35 seconds East, 229.48 feet; thence South 48 degrees 45 minutes 10 seconds West, 182.35 feet; thence South 89 degrees 27 minutes 17 seconds West, 624.28 feet, to the point of beginning.

Approved this 7th day of November, 2012

Verena M. Weber-CMC
Administrator/Clerk

THIS INSTRUMENT DRAFTED BY:
CITY OF ROCKVILLE (VMW)
209 Broadway Street East
Rockville, MN 56369
(320) 251-5836

Cert. of Compliance.Stommes.wd.doc

CERTIFICATE OF COMPLIANCE

STATE OF MINNESOTA)
COUNTY OF STEARNS) ss
CITY OF ROCKVILLE)

RE: Parcel I.D. No. 76.42142.0037 – Section 2, Township 123, Range 029

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ORIGINAL LAND DESCRIPTION

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PROPOSED TRACT A

Stearns County, Minnesota.

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PROPOSED TRACT B

Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, a duly recorded plat on file and of record in the Office of the County Recorder, Stearns County, Minnesota.

LESS AND EXCEPT

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Approved this 7th day of November, 2012

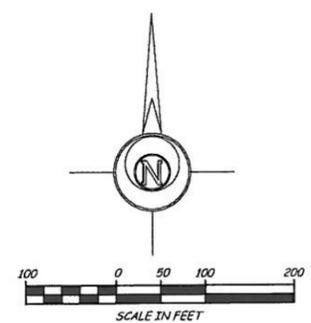
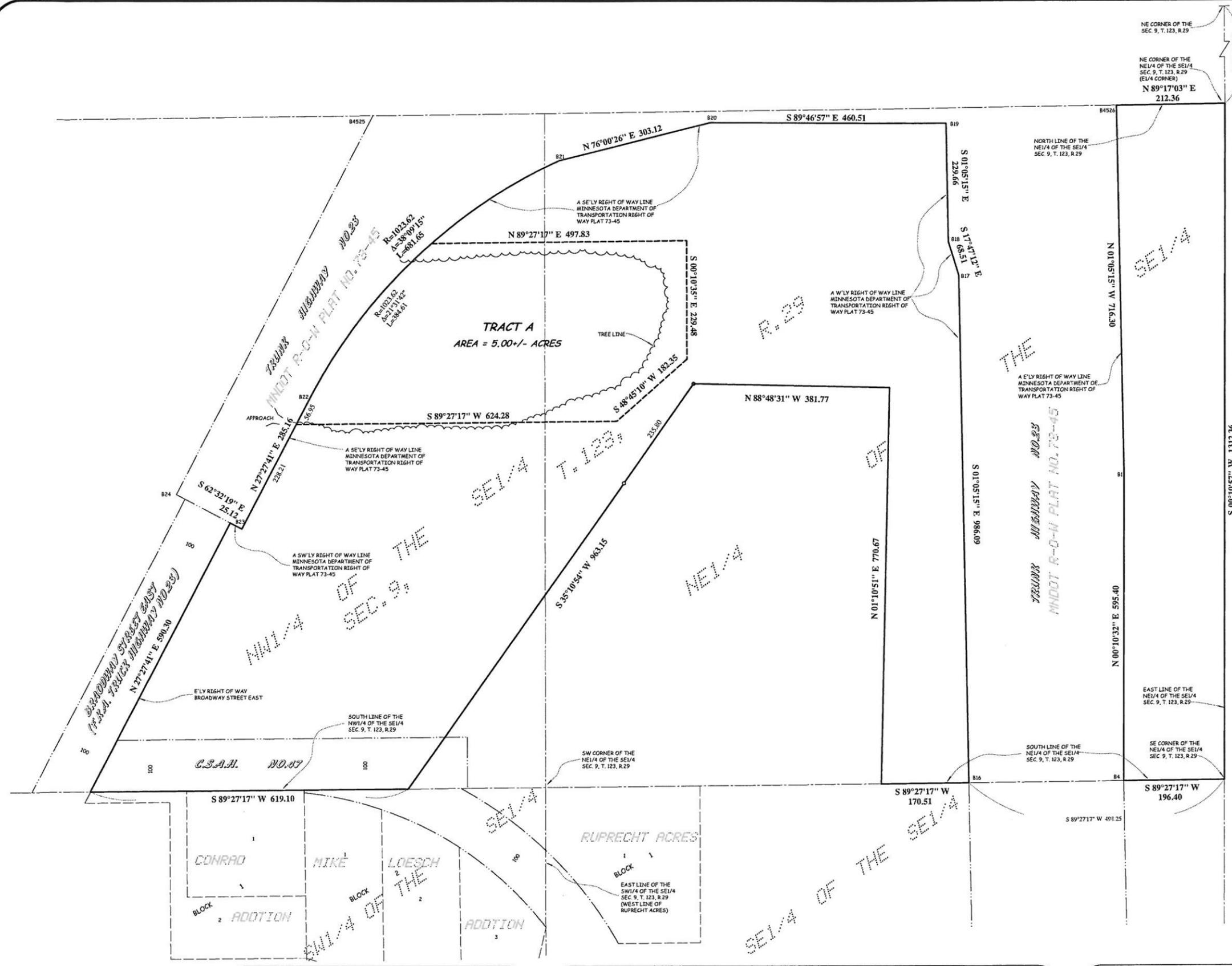
Verena M. Weber-CMC
Administrator/Clerk

THIS INSTRUMENT DRAFTED BY:
CITY OF ROCKVILLE (VMW)
209 Broadway Street East
Rockville, MN 56369
(320) 251-5836

Cert. of Compliance.Lex.wd.doc

LEGAL DESCRIPTION

Tract A:
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- Legend
- INDICATES IRON MONUMENT FOUND
 - INDICATES IRON MONUMENT PLACED
 - INDICATES STEARNS COUNTY CAST IRON MONUMENT

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105
COLD SPRING, MN 56320
PH. 320-685-5905
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

328 SW 3RD ST.
WILLMAR, MN 56201
PH. 320-235-4012
FAX 320-214-9380

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.
DATE: 10-25-12
DANIEL M. KRON
MINNESOTA REGISTRATION NO. 42621

SHEET 1 OF 1

SURVEY SKETCH AND LEGAL DESCRIPTION PREPARED FOR:
JOHN STOMMES
JOB NO: 2012-342
FILE NAME: 2012-342.SCF
LOCATION: 9-123-29