

DRAINAGE SYSTEM EASEMENT

Mark D. Pittman, a widower (Grantor), is the owner of real property located in Kilkenny Township, Le Sueur County, Minnesota, legally described as set forth on the attached **Exhibit "A"** (Burdened Parcel).

Grantor, for good and valuable consideration as set forth below, does convey and deed to the Drainage Authority for Le Sueur and Rice Counties Judicial Ditch 38 ("JD 38"), for the benefit of said drainage system, an easement over that portion of the Burdened Parcel described as follows:

A 60.00 foot easement for drainage purposes over and across that part of the Southeast Quarter of the Southwest Quarter of Section 25, Township 110 North, Range 23 West, Le Sueur County, Minnesota, the centerline of said easement is described as follows:

Commencing at the South Quarter Corner of said Section 25; thence North 89 degrees 40 minutes 21 seconds West (assumed bearing) on the south line of the Southeast Quarter of the Southwest Quarter, 1328.07 feet to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 38 minutes 35 seconds East on the west line of said Southeast Quarter of the Southwest Quarter, 43.38 feet; thence North 41 degrees 39 minutes 42 seconds East, 15.79 feet to the point of beginning of the centerline to be described; thence North 41 degrees 39 minutes 42 seconds East, 58.22 feet; thence northerly 53.11 feet on a tangential curve concave to the west having a radius of 55.00 feet and a central angle of 55 degrees 19 minutes 48 seconds; thence North 13 degrees 40 minutes 06 seconds West, 11.41 feet; thence northeasterly 115.07 feet on a tangential curve concave to the east having a radius of 120.00 feet and a central angle of 54 degrees 56 minutes 29 seconds; thence North 41 degrees 16 minutes 22 seconds East, 10.74 feet; thence northerly 58.22 feet on a tangential curve concave to the west having a radius of 80.00 feet and a central angle of 41 degrees 42 minutes 02 seconds to the south line of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter, and said centerline there terminating.

The sides of said easement are to be prolonged or shortened to terminate at the west line of said Southeast Quarter of the Southwest Quarter and at the south line

of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter.

(Easement Area) Said easement area containing 0.42 acres, more or less.

The basis of need for the easement is as follows:

There is a pending petition to realign portions of JD 38 from its current alignment to a new alignment on the Burdened Parcel to facilitate protection of public roadways.

Grantor acknowledges and accepts as consideration for the Easement the sum of \$2,100.

The Easement shall be assignable, in whole or in part, to any unit of government for any purpose related to the maintenance, repair, improvement, or operation of JD 38.

In addition to the Easement granted above, Grantor grants a temporary construction easement as described below.

TEMPORARY CONSTRUCTION EASEMENT

Grantor, for good and valuable consideration as set forth below does convey and deed to the Drainage Authority for JD 38, for the benefit of said drainage system, a Temporary Construction Easement over that portion of the Burdened Parcel described as follows:

A 96.00 foot temporary construction easement over and across that part of the Southeast Quarter of the Southwest Quarter of Section 25, Township 110 North, Range 23 West, Le Sueur County, Minnesota, the centerline of said easement is described as follows:

Commencing at the South Quarter Corner of said Section 25; thence North 89 degrees 40 minutes 21 seconds West (assumed bearing) on the south line of the Southeast Quarter of the Southwest Quarter, 1328.07 feet to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 38 minutes 35 seconds East on the west line of said Southeast Quarter of the Southwest Quarter, 43.38 feet; thence North 41 degrees 39 minutes 42 seconds East, 15.79 feet to the point of beginning of the centerline to be described; thence North 41 degrees 39 minutes 42 seconds East, 58.22 feet; thence northerly 53.11 feet on a tangential curve concave to the west having a radius of 55.00 feet and a central angle of 55 degrees 19 minutes 48 seconds; thence North 13 degrees 40 minutes 06 seconds West, 11.41 feet; thence northeasterly 115.07 feet on a tangential curve concave to the east having a radius of 120.00 feet and a central angle of 54 degrees 56 minutes 29 seconds; thence North 41 degrees 16 minutes 22 seconds East, 10.74 feet; thence northerly 58.22 feet on a tangential curve concave to the west having a radius of 80.00 feet and a central angle of 41 degrees 42 minutes 02 seconds to the south line of the South One-Half of the North Three-

Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter, and said centerline there terminating.

The sides of said easement are to be prolonged or shortened to terminate at the west line of said Southeast Quarter of the Southwest Quarter and at the south line of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter.

(Temporary Easement Area) Said Easement Area outside of drainage system easement contains 0.24 acres, more or less.

The Temporary Easement granted herein is for the purpose of temporary construction access and interference during the realignment of JD 38.

The Temporary Easement is granted for a term of 2 consecutive years, beginning October 1, 2022 and extending through October 1, 2024, or upon notice of project completion by the Drainage Authority, whichever is sooner.

Grantor acknowledges and accepts as consideration for the Temporary Easement the sum of \$165.00.

A depiction of the Easement Area and Temporary Easement Area is attached hereto as **Exhibit "B"**. Grantor's easements are listed under Proposed Easement B in Exhibit B.

Further, along with the permanent and temporary easements conveyed herein, Grantor conveys a permanent right of entry over the Burdened Parcel, to be executed reasonably, for the purpose of allowing the Drainage Authority for JD 38, or its agents, to access JD 38 for the purpose of statutorily required maintenance and inspection of JD 38. Said entry and future occupation of the Burdened Property or Easement Area for said purposes may require the payment of crop or other temporary damages but shall not include any payment of damages for removal of trees within the easement area.

Grantor retains all rights to surface use of the Easement Area for agricultural purposes consistent with the function and operation of JD 38 and any future maintenance thereof.

IN WITNESS WHEREOF, Grantor has executed this instrument on this 16 day of November 2022.

{Signature Page to Follow}

**SIGNATURE PAGE TO
DRAINAGE SYSTEM EASEMENT**

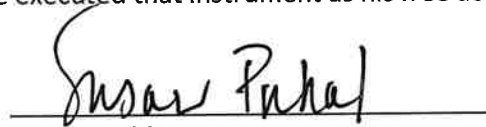
GRANTOR



Mark D. Pittman

STATE OF MINNESOTA)
) SS
COUNTY OF LeSueur)

On this 16 day of November, 2022, before me, a Notary Public for this County, personally appeared Mark D. Pittman, a widower, who I know to be the person described in the foregoing instrument, and who acknowledged that he executed that instrument as his free act and deed.



Notary Public

THIS INSTRUMENT DRAFTED BY:
Rinke Noonan (JCK)
1015 W. St. Germain St., Suite 300
P.O. Box 1497
St. Cloud, MN 56302-1497
(320) 251-6700
File No. 24252-0002



EXHIBIT A (Description of Burdened Parcel)

Part of the Southeast Quarter of the Southwest Quarter of Section 25, Township 110, Range 23, Le Sueur County, Minnesota, described as follows: Commencing at the southeast corner of said Southwest Quarter of Section 25, thence on an assumed bearing of South 89 degrees 26 minutes 04 seconds West along the South line of said Southwest Quarter 660.00 feet to the point of beginning of the tract to be described; thence continuing South 89 degrees 26 minutes 04 seconds West along said South line 670.42 feet to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 13 minutes 24 seconds West along the West line of said Southeast Quarter of the Southwest Quarter 330.00 feet; thence North 89 degrees 26 minutes 02 seconds East 667.73 feet; thence South 00 degrees 41 minutes 21 seconds East, parallel with the East line of said Southwest Quarter, 330.00 feet to the point of beginning.

PID 06.025.7500

**EXHIBIT B (Easement Area Depictions)
(See Attached)**

PROPOSED EASEMENT A.

A 60.00 foot easement for drainage purposes over and across that part of the Southeast Quarter of the Southwest Quarter of Section 25, Township 110 North, Range 23 West, Le Sueur County, Minnesota, the centerline of said easement is described as follows:

Commencing at the South Quarter Corner of said Section 25; thence North 88 degrees 40 minutes 21 seconds West (assumed bearing) on the south line of the Southeast Quarter of the Southwest Quarter, 1328.07 feet to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 38 minutes 35 seconds East on the west line of said Southeast Quarter of the Southwest Quarter, 43.38 feet; thence North 41 degrees 39 minutes 42 seconds East, 74.01 feet; thence northerly 53.11 feet on a tangential curve concave to the west having a radius of 55.00 feet and a central angle of 55 degrees 19 minutes 48 seconds; thence North 13 degrees 40 minutes 06 seconds West, 11.41 feet; thence northeasterly 115.07 feet on a tangential curve concave to the east having a radius of 120.00 feet and a central angle of 54 degrees 56 minutes 29 seconds; thence North 41 degrees 16 minutes 22 seconds East, 10.74 feet; thence northeasterly 55.22 feet on a tangential curve concave to the west having a radius of 80.00 feet and a central angle of 41 degrees 42 minutes 02 seconds to a point on the south line of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter, said point being the point of beginning of the centerline to be described; thence northeasterly 28.69 feet on a tangential curve concave to the west having a radius of 60.00 feet and a central angle of 20 degrees 32 minutes 55 seconds; thence North 20 degrees 58 minutes 35 seconds West, 4.76 feet; thence easterly 110.57 feet on a tangential curve concave to the southeast having a radius of 60.00 feet and a central angle of 105 degrees 35 minutes 28 seconds; thence North 84 degrees 36 minutes 53 seconds East, 34.65 feet; and said centerline there terminating.

The sides of said easement are to be prolonged or shortened to terminate at the south line of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter.

PROPOSED EASEMENT B.

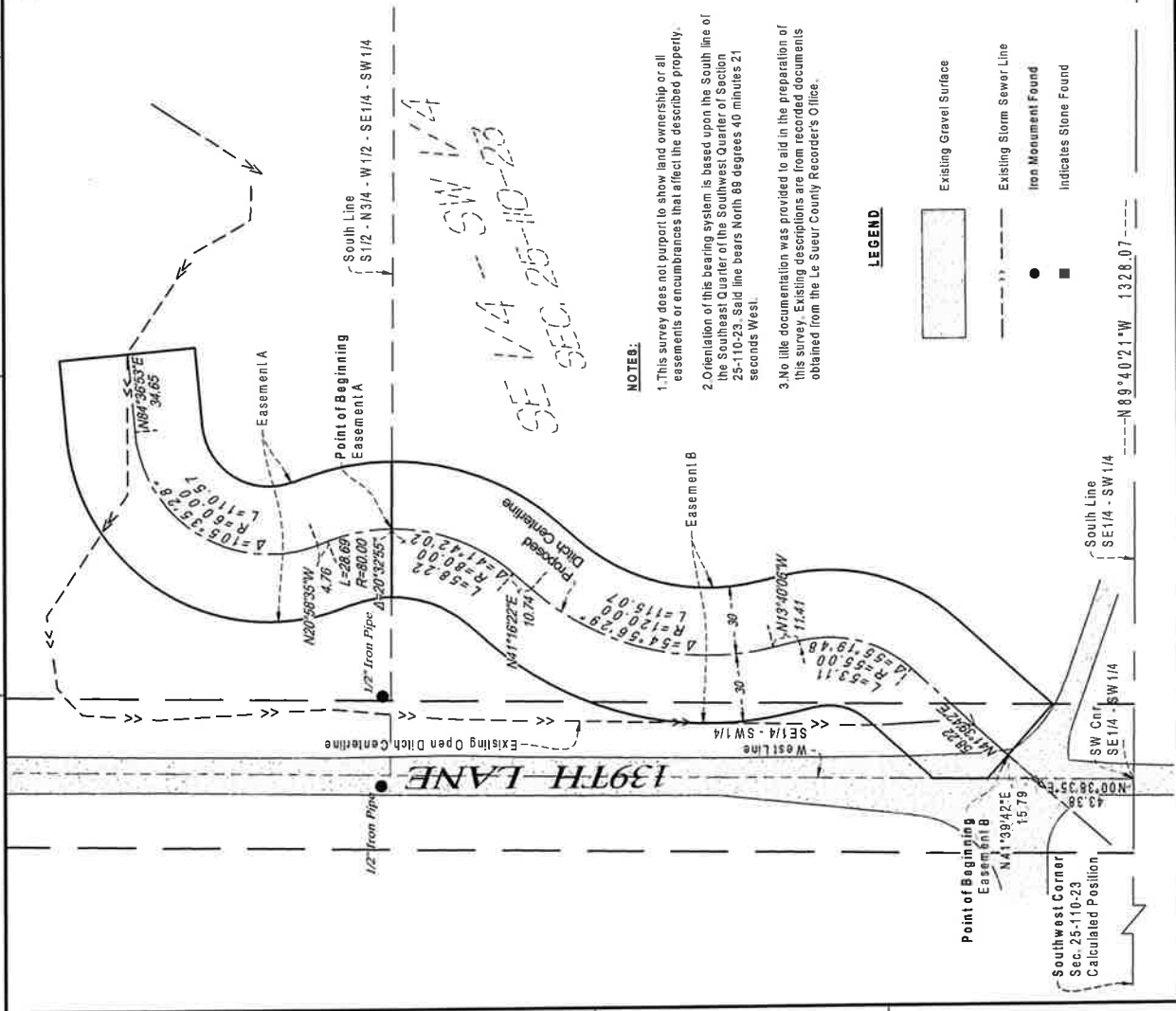
A 60.00 foot easement for drainage purposes over and across that part of the Southeast Quarter of the Southwest Quarter of Section 25, Township 110 North, Range 23 West, Le Sueur County, Minnesota, the centerline of said easement is described as follows:

Commencing at the South Quarter Corner of said Section 25; thence North 89 degrees 40 minutes 21 seconds West (assumed bearing) on the south line of the Southeast Quarter of the Southwest Quarter, 1328.07 feet to the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 38 minutes 35 seconds East on the west line of said Southeast Quarter of the Southwest Quarter, 43.38 feet; thence North 41 degrees 39 minutes 42 seconds East, 74.01 feet; thence northerly 53.11 feet on a tangential curve concave to the west having a radius of 55.00 feet and a central angle of 55 degrees 19 minutes 48 seconds; thence North 13 degrees 40 minutes 06 seconds West, 11.41 feet; thence northeasterly 115.07 feet on a tangential curve concave to the east having a radius of 120.00 feet and a central angle of 54 degrees 56 minutes 29 seconds; thence North 41 degrees 16 minutes 22 seconds East, 10.74 feet; thence northerly 55.22 feet on a tangential curve concave to the west having a radius of 80.00 feet and a central angle of 41 degrees 42 minutes 02 seconds to the south line of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter, and said centerline there terminating.

The sides of said easement are to be prolonged or shortened to terminate at the west line of said Southeast Quarter of the Southwest Quarter and at the south line of the South One-Half of the North Three-Fourths of the West One-Half of the Southeast Quarter of the Southwest Quarter.

AREA TABLE:

Easement A = 10,721 sq. ft.
Easement B = 10,255 sq. ft.
Total Area = 20,976 sq. ft.



SCALE IN FEET
0 15 30

KEY PLAN

THIS DOCUMENT IS THE PROPERTY OF ISG AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN PERMISSION OF ISG.

DATE: 11/11/18
DRAWN BY: DANIEL L. STEEBER

**LE SUEUR & RICE
COUNTIES
JOINT COUNTY
DITCH No. 38**

LE SUEUR COUNTY MINNESOTA

DATE	DESCRIPTION	BY
11/11/18	Final Change per owner	AS

REVISION SCHEDULE

NO.	DATE	DESCRIPTION
1	11/11/18	Final Change per owner

PROJECT NO: 17-12963
CLIENT NAME: 2303 DASHLEY ST
DRAWN BY: AS
CHECKED BY: [Signature]
DATE: 11/11/18
SPECIAL RELEASE DATE: 8/2/22
CLIENT PROJECT NO: [Blank]

**DRAINAGE
SYSTEM
EASEMENT**

TITLE