DUNN TOWNSHIP
OTTER TAIL COUNTY, MINNESOTA
RESOLUTION NO. 2020-04

RESOLUTION ISSUING AN ORDER SETTING FORTH INITIAL DESCRIPTIONS AND SETTING A HEARING DATE

WHEREAS, the Dunn Township ("Town") board of supervisors ("Town Board") received a petition, which is attached hereto as Exhibit A, ("Petition") from Wetli Properties, L.L.C. ("Petitioner") requesting the establishment of a cartway pursuant to Minnesota Statutes, section 164.08, subdivision 2 to provide access to Petitioner's property (PID 17000130173000), which contains approximately 80.00 acres and is legally described as follows ("Property"):

> The North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 13, Township 137, Range 42 West of the Fifth P.M., Otter Tail County, Minnesota.

WHEREAS, the route for the cartway requested by the Petitioner, which is described in the Petition, would be established over the following property:

> A 33-foot-wide cartway over and across part of Section 13 and 14 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said cartway is described as follows: Beginning at the intersection of the Southeasterly Right of way line of Highway 59 with the East line of said Section 14; thence southerly along the East line of said Section 14 to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 14 and said centerline there terminating, plus a portion of the land owned by Donald Clarke necessary to connect the area described above to the driveway from the Clarke land to Highway 59. ("Requested Route");

WHEREAS, the Requested Route crosses property owned by the following persons (collectively, the "Affected Owners"):

Owner and Mailing Address	**Property Location**	**PID**
Roger D. Lewis, et al. 17167 165th Avenue South Barnesville, MN 56514-9221	South Half (S1/2) of the Northwest Quarter (NW1/4) of Section 13, Township 137, Range 42	17000130170005
Michael E. and Sharon Wittenmyer P.O. Box 12 Rawson, OH 45881-0012	Southeast Quarter (SE1/4) and Northeast Quarter (NE1/4) of Section 14, Township 137, Range 42 lying southerly of Highway 59	17000140176000
Donald F. Clarke 49970 U.S. Highway 59 Detroit Lakes, MN 56501	West Half (W1/2) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 13, Township 137, Range 42	17000130170004

WHEREAS, the Petitioner indicates the Property is landlocked because it does not abut a public road;

WHEREAS, the petition appears to contain sufficient information to be considered complete under the statute;

WHEREAS, the Petitioner provided the Town the required financial security related to the Petition as required by a Town Board resolution adopted on January 13, 2020 pursuant to its authority under Minnesota Statutes, section 164.08, subdivision 2; and

WHEREAS, Minnesota Statutes, section 164.07, subdivision 2 requires the Town Board to make an order describing as nearly as practicable the cartway to be established, describing the several tracts of land through which the cartway passes, and fixing a time and place when and where the Town Board will meet and act upon the petition.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The tracts of land through which the proposed cartway passes and the owners are as identified above as Affected Owners.

2. The Town Board will conduct a public hearing at 10 AM ~~p.m.~~ on APRIL 21, 2020 at the site of the proposed cartway, adjacent to the intersection of U.S. Highway 59 and the Requested Route, to examine the Requested Route and to hear from the Petitioner, the Affected Owners, and any other interested parties as to any physical features they would like to point out as well as any proposed alternative routes. Then, immediately following the inspection, the Town Board will continue the hearing to the Dunn Town Hall located at 47979 East Lake Lizzie Road, Pelican Rapids, Minnesota to receive additional public comment, consider the proposed cartway, and to possibly act preliminarily on the petition.

3. The Petitioner shall be responsible for serving this Order on the Affected Owners, and on each person whose land would reasonably be expected to be affected by the establishment of the proposed cartway given the fact that the Town Board may select an alternative route, at least 10 days before the date of the hearing and must provide the Town Board an affidavit of service as proof of having provided the required notice. In this case, the additional owners to be notified include, but are not limited to, those owning property adjacent to the Petitioner's Property and those owning property adjacent to the Affected Owners' properties, and any other owners of property that could reasonably be crossed by a cartway to provide access to the Property. Failure to provide notice to the Affected Owners or others that may be affected if an alternative route is selected will delay the process until notice is provided and may require portions of the process to be repeated.

4. The Town Clerk is hereby authorized and directed to, at least 10 days prior to the date of the hearing, publish notice of the hearing once in the Town's official newspaper, and post this Order at the Town's posting places.

NOTICE OF RIGHT TO APPEAL

Those affected by this process have a right of appeal as provided in Minnesota Statutes, section 164.07, subdivision 7 to seek judicial review of this matter if the Town Board does establish the cartway.

Adopted this 9th day of March, 2020.

BY THE TOWN BOARD

Town Board Chairperson

Attest: Douglas Winter
Town Clerk

EXHIBIT A
Cartway Petition

(attached hereto)

STATE OF MINNESOTA TOWNSHIP OF DUNN

COUNTY OF OTTER TAIL

In the Matter of the Petition of

Wetli Properties L.L.C.

PETITION

For the Establishment of a Cartway

To the Town Board of Dunn Township, Otter Tail County, Minnesota.

Petitioner Wetli Properties L.L.C. represents and states the following:

1. Petitioner is the owner of the real property located in Dunn Township, Otter Tail County, legally described as follows:

> The North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 13, Township 137, Range 42 West of the Fifth P.M.
> Otter Tail County, Minnesota
>
> PID: 17000130173000

(the "Property").

2. The Property contains at least five acres of land and has no established access to it except over a navigable waterway, over the lands of others, or whose only access is less than two rods wide.

3. On information and belief, on or about February 10, 1986 the Town Board of Dunn Township adopted a Resolution to establish the centerline certain township roads and cartways located in Dunn Township. Among the cartways included in the Resolution was C-642, which is described as 33-foot-wide easement for cartway purposes to provide access to the Property from Highway 59. The Resolution also included a map of Dunn Township Roads showing the location of cartway C-642. The Resolution and accompanying documentation was recorded at the Otter

Tail County Recorder's office on February 20, 1986 as document no. 646031. A copy of the recorded Resolution and accompanying documentation is attached hereto as Exhibit A.

4. Petitioner purchased the Property in 2018. Shortly therefore, Petitioner requested that Dunn Township recognize cartway C-642 as a valid cartway. In a letter from the Township's legal counsel dated July 26, 2019, the Township denied this request and concluded that cartway C-642 had not been legally established. The Township's counsel further stated that the Property "appears to qualify for the mandatory establishment of a cartway in accordance with Minnesota Statutes, section 164.08." A copy of the July 26, 2019 letter is attached hereto as Exhibit B.

5. Petitioner hereby petitions the Town Board of Dunn Township to establish a cartway pursuant to Minn. Stat. 164.06, subd. 2 at a width of two (2) rods across the following properties, which are identified and described to the best of Petitioner's knowledge:

Owner(s)	**Property Description**
Roger Lewis	The South Half (S1/2) of the Northwest Quarter (NW1/4) of Section 13, Township 137, Range 42 Otter Tail County, Minnesota PID: 17000130170005
Michael Wittenmyer Sharon Wittenmyer	The Southeast Quarter (SE1/4) and Northeast Quarter (NE1/4) of Section 14, Township 137, Range 42 lying southerly of Highway 59 Otter Tail County, Minnesota PID: 17000140176000
Donald Clarke	The West Half (W1/2) of the Northwestern Quarter (NW1/4) of the Northwestern Quarter (NW1/4) of Section 13, Township 137, Range 42 Otter Tail County, Minnesota PID: 17000130170004

at the following described location:

> A 33-foot-wide cartway over and across part of Section 13 and 14 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said cartway is described as follows: Beginning at the intersection of the Southeasterly Right of way line of Highway 59 with the East line of said Section 14; thence

A 33-foot-wide cartway over and across part of Section 13 and 14 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said cartway is described as follows: Beginning at the intersection of the Southeasterly Right of way line of Highway 59 with the East line of said Section 14; thence southerly along the East line of said Section 14 to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 14 and said centerline there terminating, plus a portion of the land owned by Donald Clarke necessary to connect the area described above to the driveway from the Clarke land to Highway 59.

A map showing the approximate requested cartway route is attached hereto as Exhibit C.

6. The purpose and necessity for this Petition is to seek the establishment of a legal access that is at least 33 feet wide to a tract of property that is landlocked. Other attempts to secure a permanent access to the property have been unsuccessful. In order to make use of the Property and increase its value, Petitioner asks the Township to establish a cartway connecting the tract of land to a public road.

WHEREFORE, Petitioner respectfully requests that the Town Board of Dunn Township, pursuant to Minn. Stat. § 164.08, subd. 2, establish a cartway as described above and designate it as a private driveway.

Date: 12/5/2019

WETLI PROPERTIES L.L.C.

Elizabeth Wetli

By: Beth Wetli, President

Mailing Address:

16998 Seclusion Point Road
Audubon, MN 56511

EXHIBIT A

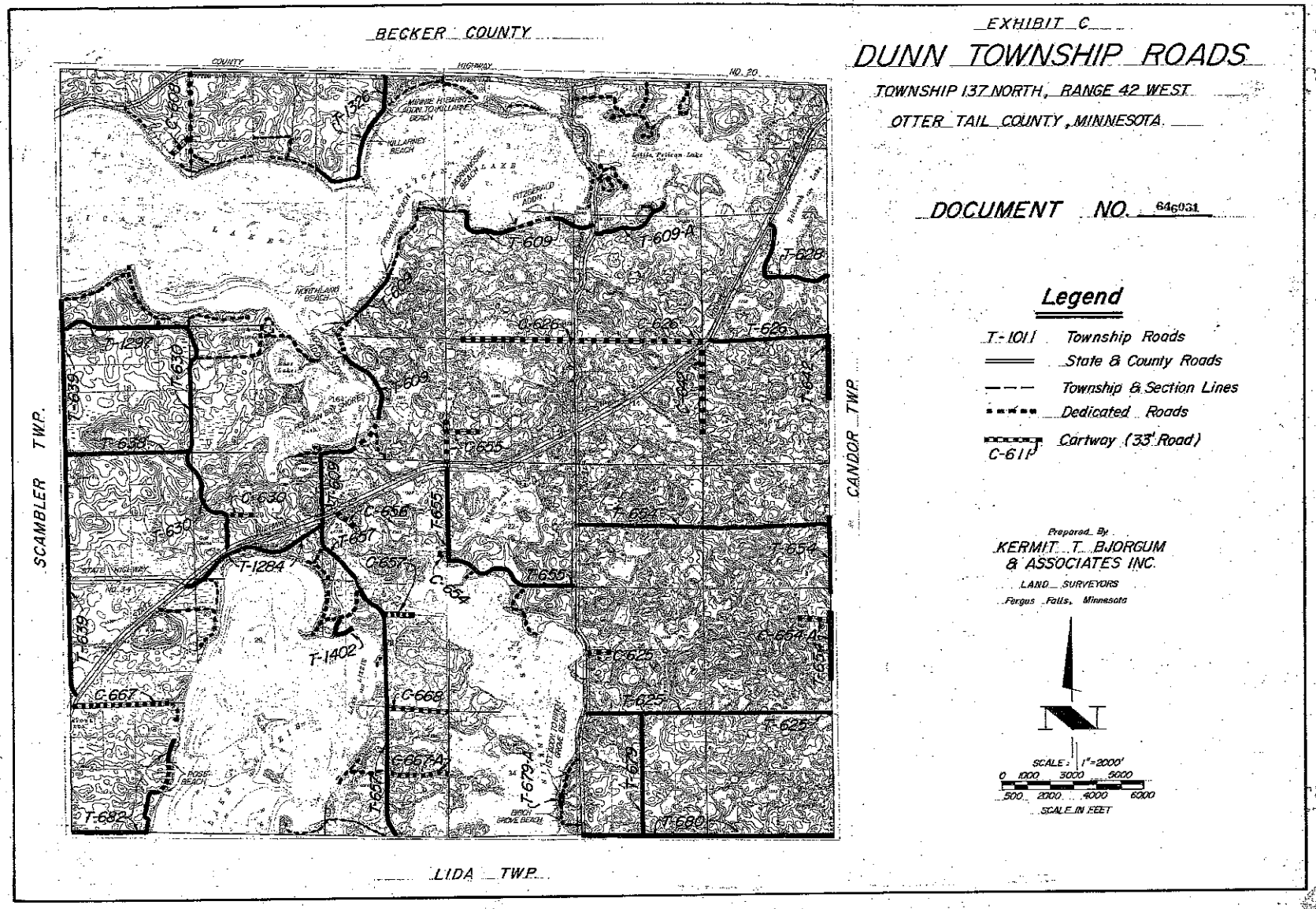


EXHIBIT C

DUNN TOWNSHIP ROADS

TOWNSHIP 137 NORTH, RANGE 42 WEST

OTTER TAIL COUNTY, MINNESOTA

DOCUMENT NO. 646031

Legend

T-101 Township Roads

State & County Roads

Township & Section Lines

Dedicated Roads

C-61 Cartway (33' Road)

Prepared By

KERMIT T. BJORGUM & ASSOCIATES INC.

LAND SURVEYORS

Fergus Falls, Minnesota

N

SCALE: 1"=2000'

0 1000 3000 5000

500 2000 4000 6000

SCALE IN FEET

√ 648031 NOTICE OF MEETING, Dunn TOWNSHIP BOARD

YOU ARE HEREBY NOTIFIED and advised that the township board of Dunn Township in Otter Tail County, Minnesota, will meet at the Town Hall in said Township on the 29 Day of October at 8:00 O'clock P .M. to consider and determine, among other things, the adoption of the following resolution:

WHEREAS, Dunn Township in Otter Tail County, Minnesota, contains a number of township roads, and

WHEREAS, Nearly all of the township roads have been established by use and/or prescription or by dedication and there may or may not be a record of said roads recorded in the Office of the County Recorder of Otter Tail County, Minnesota, and

WHEREAS, The township board of supervisors has determined it to be in the best interest of the township, the public and all parties concerned to determine and record the location of said duly established town roads, and

WHEREAS, The town board has caused to be prepared a road map indicating the location of said town roads contained in the township, and

WHEREAS, The town board held a public hearing on the proposal on the 29th day of October, 1985 at 8:00 o'clock P .m. and that notice of said hearing was provided according to law,

NOW, THEREFORE, BE IT RESOLVED, That the roads and road rights of way listed on the attached Exhibit "A" are hereby determined to be the duly established four-rod roads in said township and the roads and road rights of way listed on attached Exhibit "B" are hereby determined to be the duly established two-rod roads and cartways in said township.

BE IT FURTHER RESOLVED, That all town roads which lie upon and follow the boundaries of the township of Dunn Township and adjacent townships, or other abutting political units, are deemed to lie in equal proportion in the township and the abutting political units, unless expressly indicated otherwise.

That a copy of the township road map is on file with the Township Clerk and may be inspected and examined at reasonable times by calling the Clerk of the Township whose name is Herbert Johnson and whose telephone number is 863-5456.

YOU ARE FURTHER ADVISED that you may attend the meeting as scheduled above and to state your position with reference to the township adopting the proposed resolution.

Dated this 10 day of Sept., 1985.

Herbert Johnson
Township Clerk

AFFIDAVIT OF MAILING SERVICE OF NOTICE OF HEARING Sheet 1 of 7 Sheets

State of Minnesota
County of Otter Tail

Dunn Township

Terry Anderson being duly sworn on oath deposes and says that on the 11th Day of September, 1985 at Fergus Falls, in said County and State he mailed by certified mail for which recaits have been returned a copy of the attached Notice of Hearing, including Exhibit A attached thereto to each of the following named persons, whose names and addresses are known to affiant, after exercising due diligence in ascertaining the correctness of said names and addresses, by placing a true and correct copy thereof in a sealed envelope, postage prepaid and depositing the same in the U.S. Mails at the Fergus Falls Post Office, 118 South Mill Street and addressed to the following named persons:

Richard K. & Rose Lackman, R#1, Moorhead, MN 56560
James & Geraldine Schneider, 1334 17th Ave. S., Moorhead, MN 56560
Charles W. & Norma Green, 802 Oak St., West Fargo, ND 58078
Raymond H. & Ruth Ackerman, 443½ East Interstate Ave., Bismarck, ND 58501
Fair Hills Inc., Kaldahl, Detroit Lakes, MN 56501
State of Minnesota, Dept. of Natural Resources, Centenial Bldg., St. Paul, MN 55101
Roger H. & Dorothy E. Sondag, R#2, Pelican Rapids, MN 56572
Wallace Erickson, 710 18th Ave. S., Fargo, ND 58102
Richard & Mary Folsen, 1960 Belmont Rd., Grand Forks, ND 58201
John R. & Marion J. Gletne, 5024 E. Mulberry, Phoenix, AZ 85018
G. Howard & Ruth E. Hall, 1427 Broadway, Fargo, ND 58102
John E. & Sharon D. Haggart, 1534 9th St. S.,Fargo,ND 58102
Charles & Barbara Bertbl, 1601 9th St. S., Fargo, ND 58103
Melinor Schneider, 10914 Candlelight Lane, Potomac, MD 20854
Clark Fredrikson, Davenport, ND 58021
Walt & Marcia Sanders, 121 NW 3rd, Jamestown, ND 58401
Roy A. & Lolita B. Boffman, Box 1930, Wayzata, MN 55391
Kermit E. & Carol Beth Bye, 3632 Fairway Rd., Fargo, ND 58102
Warren B. & Irene Diederich, 2509 E. Country Club Dr., Fargo, ND 58102
Theresa Smith % Richard Smith, 1508 10th St. S., Fargo, ND 58102
Aris D. Larson, Mayville, ND 58257
Raymond B. & Isabel Whiting, 2636 S. 18th, Fargo, ND 58103
Helen M. Toussaint, 201 G. Prairiewood Dr., Fargo, ND 58103
Verl & Carol A. Schaft, 6998 Camino Degrazia, San Diego, CA 92111
James P. & June Larsen, Box 365, Bismarck, ND 58502
Katherine K. Burgum, 602 Southwood Dr., Fargo, ND 58103
Kevin & Rhea Johnson, 2410 S.16th St., Fargo, ND 58103
Paul C. & Adele Schroeder, Davenport, ND 58021
Darrol & Donna Schroeder, Davenport, ND 58021
Mary E. Bubert, 1912 Belmont Rd., Grand Forks, ND 58201
Horace T. Whitman II & Anne W. Cronk, % Warren Whitman, 1353 11th St. N., Fargo, ND 58102
Margaret M. Benedict, 420 6th Ave. S., Fargo, ND 58102
Harvey O. & Clara Soippen, 1218 5th St. N., Fargo, ND 58102
Ione P. Berkey, 2416 W. Country Club Dr., Fargo, ND 58102
Ruth Rostad, 3341 16th Ave. S., Fargo, ND 58103
L.E. Garnas, R#1, Detroit Lakes, MN 56501
Nancy L. Schaffer, 3134 S. Rivershore Dr., Moorhead, MN 56560
Delia Seaburg, R#1 Box 172, Detroit Lakes, MN 56501

William Eggert, Box 2801, Fargo, ND 58107
Mack Jr. & Rita Traynor, 1310 9th St. S., Fargo, ND 58102
Paul T. & Connie Lee Horn, 3145 S. Rivershore Dr., Moorhead, MN 56560
Alvin Kvare, R#3, Pelican Rapids, MN 56572
Douglas C. Haugen, Pelican Rapids, MN 56572
Clayton H. Klakeg, 4772 Calle Camarada, Santa Barbara, CA 93110
Earl & Loyola Buth, R#5 Box 448, Detroit Lakes, MN 56501
Rev. Aloys M. Seitz, 405 E. Thorpe Ave., Ada, MN 56510
Myron & Muriel Johnsrud, 45 Woodlawn Dr., Fargo, ND 58103
Harold & Audrey Barth, R#5, Detroit Lakes, MN 56501
Roy M. & Ruth J. Sanborn, 65 S. Terrace, Fargo, ND 58103
Sylvester J. & Lola M. Fritz, 2918 Edgemont, Fargo, ND 58103
Terrance Teynen, 3018 N. 8th St., Fargo, ND 58103
James & Peggy Jacobson, 3150 Rivershore Dr., Moorhead, MN 56560
Roger & Elise Erickson, 513 S. 17th St., Moorhead, MN 56560
James & Hazel Haarstad, 912 Belsly Blvd., Moorhead, MN 56560
Orville & Annetta Thorson, R#5 Box 447A, Detroit Lakes, MN 56501
Ray Boyington, R#5, Detroit Lakes, MN 56501
Shelda Warren, 1010 13th St. S., Moorhead, MN 56560
Charles & Lynette Tims, R#5 Box 403A, Detroit Lakes, MN 56501
Marilyn Ettesvold, 2815 Ridgeway Ave. #16, Bemidji, MN 56601
Dorothy Nygard, 160 Walnut, Kindred, ND 58051
Margaret Burianek, Gardner, ND 58036
Gena A. Olson, 7650 Golden Valley Rd. Apt. #607, Golden Valley, MN 55427
William J. Jr. & Beth A. Radermacher, Casselton, ND 58012
Nina Lehr, 43 155 Pontola #106, Palm Desert, CA 92260
James H. Lehr, R#1 Box 364, Ottertail, MN 56571
Elizabeth Kringler % E. Kringler, 813 7th Ave. N., Fargo, ND 58102
Frank D. & Katherine Miosek, R#5 Box 406, Detroit Lakes, MN 56501
D. & S. Investment Inc., Box 1938, Fargo, ND 58107
Anthony G. Tallarico, R#5 Box 393 E. Pelican Dr., Detroit Lakes, MN 56501
Mrs. Floyd Sumpter, R#5, Detroit Lakes, MN 56501
Philip & Elaine Geary, 511 5th Ave. NE, Dilworth, MN 56529
[illegible]
Arthur C. & Violet Edenborg, R#5 Box 394, Detroit Lakes, MN 56501
Terry & Miriam Donnan, 616 N. 3rd, Wahpeton, ND 58075
George & Donna Schwartz, 3802 River Dr., Fargo, ND 58103
Barbara J. Ivers, 1618 16th St. S., Fargo, ND 58102
Michael & Lynette Scherweit, Casselton, ND 58012
Arthur, Margaret, Joseph & Patrick Seeb, 413 23rd St. S., Fargo, ND 58102
Lloyd A. Olin, 2303 7th St. S., Moorhead, MN 56560
James D. & Lois A. Johnson, R#5 Box 431, Detroit Lakes, MN 56501
Robert W. & Gloria J. Levos, 3501 Elm St., Fargo, ND 58102
Bruce & Janet Redington, R#3 Box 78, Fargo, ND 58103
Leo & Dorothy Heger, Wheatland, ND 58079
F. R. S. Inc., Box 1538, Fargo, ND 58107
George & Adeline Nordstrom, 1924 10th Ave. N., Moorhead, MN 56560
Albert & Esther Dahlgren, 508 21st Ave. S., Fargo, ND 58102
Elmer C. & Evva F. Anderson, R#5 Box 411, Detroit Lakes, MN 56501
Richard & Beverly Sturlangson, 1312 11th St., Langdon, ND 58249
William & Louise Moreland, 410 W. 5th, Hays, KS 67601
Duane & Minnie Ulschmid, 2125 9th Ave. S., Fargo, ND 58103

Dunn Twsp: cont:
Ole Rommesmo, 1525 River Rd. S., Fargo, ND 58102
Carl W. & Marilyn Thoreson, 1433 13th Ave. S., Fargo, ND 58103
Richard Pieske, 1203 4th Ave. NE, Jamestown, ND 58401
Milan & Leona Tingelstad, R#5, Detroit Lakes, MN 56501
Edwin & Darlene Strom, R#5, Detroit Lakes, MN 56501
James & Bonnie Schlanser, R#5, Detroit Lakes, MN 56501
Roy Lubenow, R#5 Box 388, Detroit Lakes, MN 56501
Kenneth W. & Susan Connor, 1623 Topping Rd., St. Louis, MO 63131
Georgena Besaler, 2397 Dixie Dr. #C, Portage, IN 46368
Ervin & Helen Jacobs, Box 154, Pelican Rapids, MN 56572
Clarence & Laura Grimley, 1215 2nd Ave. S., Moorhead, MN 56560
Lorraine McDunn, RR, Detroit Lakes, MN 56501
William Damschen, R#1 Box 191, Pelican Rapids, MN 56572
Donald A. Short, 606 10th St. S., Moorhead, MN 56560
Bernard & Mildred Hilgers, 824 2nd St. N., Wahpeton, ND 58075
James & Carol Johnson, R#2 Box 27K, Pelican Rapids, MN 56572
Wallace W. & Colleen & Walfred A. & Jeanette Dalman, R#5 Box 474, Detroit Lakes, MN 56501
Wm & Rose Jackson, R#5 Box 476, Detroit Lakes, MN 56501
Ivan Robert Davidson, R#5 Box 472, Detroit Lakes, MN 56501
Gerald A. & Cathy Schwoboda, R#5, Detroit Lakes, MN 56501
Alvin O. Olson, 317 Park St., Detroit Lakes, MN 56501
Daryl & Betty Wiechnak, R#1, Vergas, MN 56587
Lawrence T. Heimark, Vergas, MN 56587
Orris & Barnfica Lewis, R#1, Vergas, MN 56587
Steven J. & Kathryn Hedman, R#1 Box 343, Vergas, MN 56587
Jerome & Diana Poss, 121 8th Ave. S., Moorhead, MN 56560
Elroy Bjorgam & Debra Wisk, R#1, Vergas, MN 56587
Norman Klovstad, R#3, Frazee, MN 56544
Mark E. Odland & DuWayne E. Lehrke, 1148 Minnesota Ave., Detroit Lakes, MN 56501
Thelma Grahn, R#1, Vergas, MN 56587
Verda Baker, R#5 Box 466B, Detroit Lakes, MN 56501
Duane Lee, R#1 Box 536, Detroit Lakes, MN 56501
Eric A. Dalman, R#3 Box 128, Pelican Rapids, MN 56572
Robert Dalman, R#3, Pelican Rapids, MN 56572
Jeanette M. Jacobson, R#1, Lake Park, MN 56554
Gary & Judy Miller, R#2 Box 107J, Glyndon, MN 56547
Roger & Delores Carpenter, Hunter, ND 58048
Janice G. Reynen, 3018 N. 8th St., Fargo, ND 58102
Dennis & Lavonne Arndt, R#3 Box 133, Pelican Rapids, MN 56572
Ra Fremont Frazee, 640 W. Stanton, Fergus Falls, MN 56537
Richard L. Callender, 120 1st St., West Fargo, ND 58078
Janet C. Baldan, 1102 22nd St. S. Apt. #308, Fargo, ND 58103
Marion J. Israelson, Wolverton, MN 56594
Dan H. & Ruth A. Evert, Sabin, MN 56580
Roy J. Israelson, Christine, ND 58015
Gerald Hanson, Box 416, Wolverton, MN 56594
D.H. Sillers, R#2, Moorhead, MN 56560
Marie M. Anderson, 4201 Philbrook Lane, Edina, MN 55424
Laurence J. Lamblez, R#3, Pelican Rapids, MN 56572
James & Marjorie Devine, R#3 Box 419, Pelican Rapids, MN 56572
Donald & Norma Johnson, R#3 Box 212, Pelican Rapids, MN 56572
Lyle & Phyllis Haugrud, R#3 Box 210, Pelican Rapids, MN 56572

Dunn Twsp. cont.

Charles C. Kvare, Pelican Rapids, MN 56572
Earl A. & Betty Lou Anderson, 3419 N. 2nd, Fargo, ND 58102
Lance & Judith Johnson, 201 NE 3rd St., Dilworth, MN 56529
Henry & Sophie Mehrkens, R#5 Box 406, Detroit Lakes, MN 56501
Donald & Roberta McDougall, R#5 Box 405A, Detroit Lakes, MN 56501
Wendall & Joan Buckley, 2317 S. River Shore Dr., Moorhead, MN 56560
Erling V. & Emma C. Kvale, 1326 2nd St. N., Fargo, ND 58102
James & Colleen Clark, 7109 Palmer Lake Circle, Minneapolis, MN 55492
Joseph A. & Luella Larson, 605 N. 9th, Moorhead, MN 56560
Gerald & Gloria Wagner, 1115 25th Ave. S., Moorhead, MN 56560
James E. Dixon, 1304 13th Ave. S., Fargo, ND 58102
Anton & Norma Magelky, 94 26th Ave. N., Fargo, ND 58102
Davis B. & Olive I. Rosen, 501 N. 17th St., Moorhead, MN 56560
Norman L. Esser, 1420 Monte Rico Dr., El Cajon, CA 92091
Fredrick Wensel, 2319 19½ St. S., Moorhead, MN 56560
Daniel & Mary Zimmerman, Amenia, ND 58004
Josephine D. Grondahl, 65 16th Ave. N., Fargo, ND 58102
Howard & Frances Zinck, 1329 11th Ave. S., Fargo, ND 58102
Oscar V. & Inez G. Johnson, 1615 S. Elm, Moorhead, MN 56560
T. R. Schott & R. F. Samuelson, R#5 Box 447C, Detroit Lakes, MN 56501
James E. & Hazel Haarstad % Conservative Mtg. Co., Box 30, Minneapolis, MN 55440
James J. & Edna L. Moses, 810 E. Rossen Ave., Bismarck, ND 58501
James J. Jr. & Linda J. Moses, 3321 Saratoga Dr., Belleville, IL 62221
Phyllis Vieths, 1101 Riverside Dr., Rio Del, CA 95562
Richard L. & Lorene Currier, 918 Oak St., Fargo, ND 58102
Robert G. & Eleanor L. Rudd, 520 6th Ave. W., West Fargo, ND 58078
James A. Camrud, 3250 19th Ave. SW #3, Fargo, ND 58103
D. L. & Helen D. Wicklund, 2618 S. 12th St., Fargo, ND 58103
Dave & Bonnie Bode, Box 853, Miles City, MT 58108
James & Betty Ihry, R#1 Box 201, Fargo, ND 58103
Phletus & Sally Williams, 2132 Briley Rd., Ames, IA 50010
John & Marjorie Lops, 2801 Maple St., Fargo, ND 58102
Dan D. Smith, R#1 Box 32H, Norcross, MN 56274
Gordon & Phyllis Goecke, 2319 6th St. S., Fargo, ND 58102
Thomas W. Evart, 2329 10th Ave. E. #105, Seattle, WA 98102
Raymond & Helen Larson, 1310 16th Ave. S., Moorhead, MN 56560
Owen & Grace Thurlow, Carrington, ND 58421
Rudolph & Blanch Leonard, 1809 S. 11th, Moorhead, MN 56560
Dale L. & Grace M. Haakenstad, 1342 S. 9th St., Fargo, ND 58102
Verna L. Sharp, 2404 Norfolk Ct., Naperville, IL 60565
Silbert J. Isaacson, R#3, Pelican Rapids, MN 56572
Dunn's Lodge Inc. % Robert Rife, R#3, Pelican Rapids, MN 56572
George E. & J. Henry Hanson, Pelican Rapids, MN 56572
E. Elizabeth Johnson, 1950 Bayard Ave., St. Paul, MN 55116
Bohman Telephone Co., Pelican Rapids, MN 56572
Fred Dunn Jr., 2125 Ave. F E., Bismarck, ND 58501
Harold J. & Blanche Willis, R#3 Box 152A, Pelican Rapids, MN 56572
Edna C. Overton, Attn: Shirley Heyland, 748 Beverly, Wichita, KS 67218
Nancy M. Haueter, 6415 Vincent Ave. S., Richfield, MN 55423
Edward R. Butenhoff, R#1, Barnesville, MN 56514
Mrs. W.A. Roehm, Enderlin, ND 58027
Eugene & Karen Prim, Barnesville, MN 56514
John L. Gunkelman Jr., 1510 S. 7th St., Fargo, ND 58103

Dunn Twsp. cont.

Joan Putnam, 1006 Buoy Rd., Houston, TX 77062
Wayne & Barbara Plummer, Box 484, Pelican Rapids, MN 56572
K. W. & Helen Christensen, 204 2nd St. SE, Barnesville, MN 56514
Arnold S. Miller, R#3, Pelican Rapids, MN 56572
Florence A. Putnam, 3641 Lowell Ave., Lincoln, NE 68506
Karel Kristin Holten, 1914 Center Square, Moorhead, MN 56560
Marlys E. Anderson, 1414 Lori Ave., Detroit Lakes, MN 56501
Duane G. & Sharon D. Pender, Barnesville, MN 56514
Kenneth C. & Marvel Peterson, R#3, Pelican Rapids, MN 56572
John W. & Irene M. Baker, R#3, Pelican Rapids, MN 56572
W. J. Seifert, R#3 459 Longview Dr., Detroit Lakes, MN 56501
Zion Lutheran Church & Cemetery, Pelican Rapids, MN 56572
Erma H. Grove Moses, R#4, Pelican Rapids, MN 56572
Richard & Leona Mattson, R#3 Box 270, Pelican Rapids, MN 56572
Walter & Agnes Yonker, 1282 E. Forest Ave., Muskegon, MI 49442
Floyd Dalman, R#4, Pelican Rapids, MN 56572
Devolt & Nona Presler, R#1, Vergas, MN 56587
Kathleen Hagen, Pelican Rapids,MN 56572
Melford & Beverly Nelson, 1314 15th St. S., Fargo, ND 58102
Robert & Delores Cookman, R#2 Box 6, Fergus Falls, MN 56537
Nancy Boedigheimer, 3444 Park Ave. S., Minneapolis, MN 55407
Linda Funk & Judy Nelson, R#1, Vergas, MN 56587
Kurt & Patti Sleen, R#3, Pelican Rapids, MN 56572
Robert & Eileen Roblby, Vergas, MN 56587
Kermit & Marie Schultz, R#1 Box 230, Vergas, MN 56587
Lester E. & Ruth D. Schultz, R#1, Vergas, MN 56587
Hubert H. Graham Jr., 2324 Oxford, Bryan, TX 77801
Robert & Linda Fitzgerald, RR, Vergas, MN 56587
Marjorie M. Grahn, R#1, Vergas, MN 56587
Rudolph L. Mattson, 1320 15th St., Los Osos, CA 93402
Stuart Fankhanel, Box 71, Lignite, ND 58752
Simon Cichy, Vergas, MN 56587
Elmer Bough, R#1, Vergas, MN 56587
Robert & Laverne Engelstad, 1506 12th St. S., Moorhead, MN 56560
Gerald A. & Rosella A. Grahn, Pelican Rapids, MN 56572
Henry I. Hanson, RR, Vergas, MN 56587
Workman Farms Inc. % Dean Workman, Borup, MN 56519
Albert Redick, R#2, Vergas, MN 56587
Lloyd & Patricia Krieg, 8 N. 7th St. Apt. #304, Fargo, ND 58102
James Henry, 1218 20th St. N., Moorhead, MN 56560
George J. Haugrud, Pelican Rapids, MN 56572
Herbert Johnson, R#3, Pelican Rapids, MN 56572
Martin & Edith Ploeien, 809 18th Ave. S., Moorhead, MN 56560
John Gulstad, R#3, Pelican Rapids, MN 56572
Arnold S. Miller, R#3, Pelican Rapids, MN 56572
Duane & Barbara Seifert, R#3, Pelican Rapids, MN 56572
Arnold M. Boe, 18702 40th W., Alderwood Manor, WA 98036
Lester E. Seifert, R#4, Pelican Rapids, MN 56572
E. Keith Homan, RR, Pelican Rapids, MN 56572
Robin & Carla Johnson, R#3, Pelican Rapids, MN 56572
U. S. Dept. of Interior, Fish & Wildlife Service, R#1 Box 76, Fergus Falls, MN 56537
Carol Doss, RR, Pelican Rapids, MN 56572
Doran A. & Anna L. Lindsoe, 816 2nd St. N., Fargo, ND 58102

Donald & Donna Gervais, 1915 10th St. S., Moorhead, MN 56560
William & Elaine Poss, 2003 9th St. S., Moorhead, MN 56560
Julian & Marjorie Solum, R#3 Box 220A, Pelican Rapids, MN 56572
Jane & Earl Troswik, Pelican Rapids, MN 56572
Cecil & Janice Poss, R#3, Pelican Rapids, MN 56572
Floyd & Irene Hanson, 917 17th St. N., Moorhead, MN 56560
Alton W. & Lorraine Kemmer, 403 2nd NW, Dilworth, MN 56529
Harry M. & Margaret Tveter, R#3, Pelican Rapids, MN 56572
Raymond E. & Lucille S. Tunheim, R#1 Box 305, New Folden, MN 56738
Donald & Charlotte Colby, 80 29th Ave. N., Fargo, ND 58102
Dennis G. & Nanette D. Baldo, R#2, Walcott, ND 58077
Daniel Samuelson, 1646 N. 2nd St., Fargo, ND 58102
Patrick Wenino, 1009 S. 1st St., Moorhead, MN 56560
Patrick & Sherri Wenino, 17201 E. Jarvis Place, Aurora, CO 80013
Marie Runyon, Rothsay, MN 56579
Clifford & Betty Bosak, 2510 N. River Dr., Moorhead, MN 56560
Herman Poss % Frank & Esther Kara, R#3 Box 220F, Pelican Rapids, MN 56572
Marlene Mikkelson, R#3 Box 585, Pelican Rapids, MN 56572
Gordon & Cecelia Johnson, 729 3rd St. S., Breckenridge, MN 56520
Orville & Leroy Haugrud, R#4, Pelican Rapids, MN 56572
Ronald E. & Karen J. Hanisch, R#3, Pelican Rapids, MN 56572
Bernice L. & Richard Kraemer, 1215 Anchors Way #89, Ventura, CA 93001
Jude & Carol Pava % Gordon Slean, Pelican Rapids, MN 56572
Joel & Agnes Mess Johnsen, R#3, Pelican Rapids, MN 56572
James & Karla Welder, RR, Pelican Rapids, MN 56572
Edwin K. Allen, 1001 W. Hilltop Dr., Newport, IN 47966
Arthur W. & Evaline Johnson, 1216 21st St., Sioux City, IA 51100
Charles & Vivian M. Pixley, 1604 3rd S., Moorhead, MN 56560
Alfred & Julia Anderson, R#3, Pelican Rapids, MN 56572
Jerry L. Leaf, Pelican Rapids, MN 56572
Lois Carlson, R#3 Box 168, Pelican Rapids, MN 56572
Alfred & Joan Smith, 619 S. Sharon Lane, White Bear Lake, MN 55110
David & Claudia Sousa, 2016 16th St. S., Moorhead, MN 56560
Michael & Jane Wasvick, 2281 Spring Brook Court, Grand Forks, ND 58201
Francis & Helen Cooney, R#3 Box 176, Pelican Rapids, MN 56572
Frank J. & Ruth M. Kasowski, Casselton, ND 58012
Lyle & Hazel Herk, R#1, Vergas, MN 56587
Daniel Herk, Tower City, ND 58071
Raymond & Howard Frandson % Ellen Stand, R#3 Box 80, Pelican Rapids, MN 56572
Clifford E. & Darlene Gitz, R#3 Box 165, Pelican Rapids, MN 56572
Vernon Herting, 14920 Sunfish Lake Blvd., Anoka, MN 55303
James H. Herzog, R#3 Box 78A, Pelican Rapids, MN 56572
Ronald E. & Evelyn J. Grahn, R#4, Pelican Rapids, MN 56572
John E. Okke, Pelican Rapids, MN 56572
K. M. & June Skuza, 1720 32nd St. S., Fargo, ND 58103
Wm & Marjorie Kubitz, R#3, Pelican Rapids, MN 56572
Theodore & Eleanor Solten, Pelican Rapids, MN 56572
Lois Akers, Barnesville, MN 56514
Gary W. & Rosaine Krull, 2355 S. Westwood, Mesa, AZ 85202
Eldon J. Thompson, R#2, Barnesville, MN 56514
Fred & Janice Buck, R#3, Pelican Rapids, MN 56572
Maurice & Betty Brunsvold, R#3, Pelican Rapids, MN 56572
Ray F. & Dorothy M. Mulari, Box 282, Barnesville, MN 56514

Dune Twsp. cont.

Clyde & Esther Allen, Administration Bldg., Concordia College, Moorhead, MN 56560
Everett & Delores Peterson,Jr.1261 4th St. N., Fargo, ND 58102
C. Curtis Hildahl, 619 W. 6th Ave. W. Fargo, ND 58078
Bruce M. & Ilo M.Leiseth, 1301 Elm St. NE, Fargo, ND 58102
Stephanie Jeanne Hanna, Box 1282, Elko, NV 89801
Wayne F. & Dorothy A. Gustafson, 101 Bayview Dr., Clearwater, FL 33516
James & Mary Ann Floyd, 420 6th Ave. S. Unit 304, Fargo, ND 58103
Bradley & Shelly Gilbert, R#5, Detoit Lakes, MN 56501
Hazel Holt Grewe, R#5 Box 391A, Detroit Lakes, MN 56501
Dennis & Bonnie Campbell, R#3, Pelican Rapids, MN 56572
Thomas Haislet, 2492 Willow Dr., Long Lake, MN 55356
Glen & Mary Larson, R#3 Box 297, Pelican Rapids, MN 56572
David R. Grosz, Box 580, Moorhead, MN 56560
Roy E. & Ann Laura Dunn, Wider Residence W. Apt. 313, 514 Humboldt Ave., St. Paul, MN 55107
Ricky J. & Kristy K. Kugler, R#1 Box 328, Vergas, MN 56587
Joseph J. & Virginia E. Zurbay Jr., RR, Pelican Rapids, MN 56572
Robert D. & Ann L. Johnson, 2814 Hickory St., Fargo, ND 58102
Timothy & Deborah Murray, 74 Hart Rd., Brainerd, MN 56401
Richard & Lavon Hanson, R#1 Box 507, Detroit Lakes, MN 56501
Wendelin & Elsie Keller, R#4, Long Prairie, MN 56347
Denny F. Sumpter, P.O. Box 542, W. Fargo, ND 58078
Donald & Ardis Melby, 1715 10th Ave. N., Moorhead, MN 56560
Roger & Darlene Rheault, 1006 5th St. N., Fargo, ND 58102
The Woods, Box 2626, Fargo, ND 58108
Donovan B. & Barbara L. Folden, 1350 N. 12th St., Wahpeton, ND 58075
Stella C. & Kenneth A. Johnson, R#2 Old Valley Rd., Rochester, MN 55902
Lawrence M. & Alice E. Moderow, R#3, Pelican Rapids, MN 56572
Michael E. & Sharon J. Wittenmyer, 233 S. Main, Rawson, OH 45881
Patricia K. Fillmore, 1301 16th St. S., Moorhead, MN 56560
George J. & Wenda J. Dutton, 6650 Pavillion Rd., Yorkville, IL 60560
Marion K. Mockey, R#3 Box 270-1, Pelican Rapids, MN 56572
Robert Hedstrom, R#1, Audubon, MN 56511
Jerry & Louis Neff, R#5 Box 458, Detroit Lakes, MN 56501
James & Georgine O'Toole, Central State Hospital, Box 151, Norman, OK 73070
Earl W. & Arles F. Balzer, R#2 Box 310B, Somerset, WI 54025
Russell H. & Berverly Slotten, R#3, Pelican Rapids, MN 56572

Subscribed to and sworn before me this 14th Day of November 1985.

Kathleen M. Anderson

CATHLEEN M. ANDERSON
NOTARY PUBLIC - MINNESOTA
OTTER TAIL COUNTY
My Commission Expires June 25, 1991

Notary Public, Otter Tail County, Minnesota. My Commission Expires June 25, 1991.

Terry Lee Anderson

Affidavit of Publication

STATE OF MINNESOTA
COUNTY OF OTTER TAIL ss.

Richard E. Peterson, being duly sworn, on oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as Pelican Rapids Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed Notice of Meeting and Road/Roadways Description

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Thursday, the 10th day of October, 1985, and was thereafter printed and published on every Thursday to and including Thursday, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

abcdefghijklmnopqrstuvwxyz

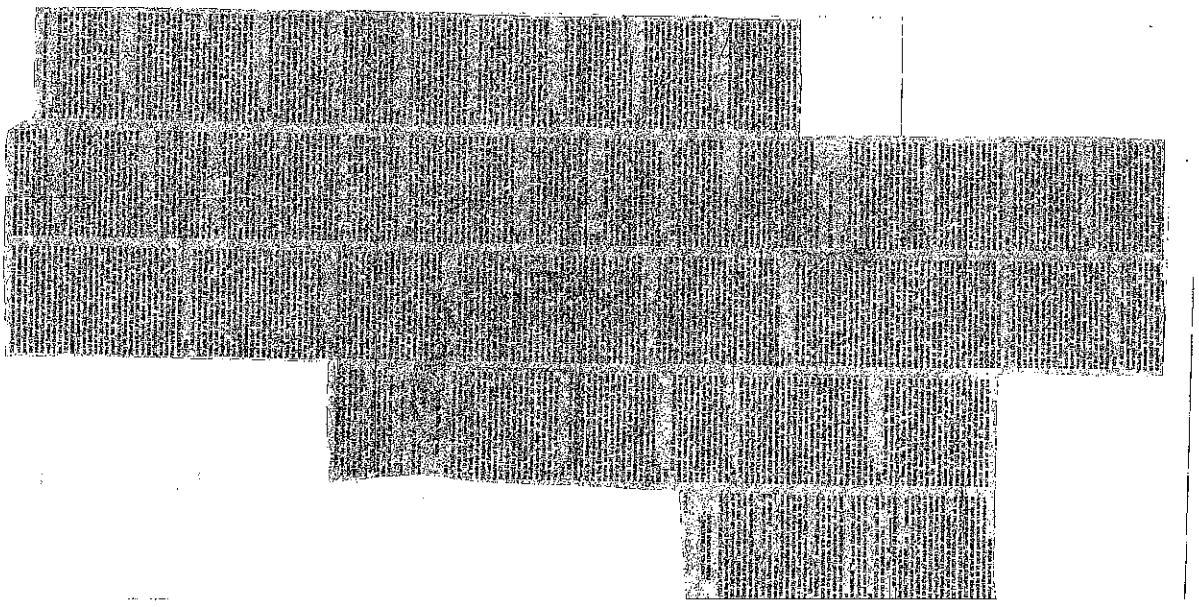
abcdefghijklmnopqrstuvwxyz

By: Richard E. Peterson

Title: _____

Subscribed and sworn to before me on this 13th day of February, 19 86

Notary Public



TOWNSHIP RESOLUTION

At a town board meeting of Dunn Township in Otter Tail County, Minnesota held on the 10th day of February, 1986 at 9:00 o'clock P.m. at the town hall in said township, Supervisor Herbert Johnson introduced and moved the adoption of the following Resolution, which was seconded by Supervisor Kathleen Hagen, and unanimously adopted by the town board of supervisors:

WHEREAS, Dunn Township in Otter Tail County, Minnesota contains a number of township roads, and

WHEREAS, Nearly all of the township roads have been established by use and/or prescription or by dedication and there may or may not be a record of said roads recorded in the Office of the County Recorder of Otter Tail County, Minnesota, and

WHEREAS, The township board of supervisors has determined it to be in the best interest of the township, the public and all parties concerned to determine and record the center line location of said duly established town roads, and

WHEREAS, The town board has caused to be prepared a road map indicating the location of said town roads contained in the township, and

WHEREAS, The town board held a public hearing on the proposal on the 29 day of October, 1985 at 8 o'clock P.m. and that notice of said hearing was provided according to law,

NOW, THEREFORE, BE IT RESOLVED, That the roads and road rights of way listed on the attached EXHIBIT "A" are hereby determined to be the duly established center lines of the four-rod roads in said township and the center lines of the roads and road rights of way listed on attached Exhibit "B" are hereby determined to be the duly established two-rod cartways and roads in said township, all as shown on attached Road Map.

BE IT FURTHER RESOLVED, That all town roads which lie upon and follow the boundaries of the township of Dunn Township and adjacent townships, or other abutting political units, are deemed to lie in equal proportion in the township and the abutting political units, unless expressly indicated otherwise.

Kathleen Hagen
Chairman of Dunn Township

Attest:

Herbert Johnson
Clerk of Dunn Township

EXHIBIT A

PREPARED BY:
KERMIT T. BJORGUM & ASSOCIATES INC.
LAND SURVEYORS
P.O. Box 424, Fergus Falls, Minnesota
PHONE: 218-736-5986

DUNN TOWNSHIP ROADS

T-639

A 66.00 foot Easement for Township Road purposes over and across part of Sections 7,18,19 and 30 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on the West line of said Section 7 distant approximately 1300 feet North of the Southwest corner of said Section 7; thence Southerly along the West line of said Sections 7,18,19 and 30 to a point on the West line of said Section 30 approximately 700 feet north of the Southwest corner of said Section 30; thence southeasterly across part of the Southwest Quarter of said Section 30 to the Northwesterly Right of Way line of State Highway Number 59 and said centerline there terminating. Except that part thereof within the Right of Way of State Highway Number 34.

T-682

A 66.00 foot Easement for Township Road purposes over and across part of Section 31, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Southwest corner of said Section 31; thence easterly along the South line of said Section 31 to a point approximately 3200 feet East of the Southwest corner of said Section 31; thence northeasterly across part of Government Lots 5,6 and 7 of said Section 31 to a point approximately 150 feet south of the North line of said Government Lot 7 and said centerline there terminating. Except that part thereof within the Recorded Subdivision plat of POSS BEACH.

T-638

A 66.00 foot Easement for Township Road purposes over and across part of Sections 18 and 19 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northwest corner of said Section 19; thence easterly along the North line of said Section 19 to a point approximately 200 feet west of the Northeast corner of said Section 19 and said centerline there terminating.

T-1297

A 66.00 foot Easement for Township Road purposes over and across part of Sections 7 and 18 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northwest corner of said Section 18; thence easterly along the North line of said Section 18 approximately 200 feet; thence northeasterly, easterly and southeasterly across part of Government Lot 5 and part of the Southeast Quarter of the Southwest Quarter of said Section 7 to a point on the South line of said Section 7 distant approximately 800 feet west of the South Quarter Section corner of said

Section 7; thence easterly along the South line of said Section 7 to a point distant approximately 200 feet west of the Southeast corner of said Section 7; thence southeasterly across part of the Northeast Quarter of said Section 18 to a point on the East line of said Section 18 distant approximately 200 feet South of the Northeast corner of said Section 18 and said centerline there terminating.

T-630

A 66.00 foot Easement for Township Road purposes over and across part of Sections 17,18,19 and 20 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on the East line of said Section 18 distant approximately 200 feet South of the Northeast corner of said Section 18; thence southeasterly, southerly and southwesterly across part of the Northwest Quarter of said Section 17 to a point on the West line of said Section 17 distant approximately 1000 feet North of the West Quarter Section corner of said Section 17; thence southerly along said West line to a point approximately 300 feet north of the Southwest corner of said Section 17; thence southwesterly across part of the Southeast Quarter of the Southeast Quarter of said Section 18 to a point on the South line of said Section 18 distant approximately 200 feet west of the Northeast corner of said Section 19; thence southwesterly, southerly and southeasterly across part of the Northeast Quarter of the Northeast Quarter of said Section 19 to a point on the East line of said Section 19 distant approximately 700 feet south of the Northeast corner of said Section 19; thence southeasterly, southerly and southeasterly across part of the West Half of the Northwest Quarter of said Section 20 to a point on or near the East-West Quarter Section line of said Section 20 distant approximately 900 feet east of the West Quarter Section corner of said Section 20; thence easterly along said East-West Quarter Section line to a point approximately 200 feet west of the East line of the West Half of the Southwest Quarter of said Section 20; thence southeasterly across part of said West Half of the Southwest Quarter to a point on the East line of said West Half of the Southwest Quarter distant approximately 200 feet south of the Northeast corner of said West Half of the Southwest Quarter; thence southerly along the East line of said West Half of the Southwest Quarter to the Northerly Right of Way line of State Highway Number 59 and said centerline there terminating.

T-1284

A 66.00 foot Easement for Township Road purposes over and across part of Sections 20,29 and 30 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on the East line of said Section 20 distant approximately 300 feet South of the East Quarter Section corner of said Section 20; thence southwesterly, westerly and southwesterly across part of the South Half of said Section 20 to a point on the South line of said Section 20 distant approximately 400 feet east of the Southwest corner of said Section 20; thence southwesterly across part of Government Lot 3 of said Section 29 to a point on the West line of said Section 29 distant approximately 200 feet south of the Northwest corner of said Section 29; thence southwesterly and westerly across part of the Northeast

Quarter of the Northeast Quarter of said Section 30 to the Southeasterly Right of Way line of State Highway Number 59 and said centerline there terminating.

T-1402

A 66.00 foot Easement for Township Road purposes over and across part of Section 28, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point approximately 1600 feet South of the North line of said Section 28 and approximatley 600 feet East of the West line of said Section 28; thence southwesterly across part of Government Lot 5 to a point approximately 2300 feet south of the North line of said Section 28 and approximately 500 feet east of the West line of said Section 28; thence northeasterly across part of Government Lots 5 and 6 of said Section 28 to a point approximately 2000 feet south of the North line of said Section 28 and approximately 1300 feet east of the West line of said Section 28 and said centerline there terminating.

T-657

A 66.00 foot Easement for Township Road purposes over and across part of Sections 20,21,28 and 33 of Township 137 North, Range 42 West,Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the East line of said Section 20 with the southerly Right of Way line of State Highway Number 59; thence southerly along the East line of said Section 20 to a point approximately 1300 feet south of the East Quarter Section corner of said Section 20; thence southeasterly across part of the Southwest Quarter of said Section 21 to a point on the South line of said Section 21 distant approximately 1000 feet west of the South Quarter Section corner of said Section 21; thence southeasterly across part of the Northwest Quarter of said Section 28 to a point on the North-South Quarter Section line of said Section 28 distant approximately 1500 feet South of the North Quarter Section corner of said Section 28; thence southerly along the North-South Quarter Section lines of said Sections 28 and 33 to a point distant approximately 1100 feet North of the South Quarter Section corner of said Section 33; thence southeasterly across part of the Southwest Quarter of the Southeast Quarter of said Section 33 to a point on the South line of said Section 33 distant approximately 400 feet east of the South Quarter Section corner of said Section 33 and said centerline there terminating.

T-1326

A 66.00 foot Easement for Township Road purposes over and across part of Section 4, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the North-South Quarter Section line of said Section 4 and the Southerly Right of Way line of County Road Number 20; thence southerly along said North-South Quarter Section line to a point approximately 1400 feet South of the North Quarter Section corner of said Section 4; thence southwesterly, southerly and westerly across part of Government Lots 5,6,7 and 8 of said Section 4 to a point on the West line of said Section 4 distant approximately 4000 feet South of the

Northwest corner of said Section 4 and said centerline there terminating. Except that part thereof which was Dedicated on the Subdivision Plats of KILLARNEY BEACH, and MINNIE K. BARRYS ADDITION TO KILLARNEY BEACH.

T-609

A 66.00 foot Easement for Township Road purposes over and across part of Sections 9,10,11,16,17,20 and 21 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the West line of said Section 21 with the Northwesterly Right of Way line of State Highway Number 59; thence northerly along the West line of said Section 21 to the Northwest corner thereof; thence northeasterly northerly and northwesterly across part of said Section 16 to a point on the North line of said Section 16 distant approximately 4500 feet west of the Northeast corner of said Section 16; thence northeasterly across part of said Section 9 to a point on the North line of said Section 9 distant approximately 1100 feet west of the Northeast corner of said Section 9; thence easterly along the North line of said Sections 9 and 10 to a point approximately 1000 feet east of the Northwest corner of said Section 10; thence southerly, easterly and northeasterly across part of said Section 10 to a point on the East line of said Section 10 distant approximately 500 feet south of the Northeast corner of said Section 10; thence southeasterly and easterly across part of Section 11 to the Westerly Right of Way line of County Road Number 31 and said centerline there terminating. Except that part thereof which was Dedicated in the Subdivision Plats of *PELICAN BAY SHORES, *MOORING STONE ADDITION, *NORTHLAND BEACH, *PROVAN BEACH, *MORNINGSIDE BEACE, and FITZGERALD ADDITION.

T-609-A

A 66.00 foot Easement for Township Road purposes over and across part of Sections 2 and 11 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point approximately 700 feet South of the North line of said Section 11 at the easterly Right of Way line of County Road Number 31; thence northeasterly across part of said Section 11 to a point on the North line of said Section 11 distant approximately 2200 feet west of the Northeast corner of said Section 11; thence northeasterly across part of said Section 2 to a point approximately 1500 feet West of the East line of said Section 2 and approximately 600 feet North of the South line of said Section 2 and said centerline there terminating.

T-628

A 66.00 foot Easement for Township Road purposes over and across part of Section 12, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on or near the East Quarter Section corner of said Section 12; thence westerly, southwesterly, and northwesterly across part of said Section 12 to a point on or near the center of said Section 12; thence northerly, northeasterly and northwesterly across part of said Section 12 to a point approximately 400 feet South of the North line of said Section 12 at the Easterly Right of Way line of State Highway Number

59 and said centerline there terminating.

T-626

A 66.00 foot Easement for Township Road purposes over and across part of Sections 12 and 13 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northeast corner of said Section 13; thence westerly along the North line of said Section 13 to a point approximately 500 feet East of the Northwest corner of said Section 13; thence northwesterly across part of the Southwest Quarter of the Southwest Quarter of said Section 12 to the Southeasterly Right of Way line of State Highway Number 59 and said centerline there terminating.

T-642

A 66.00 foot Easement for Township Road purposes over and across part of Section 13; Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northeast corner of said Section 13; thence southerly along the East line of said Section 13 to the East Quarter Section corner of said Section 13 and said centerline there terminating.

T-654

A 66.00 foot Easement for Township Road purposes over and across part of Sections 23, 24 and 25 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the East Quarter Section corner of said Section 24; thence westerly along the East-West Quarter Section line of said Sections 24 and 23 to the Easterly Right of Way line of County Highway Number 31 and said centerline there terminating.

Together with that part thereof the centerline of which is described as follows:

Beginning at a point on the East line of said Section 24 distant approximately 200 feet north of the East Quarter Section corner of said Section 24; thence southerly along the East line of said Sections 24 and 25 to a point approximately 200 feet south of the Northeast corner of said Section 25 and said centerline there terminating.

Also together with that part thereof the centerline of which is described as follows:

Beginning at a point on the East line of said Section 25 distant approximately 1000 feet south of the Northeast corner of said Section 25; thence southerly along the East line of said Section 25 to a point approximately 1400 feet north of the Southeast corner of said Section 25 and said centerline there terminating.

T-655

A 66.00 foot Easement for Township Road purposes over and across part of Sections 21, 22 and 27 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the Southerly Right of Way line of State Highway Number 59 with the West line of said Section 22; thence southerly along the West line of said Section 22 to a point approximately 4200 feet

south of the Northwest corner of said Section 22; thence southeasterly across part of said Section 22 to a point on the South line of said Section 22 distant approximately 1400 feet west of the Southeast corner of said Section 22; thence easterly along said South line to the Westerly Right of Way line of County Road Number 31 and said centerline there terminating.

T-625

A 66.00 foot Easement for Township Road purposes over and across part of Sections 25, 26, 35 and 36 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:
Beginning at the Northeast corner of said Section 36; thence westerly along the North line of said Sections 36 and 35 to the Easterly Right of Way line of County Road Number 31 and said centerline there terminating.

T-679

A 66.00 foot Easement for Township Road purposes over and across part of Section 35, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:
Beginning at the North Quarter Section corner of said Section 35; thence southerly along the North-South Quarter Section line of said Section 35 to the South Quarter Section corner of said Section 35 and said centerline there terminating.

T-680

A 66.00 foot Easement for Township Road purposes over and across part of Sections 35 and 36 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:
Beginning at the Southeast corner of said Section 36; thence westerly along the South line of said Sections 36 and 35 to the Easterly Right of Way line of County Road Number 31 and said centerline there terminating.

T-679-A

A 66.00 foot Easement for Township Road purposes over and across part of Section 34, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:
Beginning at the North line of BIRCH GROVE BEACH, on file and of record in the office of the County Recorder in and for Otter Tail County, Minnesota; thence northerly across part of said Section 34 to the South line of FIRST ADDITION TO BIRCH GROVE BEACH, on file and of record in the office of the County Recorder in and for Otter Tail County, Minnesota and said centerline there terminating.

NOTES:

The above legal descriptions were not prepared with the benefit of actual field surveys and were infact prepared from Aerial Photos, Quadrangle Maps, Plat Books and other information of record. The actual location and limits of said Easements is determined as being 33.00 feet on both sides of the centerline of travel at the filing date of this document. The actual centerlines may vary from the Section lines, 1/16th lines and Government Lot lines that are called out in the descriptions herein.

It is the intent of the hereunto attached Exhibit C to identify and label all Roads under Dunn Township jurisdiction, and the roads so identified are to be full Township Road Rights of Way of 66.00 feet.

Township Chairperson

I hereby certify that this 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.

Terry Lee Anderson (Minnesota Registration Number 14676)

Document Number 646031

I hereby certify that this instrument was filed in the office of the County Recorder for record this 20th Day of February 1996, at 2:30 o'clock A .M., and was duly recorded in the Otter Tail County Recorders office. Exhibit C, hereunto attached, is on file in the Township Roads file.

County Recorder

Deputy

EXHIBIT B

PREPARED BY:
[redacted]
LAND SURVEYORS
P.O. Box 424, Fergus Falls, Minnesota
PHONE: 218-736-5986

DUNN TOWNSHIP CARTWAYS

C-608

A 33.00 foot Easement for Cartway purposes over and across part of Section 6, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on the East line of said Section 6 distant approximately 2800 feet south of the Northeast corner of said Section 6; thence southwesterly across part of Government Lot 6 of said Section 6 to a point approximately 800 feet west of the East line of said Section 6 and approximately 3400 feet south of the North line of said Section 6 and said centerline there terminating.

SP-440

C-630

A 33.00 foot Easement for Cartway purposes over and across part of Section 20, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on the East-West Quarter Section line of said Section 20 distant approximately 200 feet west of the East line of the West Half of the Southwest Quarter of said Section 20; thence easterly along said East-West Quarter Section line to a point on or near the center of said Section 20 and said centerline there terminating.

SP-443

C-667

A 33.00 foot Easement for Cartway purposes over and across part of Sections 30 and 31 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the Southeasterly Right of Way line of State Highway Number 59 and the North line of said Section 31; thence easterly along the North line of said Section 31 to a point approximately 1500 feet East of the North Quarter Section corner of said Section 31 and said centerline there terminating.

SP-446

C-656

A 33.00 foot Easement for Cartway purposes over and across part of Section 21, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point approximately 600 feet East of the West line of said Section 21 at the southeasterly Right of Way line of State Highway Number 59; thence southeasterly across part of said Section 21 to a point approximately 1500 feet East of the West line of said Section 21 and approximately 2200 feet North of the South line of said Section 21 and said centerline there terminating.

SP-449

C-657

A 33.00 foot Easement for Cartway purposes over and across part of Section 28, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 28; thence easterly along the North line of said Southwest Quarter of the Northeast Quarter to the Northeast corner of said Southwest Quarter of the Northeast Quarter and said centerline there terminating.

C-655

A 33.00 foot Easement for Cartway purposes over and across part of Sections 15, 16, 21 and 22 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the Northerly Right of Way line of State Highway Number 59 with the East line of said Section 21; thence northerly along the East line of said Sections 21 and 16 to a point approximately 1835 feet North of the Southeast corner of said Section 16 and said centerline there terminating.

Together with that part thereof the centerline of which is described as follows:

Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 15; thence easterly along the North line of said Southwest Quarter of the Southwest Quarter to the Northeast corner of said Southwest Quarter of the Southwest Quarter and said centerline there terminating.

C-654

A 33.00 foot Easement for Cartway purposes over and across part of Section 21, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 21; thence westerly along the North line of said Southeast Quarter of the Southeast Quarter a distance of approximately 400 feet and said centerline there terminating.

C-668

A 33.00 foot Easement for Cartway purposes over and across part of Sections 28 and 33 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the Northeast corner of said Section 33; thence westerly along the North line of said Section 33 to the North Quarter corner of said Section 33 and said centerline there terminating.

C-667-A

A 33.00 foot Easement for Cartway purposes over and across part of Section 33, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on or near the East Quarter Section corner of said Section 33; thence westerly along or near the East-West Quarter Section line

of said Section 33 to a point on or near the center of said Section 33 and said centerline there terminating.

C-626

A 33.00 foot Easement for Cartway purposes over and across part of Sections 10, 11, 12, 13, 14 and 15 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on the South line of said Section 10 distant approximately 600 feet East of the Southwest corner Section corner of said Section 10; thence easterly along the South line of said Sections 10, 11 and 12 to the Northwesterly Right of Way line of State Highway Number 59 and said centerline there terminating. Except that part thereof within the Right of Way of County Highway Number 31.

C-642

A 33.00 foot Easement for Cartway purposes over and across part of Sections 13 and 14 of Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the Southeasterly Right of Way line of State Highway Number 59 with the East line of said Section 14; thence southerly along the East line of said Section 14 to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 14 and said centerline there terminating.

C-625

A 33.00 foot Easement for Cartway purposes over and across part of Section 26, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at the intersection of the Easterly Right of Way line of County Road Number 31 and the East-West Quarter Section line of said Section 26; thence easterly along the East-West Quarter Section line of said Section 26 to a point approximately 4000 feet West of the East Quarter Section corner of said Section 26 and said centerline there terminating.

C-654-A

A 33.00 foot Easement for Cartway purposes over and across part of Section 25, Township 137 North, Range 42 West, Otter Tail County, Minnesota. The centerline of said Easement is described as follows:

Beginning at a point on or near the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 25; thence westerly along or near the South line of said Northeast Quarter of the Northeast Quarter to a point on or near the Southwest corner of said Northeast Quarter of the Northeast Quarter and said centerline there terminating.

NOTES: The above legal descriptions were not prepared with the benefit of actual field surveys and were infact prepared from Aerial Photos, Quadrangle Maps, Plat Books and other information of record. The actual location and limits of said Easements is determined as being 16.50 feet on both sides of the centerline of travel at the filing date of this document. The actual centerlines may vary from the Section lines, 1/16th lines and Government Lot lines that are called out in the descriptions herein.

It is the intent of the hereunto attached Exhibit C to identify and label all Roads under Dunn Township jurisdiction, and the roads so identified are to be full Cartway Rights of Way of 33.00 feet.

Kathleen Wagner
Township Chairperson

I hereby certify that this 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.

Terry Lee Anderson (Minnesota Registration Number 14676)

Document Number 446031

I hereby certify that this instrument was filed in the office of the County Recorder for record this 20th Day of February 1984, at 3:30 o'clock A .M., and was duly recorded in the Otter Tail County Recorders office. Exhibit C, hereunto attached, is on file in the Township Roads file.

Eulace M Thompson
County Recorder

Deputy

EXHIBIT B

Kennedy & Graven CHARTERED

Offices in
Minneapolis
Saint Paul
St. Cloud

470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300 telephone
(612) 337-9310 fax
www.kennedy-graven.com
Affirmative Action, Equal Opportunity Employer

JASON M. HILL
Attorney at Law
Direct Dial (612) 337-9207
Email: jhill@kennedy-graven.com

Also: St. Cloud Office
501 W. Germain Street, Suite 304
St. Cloud, MN 56301
(320) 240-8200

July 26, 2019

Bryan Wetli
Wetli Properties, LLC
16998 Seclusion Point Road
Audubon, MN 56511-9483
bryan.wetli@kronos.com

VIA EMAIL AND U.S. MAIL

RE: Cartway and Dunn Township Map Recording
Your Property: PID 17000130173000

Dear Mr. Wetli:

This firm represents Dunn Township (the "Town"), and I write on the Town's behalf with regard to property owned by Wetli Properties, LLC, and your recent request that the Town establish or open a cartway to your property based on a prior recorded map resolution. I have reviewed the information and resolution you previously submitted to the Town, and the Town has conducted an investigation of the background of the map recording and the actual use and maintenance of the cartway identified as "C-642."

There are a number of methods available to a Town to establish a road or cartway. Among those, the Town Board can establish a road through the formal procedure set forth in Minnesota Statutes, section 164.07, which includes a public hearing and an evaluation of damages for affected property owners. In accordance with Minnesota Statutes, section 160.05, a road can be established by six continuous years of use by the public and maintenance by the Town. Land dedicated to the Town for public road purposes by plat, so long as it is 30 feet wide, becomes a cartway, subject to the Town subsequently accepting, opening and maintaining the cartway as a town road. Additionally, a property owner can dedicate property to the Town for road purposes and county highways can be reverted to a town to become a town road.

In the late 1970's and 1980's, towns throughout the State of Minnesota used a statutory "record-by-map" process that allowed towns to develop a map of its roads, hold a public hearing, adopt a map by resolution that established road widths, and record the map. The process was frequently used by towns to provide a degree of certainty with regard to roads that had only established to

the width of actual use and maintenance. However, in 1994, the record-by-map process was held to be an unconstitutional taking of property without compensation, with the Court holding that a town cannot claim a greater right-of-way area than it had acquired prior to the mapping the roads. See *Alton v. Wabedo Township*, 524 N.W.2d 278 (Minn. Ct. App. 1994). The Town's road map resolution dated February 10, 1986 specifically references roads established by use/prescription or dedication and was adopted in accordance with the "record-by-map" process. Therefore, the subsequent *Wabedo* decision negates the ability of the Town to claim a greater right-of-way than existed prior to the mapping of the roads in 1986.

In this instance, there is no record of the Town formally establishing a road or cartway in the location referenced as C-642. There is no record of a plat being recorded for that location or any dedication of the property for public road use by the owner. Most significantly, there is no record of C-642 ever being maintained by the Town. As a result, no road or cartway has been established in the location identified as C-642, and the Town's map recording resolution cannot establish such a road or cartway. Therefore, the Town is under no obligation to accept, open or maintain C-642 as a road or cartway.

Alternatively, your property appears to qualify for the mandatory establishment of a cartway in accordance with Minnesota Statutes, section 164.08. Specifically, based on the information in our possession, the property is landlocked and is greater than five acres in size. Please note that petitioners under Minnesota Statutes, section 164.08 are required to pay all costs associated with the establishment of a cartway, including, but not limited to, compensation paid to the owners of the properties made subject to the cartway, the Town's attorney fees, appraiser fees, administrative costs, surveying costs, and such other costs the Town Board incurs as it deems necessary to process, consider, and act on a cartway petition. Additionally, upon the establishment of the cartway, the Town is in no way responsible for the construction, improvement or maintenance of the cartway.

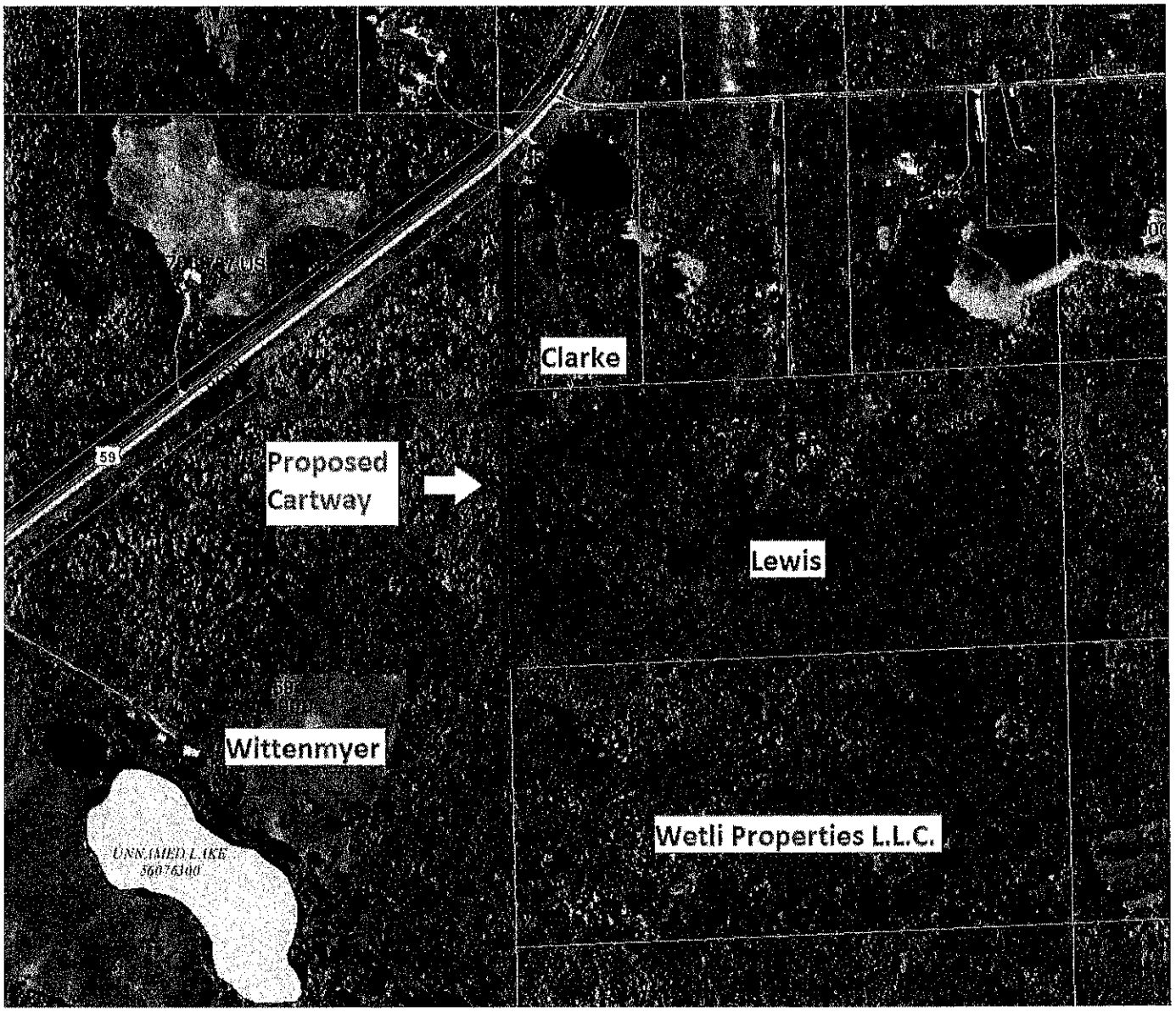
I hope that the foregoing information is helpful and is responsive to your previous questions and concerns. Should have any additional questions, please contact Ross Herseth at rpherseth@hotmail.com. Thank you.

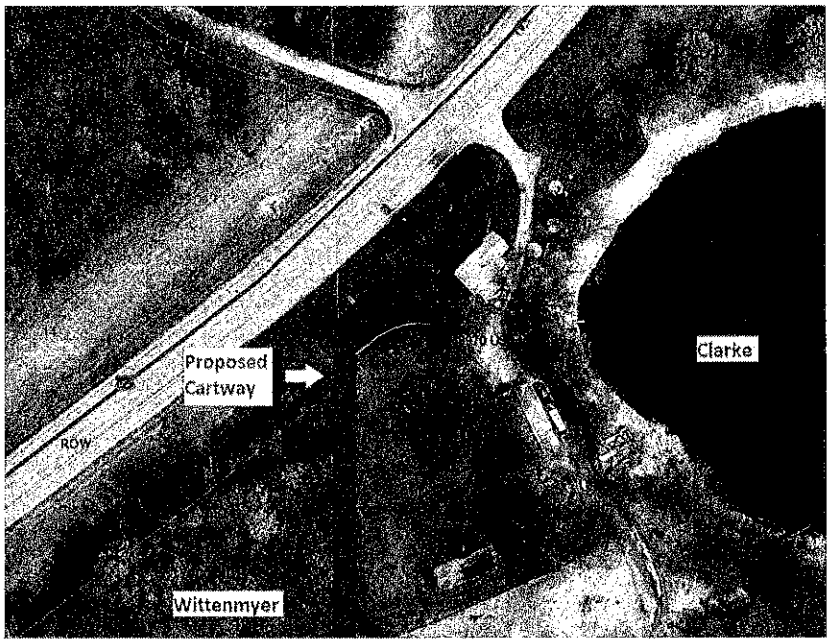
Regards,

Jason M. Hill

cc: Dunn Township

EXHIBIT C


Clarke
Proposed
Cartway
Lewis
Wittenmyer
Wetli Properties L.L.C.
UNNAMED LAKE
5607630


Proposed
Cartway
Clarke
ROW
Wittenmyer