

HAVEN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA
RESOLUTION NO. 2009-201

ACCEPTANCE OF ROADWAY
42ND STREET SE

After due consideration, the Haven Town Board adopts the following Findings and Resolution:

FINDINGS

1. According to Haven Town records, Haven Township has recognized as a public roadway and maintained a road way across property owned by the following:

<u>Owners</u>	<u>Description of Land</u>
Buettner Family Limited Partnership	See attached
Lawrence C. Hurrle and Carol Hurrle	The E1/2 of the NW1/4 of Sec. 19, Twp. 35, Range 30, Sherburne County

2. This roadway is known as 42nd Street SE. This roadway has been shown as a Haven Town public road on town road inventories, and public road maps dating back to the early 1900's. For well over six (6) years, Haven has spent Town road money to grade and maintain this road. The public has also used this road as public highway for well over six (6) years. Haven claims this road as a public road by use and maintenance under Minnesota Statutes Section 160.05.

3. Haven Town Board has searched its files, but is not able to find a Road Order for this road.

4. Buettner Family Limited Partnership, Lawrence C. Hurrle and Carol Hurrle have signed and delivered to the Township an Application under Minnesota Statutes Section 164.15 to dedicate to Haven Township a public road right-of-way for 42nd Street.

Filed in my office this
26 day of Oct, 2009
Diane Arnold
Sherburne County Auditor/Treasurer
by D. Burtfield
Deputy Auditor/Treasurer

RESOLUTION

The Haven Town Board hereby accepts the dedication of road right-of-way for 42nd Street from Buettner Family Limited Partnership, Lawrence C. Hurrele and Carol Hurrele described as follows:

A roadway 66 feet in width, with 33 feet on both sides of the centerline, which is described as follows:

Starting at the intersection of the east-west quarter line of Section 19, Township 35, Range 30, with CSAH 8, thence west along said quarter section line in said Section 19, and continuing west 300 feet on the east-west quarter section line of Section 24, Township 35, Range 31, and there ending.

Nothing in this Resolution requires either the Haven Town Board or Buettner Family Limited Partnership, Lawrence C. Hurrele and Carol Hurrele to upgrade the roadway or expend any public money on the roadway.

This Resolution was adopted pursuant to Minnesota Statutes Section 164.15 by the Haven Town Board on October 19, 2009.

HAVEN TOWN BOARD

Office of the County Recorder
Sherburne County, MN

Doc. No. 702653

Certified filed and/or recorded on

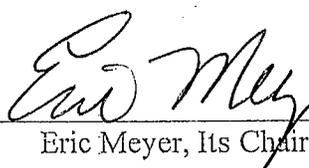
10-27-2009 at 09:30

Michelle Ashe, County Recorder

By  Deputy Fee: \$ 46.00



702653

By 
Eric Meyer, Its Chair

HAVEN TOWN BOARD

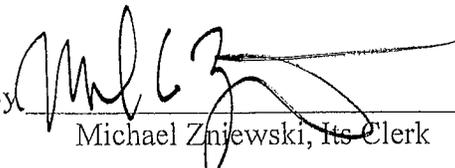
By 
Michael Zniiewski, Its Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

That part of Government Lot 1, Government Lot 2 and Government Lot 3 of Section 24, Township 35 North, Range 31 West of the 4th Principal Meridian, Haven Township, Sherburne County, Minnesota, described as follows: Beginning at the southeast corner of said Government Lot 3; thence South 89 degrees 32 minutes 06 seconds West on an assumed bearing along the south line of said Government Lot 3, a distance of 804.78 feet to the thread of stream of the Mississippi River Bayou; thence North 07 degrees 00 minutes 57 seconds East, along said thread of stream, a distance of 269.47 feet; thence North 15 degrees 19 minutes 23 seconds West, along said thread of stream, a distance of 174.02 feet; thence North 36 degrees 33 minutes 04 seconds West, a long said thread of stream, a distance of 312.06 feet; thence North 35 degrees 09 minutes 03 seconds West, along said thread of stream, a distance of 411.60 feet; thence North 31 degrees 59 minutes 06 seconds West, along said thread of stream, a distance of 345.41 feet; thence North 42 degrees 58 minutes 21 seconds West, along said thread of stream, a distance of 233.84 feet; thence North 45 degrees 55 minutes 23 seconds West, along said thread of stream, a distance of 325.31 feet; thence North 22 degrees 44 minutes 54 seconds West, along said thread of stream, a distance of 183.43 feet; thence North 18 degrees 06 minutes 13 seconds West, along said thread of stream, a distance of 352.00 feet; thence North 18 degrees 10 minutes 55 seconds West, along said thread of stream, a distance of 437.05 feet; thence North 02 degrees 50 minutes 21 seconds East, along said thread of stream, a distance of 31.13 feet; thence North 24 degrees 47 minutes 21 seconds East, along said thread of stream, a distance of 367.34 feet; thence North 72 degrees 53 minutes 11 seconds West, along said thread of stream, a distance of 76.58 feet, more or less to the shore line of the Mississippi River; thence northerly and northeasterly along said shore line to its intersection with the north line of said Government Lot 1; thence North 89 degrees 22 minutes 47 seconds East, along said north line, a distance of 1,853 feet, more or less to the northeast corner of said Government Lot 1, thence southerly along the east line of said Government Lot 1, Government Lot 2 and Government Lot 3 to the point of beginning.

AND

The Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter and that part of the Northeast Quarter of the Southwest Quarter, which lies westerly of a line drawn from a point in the east line of said Northeast Quarter of the Southwest Quarter, distant 334.62 feet north of the southeast corner of said Northeast Quarter of the Southwest Quarter to a point in the north line of said Northeast Quarter of the Southwest Quarter, distant 930.55 feet east of the northwest corner of said Northeast Quarter of Southwest Quarter, said line being

the center line of Sherburne County State Highway 8, all being in Section 19, Township 35 North, Range 30 West of the 4th Principal Meridian, Haven Township, Sherburne County, Minnesota. Subject to the right-of-way of said Sherburne County State Aid Highway 8 and the right-of-way of township roads and subject to easements of record, if any, less and except,

That part of the Northwest Quarter of the Northwest Quarter of Section 19, Township 35 North, Range 30 West and that part of Government Lot 1, Section 24, Township 35 North, Range 31 West, all in the 4th Principal Meridian, Haven Township, Sherburne County, Minnesota, described as follows: Commencing at the northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 19; thence South 00 degrees 28 minutes 57 seconds East, on an assumed bearing, along the west line of the Northwest Quarter of the Northwest Quarter of said Section 19, a distance of 387.35 feet, to the point of beginning of the land to be described; thence North 89 degrees 31 minutes 03 seconds East, a distance of 274.43 feet; thence South 00 degrees 28 minutes 57 seconds East, parallel with the said west line, a distance of 448.00 feet; thence South 89 degrees 31 minutes 03 seconds West, a distance of 487.21 feet; thence North 00 degrees 28 minutes 57 seconds West, parallel with the said west line, a distance of 448.00 feet; thence North 89 degrees 31 minutes 03 seconds East, a distance of 212.78 feet, to the point of beginning.