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STATE OF MINNESOTA

COUNTY OF RAMSEY

FILED
Court Administrator

APR 18 1996

DISTRICT COURT

J.E. GLOCKOWSKI
By J.E. GLOCKOWSKI Deputy **SECOND JUDICIAL DISTRICT**

In the Matter of the Application to
Register Title to Certain Land, of

FILE NO. 11953

City of White Bear Lake,
a Minnesota Municipal Corporation

ORDER AND DECREE

OF REGISTRATION

The above entitled matter, upon the motion of the Applicant, came on for hearing on April 17, 1996 at 2:00 P.M. at the Ramsey County Government Center West, Suite 3C, in the City of Saint Paul, said County and State. Roger Jensen, Esq., appeared on behalf of the Applicant; Dennis Trooien, Esq. appeared on behalf of defendant Cottage Park Homeowner's Association, Inc. Also appearing were James Wall and James Butcher, members of said Homeowner's Association. No objections were made. The Court, having duly considered the Application, the Report(s) of the Examiner of titles and the evidence adduced by the Applicant, finds:

1. Except as hereinafter provided, the facts and the opinion upon the title stated in the Report(s) of the Examiner of Titles are true and correct.
2. That all the occupants of the relevant adjoining lands were duly served with notice and made defendants in this proceeding.
3. All the requirements of the law in respect to the application and any amendments thereto have been complied with and all of the defendants in this proceeding have been duly served with process as required by law or have consented to the registration herein. It further appears that no answer has been filed or appearance has been made by any defendant in this proceeding, except for those filed answers that subsequently have been duly withdrawn, as evidenced herein.
4. Except as hereinafter provided, none of the defendants named in the Summons and any amendments or supplements thereto have any right, title, estate, lien or interest in the premises hereinafter described.
5. According to the last official assessment thereof, said premises are of the market value of \$37,000.00, exclusive of improvements.
6. The premises are unoccupied, except pursuant to the Declaration of Basements, Uses and Limitations, as Amended and described in paragraph 8 hereof.

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7. That Plaintiff and Defendant Cottage Park Homeowner's Association, Inc. entered into a Stipulation and Consent to Entry of Judgment on October 18, 1983, and Assent to Registration and Stipulation for Order to Register Title dated February 24, 1995 on file herein.

8. That Plaintiff and Defendant Cottage Park Homeowner's Association, Inc. entered into a Declaration of Easements, Uses and Limitations on October 18, 1983 which was recorded in the office of the County Recorder in and for Ramsey County, Minnesota, on May 7, 1984 as Document No. 2219607 of Ramsey County Records, which Declaration was amended by the "Amendment Agreement," dated February 14, 1995, recorded April 14, 1995 as Doc. No. 2863748 of Ramsey County Records.

9. That the legal description set out on the attached Exhibit A to said Amendment Agreement contains a typographical error, at line 16, by referring to "... a distance of 33.16 feet;" rather than to "... a distance of 33.12 feet;" and that therefore said Amendment Agreement should be reformed herein.

10. That the Town of White Bear Lake has executed a deed to the City of White Bear Lake dated March 25, 1985, recorded April 17, 1985 as Document No. 2260403 of Ramsey County Records.

11. That a Withdrawal of Answers or Assent to Registration by all defendants has been filed with the Court.

12. That none of the successors in interest to the applicant in Ramsey County Torrens Case No. 2521 has any interest in the lands being registered herein.

13. That Naomi W. Sharar, single, the successor to Harold G. Sharar's interest as joint tenant, duly conveyed to the city of White Bear Lake, her interest in and to a part of Block A, and to Lots 11, 12, and 13, Block 1, "Cottage Park," by warranty deed dated September 23, 1985, recorded March 5, 1985 as Doc. No. 2304305 of Ramsey County Records.

14. That the land is tax exempt.

15. That the date set out in paragraph 3b. of the Amendment Agreement filed as Doc. No. 2863748 is extended from December 1, 1995 to June 1, 1996, by verbal Stipulation of counsel for the City and counsel for the Homeowner's Association.

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NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as follows:

1. A default or Assent as to each defendant named in the Summons and any amendments or supplements thereto and "all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate hereinafter described" is hereby entered in the above entitled action.

2. That the legal description set out as Exhibit A to the Amendment Agreement dated February 14, 1995, recorded April 14, 1995 as Doc. No. 2863748 of Ramsey County Records, is hereby reformed to show that the correct distance call on line 16 of said Exhibit A is:

"... a distance of 33.17 feet;"

3. That Ramsey County District Court (Torrens) File Nos. 2521 and 7663 are hereby dismissed with prejudice; and that two certified copies of this Order shall be made by the Court Administrator for the purpose of filing in said Torrens File Nos. 2521 and 7663.

4. The City of White Bear Lake whose post office address is 4820 Cook Avenue, City of White Bear Lake, County of Ramsey, State of Minnesota, is the owner of an estate in fee simple in the following described land in the County of Ramsey, State of Minnesota:

**SEE EXHIBIT A ATTACHED HERETO AND
INCORPORATED HEREIN SPECIFICALLY BY THIS
REFERENCE.**

5. That said land is brought under the provisions and operations of Minnesota Statutes Chapter 508, and that the title thereto is confirmed and registered as provided in said act; subject, however:

To any rights or encumbrances which may be subsisting as specified in Minnesota Statutes, Section 508.25.

Subject To the terms and conditions of the Declaration of Easements, Uses and Limitations dated October 18, 1983, and recorded on May 7, 1984, as Document No. 2219607 of Ramsey County Records.

Subject To the Amendment Agreement dated February 14, 1995, recorded April 14, 1995, as Doc. No. 2863748 of Ramsey County Records, the legal description of which was reformed by Order and Decree of Registration, Ramsey County District Court file No. T-11953, see Doc. No. 1118663 [Registrar to insert Doc. No. assigned to filed Decree of Registration].

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To a reservation by the State of Minnesota of all minerals and mineral rights.

Dated at St. Paul, Minnesota

April 18, 1976

J. S. Condy
JUDGE OF DISTRICT COURT

The foregoing facts were found by me after
due hearing and the entry of the ORDER AND
DECREE OF REGISTRATION is recommended.

ROBERT BEUTEL, EXAMINER OF TITLES

By Julie A. Bergh
Julie A. Bergh, Deputy

Decree entered this 18 day of April, 1976 at 11:10 o'clock A.M.

J. E. GOCKOWSKI, Court Administrator

By Henry J. Petersen
Deputy

J. E. GOCKOWSKI, Court Administrator,
Ramsey County, State of Minnesota, does hereby
certify that the attached instrument is a true
and correct copy of the original on file and
of record in my office.

Dated this 18 day of April, 1976
J. E. GOCKOWSKI, Court Administrator
By Henry J. Petersen Deputy
File No. 1118663

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EXHIBIT A

That part of Block A, and accretions thereto, and that part of Block B, "Cottage Park", all described as beginning at the intersection of the Southerly shoreline of White Bear Lake with the extension Northwesterly of the Westerly line of Lot 11, Block 1, "Cottage Park", which extended line is marked by Judicial Landmarks set pursuant to Torrens Case No. 11580; thence Southeasterly along said extended lot line to the Northwest corner of said Lot 11; thence Northeasterly along the Northerly lines of Lots 11, 12 and 13, said Block 1, to the Northeast corner of said Lot 13; thence Southeasterly along the Easterly line of said Lot 13 to the Southeast corner of said Lot 13; thence Northeasterly 10 feet to the Southwest corner of Lot 14, said Block 1; thence Northwesterly along the Westerly line of said Lot 14 to the Northwest corner of said Lot 14; thence Northeasterly along the Northerly lines of Lots 14 to 19, inclusive, said Block 1, to the Northeast corner of said Lot 19; thence Southeasterly along the Easterly line of said Lot 19 to the Southeast corner of said Lot 19; thence Southeasterly deflecting to the left 00 degrees 08 minutes 56 seconds a distance of 33.17 feet; thence East, deflecting to the left 69 degrees 48 minutes 09 seconds a distance of 1.63 feet; thence on a tangential curve to the right having a radius of 146.6 feet to an intersection with the extension Southwesterly of the Northwesterly line of Lot 1, Block 2, "Cottage Park"; thence Northeasterly along said last described line to the Southwest corner of said Lot 1; thence Northwesterly deflecting to the left 90 degrees 35 minutes 23 seconds a distance of 9.78 feet; thence Northeasterly, deflecting to the right 90 degrees 38 minutes 20 seconds, to the shoreline of White Bear Lake; thence Westerly, Southerly, Southeasterly and Southwesterly along said shoreline to the point of beginning.

J. E. GOCKOWSKI, Court Administrator
Prensey County, State of Minnesota, does hereby
certify that the attached instrument is a true
and correct copy of the original on file and
of record in my office.

Dated this 18 day of April, 1926

J. E. GOCKOWSKI, Court Administrator

By [Signature] Deputy

File No. 11945-23

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Code A	1040
Typical	CK
Top	240
Count	

NO OWNERS CERTIFICATE

CHE 380298 807 10-218

SIDE OF MINNESOTA SS

CHE OF THE REGISTER OF TILES

This is to certify that the within instrument was filed in this office at St. Paul, MIN of the 19 day of April 1916 at 11 o'clock A. M.

LOUI JACKMAN
Register of Titles

By DeBongers Deputy

Affidavit of Purchaser of Registered Land (Corporation)

State of Minnesota)
COUNTY OF RAMSEY)

Robert E. Eisen, being first duly sworn, says that she/he makes this affidavit on behalf of the purchaser of registered land situated in Ramsey County, Minnesota.

That the name of said purchaser is White Bear Lake a corporation which is organized and existing under the laws of Minnesota having its principal place of business at White Bear Lake, City of White Bear Lake, County of Ramsey, State of Minnesota.

Subscribed and sworn to before me this 17 day of April, 1916

[Signature]
Notary Public,
County, Minnesota

My Commission expires _____



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