

**DUNN TOWNSHIP  
 OTTER TAIL COUNTY, MINNESOTA  
 RESOLUTION NO. 2018-05**

**RESOLUTION ISSUING A FINAL CARTWAY  
 ORDER AND AWARDDING DAMAGES**

**WHEREAS**, the Dunn Township (“Town”) board of supervisors (“Town Board”) received a petition from Rodney J. Spidahl (“Petitioner”) requesting the establishment of a cartway pursuant to Minnesota Statutes, section 164.08, subdivision 2 to provide access to Petitioner’s property (PID 17-000-100-127-000) located in the E ½ of the NW ¼ of the SE ¼, of Section 10, Township 137, Range 42, Otter Tail, Minnesota, which contains approximately 15 acres (“Property”);

**WHEREAS**, the Town Board initiated the public hearing regarding the proposed cartway on January 8, 2018, heard from the Petitioner and those wishing to speak to the issue, and adopted Resolution No. 2018-04, which is attached hereto as Exhibit A, conditionally granting the requested cartway (“Conditional Grant Resolution”);

**WHEREAS**, the Town Board selected a route for the proposed cartway as part of its Conditional Grant Resolution that it determined, based on the findings contained therein, was less disruptive and damaging to the owners affected by the cartway and that was in the public’s best interest. The route selected for the cartway is located as shown on the map attached hereto as Exhibit B and is legally described in the attached Exhibit C (“Selected Route”);

**WHEREAS**, the Selected Route crosses property owned by Mark and Sheila Beauchene as described below (the “Affected Property”):

Owners (“Affected Owners”)	Description of Land (“Affected Property”)
Mark & Sheila M Beauchene 4726 Rose Creek Pkwy S Fargo, ND 58104	SE ¼ of the SE ¼ and the SW ¼ of the SE ¼ Section 10, Township 137, Range 42 Otter Tail County Minnesota.  PID No. 17-000-100-119-000 PID No. 17-000-100-123-000

**WHEREAS**, the Town Board continued the hearing to April 9, 2018 to allow it time to hire a surveyor and an appraiser and for the surveyor to draft a description of the approved route and for the appraiser to prepare and submit an opinion as to the amount of damages needing to be paid for the establishment of the cartway over the Affected Property;

**WHEREAS**, the Town Board hired Anderson Land Surveying, Inc. to provide a survey of the Selected Route;

**WHEREAS**, the Town Board hired Steve Schierer Appraisals (“Appraiser”) to conduct the appraisal;

**WHEREAS**, the Appraiser submitted an appraisal report to the Town dated March 20, 2018, (“Appraisal”), in which the Appraiser issued an opinion that the reasonable value of the portion of the Affected Property being taken for the cartway to be \$2,500;

**WHEREAS**, the Town Board reconvened the hearing on April 9, 2018 to review the Appraisal and to hear further from the parties;

**WHEREAS**, the Town Board hereby finds and determines as follows regarding the location of the cartway:

- (a) The Selected Route is the least impactful option for a cartway across the Affected Property;
- (b) A large wetland exists on the Affected Property prohibiting the cartway from running straight south to north, the most effective and least disruptive route, therefore, was to stay as close to the wetland as possible;
- (c) The cartway being established by this Order is 33 feet wide and runs from an existing cartway known as Cartway C-626, across the Affected Property, and terminates at the southern line of Petitioner’s Property;
- (d) The Town Board made various findings and determinations regarding the requested cartway as part of its Conditional Grant Resolution, which are incorporated in and made part of this Order; and
- (e) The Town Board will not spend any public funds to establish, build, maintain, or improve the cartway;

**WHEREAS**, the Town Board hereby makes the following findings and determinations with respect to the damages to be paid to the Affected Owners:

- (a) The Appraisal, which is incorporated herein by reference, determines that the reasonable value of the Affected Owners’ property affected by the cartway establishment totals \$2,500;
- (b) The Town provided copies of the Appraisal to the Petitioner and the Affected Owners prior to reconvening the hearing;
- (c) At the hearing, the Petitioner and the Affected Owners agreed that the Appraisal determined a fair value of the Affected Owners’ property affected by the cartway;

- (d) The Town Board finds the Appraiser's opinion, as reflected in the Appraisal, regarding the amount of damages to be paid the Affected Owners is an accurate assessment of the damages to be paid under Minnesota Statutes, section 164.07;
- (e) The Town Board hereby determines the Affected Owners are entitled to a total of \$2,500 as damages associated with the establishment of this cartway; and
- (f) No other owners are entitled to any damages for the establishment of this cartway.

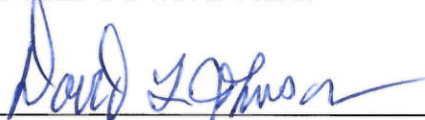
**NOW, THEREFORE, IT IS HEREBY ORDERED:**

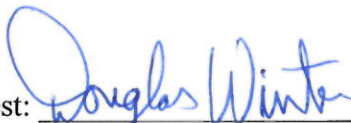
1. The Town Board hereby establishes a cartway, pursuant to Minnesota Statutes, sections 164.08, subdivision 2 and 164.07, thirty-three (33) feet in width to connect the Petitioner's Property to County Highway 3, via Cartway C-626, along the Selected Route shown on the map attached as Exhibit B and legally described in the attached Exhibit C.
2. This establishment creates a perpetual, non-exclusive, easement for cartway purposes and includes the acquisition of all trees now existing and that may hereafter grow within the cartway as described. The Petitioner may cut and remove such trees as they may determine is appropriate to accommodate the maintenance and improvement of the cartway. Public utilities do not currently exist within the area being established as a cartway. Public utilities may be placed in the easement area as needed to provide services to the Petitioner's Property and the adjacent properties.
3. Establishment of the cartway is subject to all of the following:
  - (a) The Petitioner is responsible for complying with all federal, state, and local laws, rules, and ordinances, and for obtaining any and all necessary permits related to any work Petitioner may wish to perform to improve the cartway;
  - (b) The Petitioner does not acquire any rights under this Order, the cartway shall not be deemed established, this Order shall not be recorded, and no work shall be performed within the described cartway area until the Petitioner has fully reimbursed the Town for all costs and amounts it has expended related to this process including, but not limited to, the amount of damages to be paid to the Affected Owners, hearing and administrative costs, professional fees, and recording costs; and
  - (c) The Town will not expend any of its funds toward the establishment, construction, or maintenance of this cartway.
4. The Affected Owners are awarded damages in the amount of \$2,500 related to the establishment of this cartway. The Town Chairperson, Clerk, and Treasurer are authorized to issue a check to the Affected Owners in that amount and to include the check in the notice of award of damages sent to the Affected Owners.

5. The recitals and attached exhibits are incorporated herein and made part of this Order.
6. The Town Clerk is hereby authorized and directed to:
  - (a) Provide the Affected Owners notice of the award of damages along with a copy of this Order;
  - (b) The Town Clerk shall pay any remaining bills and costs from the amount escrowed by the Petitioner. If the escrowed amount is not sufficient to cover the Town's costs, the Clerk shall send the Petitioner an invoice for any unpaid costs which must be paid within thirty (30) days. If the total amount is not paid within thirty (30) days, the Town shall take action to collect its costs, including costs of collection, pursuant to any method available to the Town under law which may include, but is not limited to, certifying the unpaid amount as a service charge under Minnesota Statutes, section 366.012 to the County Auditor for collection together with the property taxes imposed on the Petitioner's Property. The Town Board may also, after written notice to the Petitioners, rescind this Order and terminate this cartway establishment if the Petitioner fails to fully reimburse the Town. Such termination shall not relieve the Petitioner from their obligation to fully reimburse the Town;
  - (c) At the conclusion of the appeal period, or of the appeal if one is brought, and the Petitioner having fully reimbursed the Town for all costs, the Town Clerk shall, upon the advice of the Town Attorney as needed, present this Order to the County Auditor to be entered in the transfer record and to have noted that it has been so entered, and to record this Order in the office of the County Recorder; and
  - (d) The Town Chairperson, Clerk, and Attorney are hereby authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Order.

Adopted this 14th day of May, 2018.

**BY THE TOWN BOARD**

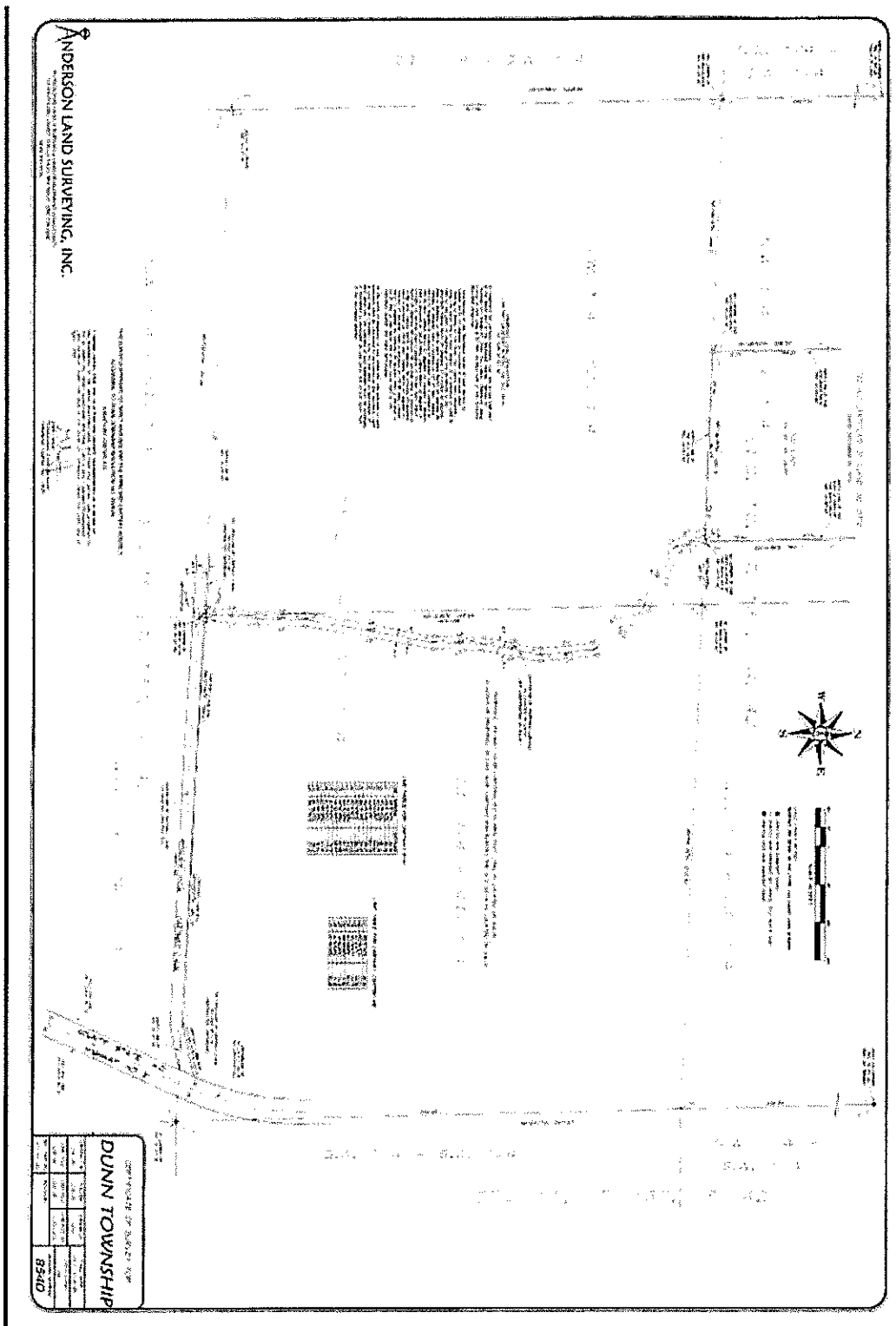
  
\_\_\_\_\_  
Town Board Chairperson

Attest:   
\_\_\_\_\_  
Town Clerk

**EXHIBIT A**  
Resolution Conditionally Granting a Cartway

[attached hereto]

**EXHIBIT B**  
Map of Cartway



## EXHIBIT C

### Legal Description of the Cartway

An easement for cartway purposes, over and across that part of the South Half of the Southeast Quarter, Section 10, Township 137, Range 42, Otter Tail County, Minnesota, being a strip of land lying 16.50 feet on each side of the following described centerline:

Commencing at the Southeast corner of said Section 10; thence North 87 degrees 02 minutes 41 seconds West (bearing is based on the Otter Tail County Harn Network) along the south line of said Section 10, a distance of 1343.26 feet to the point of beginning of the centerline to be described; thence North 05 degrees 37 minutes 42 seconds East a distance of 140.26 feet; thence North 00 degrees 46 minutes 10 seconds East a distance of 127.37 feet; thence North 10 degrees 15 minutes 41 seconds East a distance of 349.85 feet; thence North 02 degrees 05 minutes 10 seconds East a distance of 129.23 feet; thence North 10 degrees 14 minutes 58 seconds East a distance of 155.66 feet; thence North 05 degrees 38 minutes 38 seconds West a distance of 141.86 feet; thence North 41 degrees 36 minutes 29 seconds West a distance of 174.18 feet; thence North 61 degrees 51 minutes 52 seconds West a distance of 175.98 feet; thence North 21 degrees 48 minutes 09 seconds West a distance of 83.28 feet to the north line of said South Half of the Southeast Quarter and there terminating.

At the point of beginning of said centerline, the sidelines of said easement shall be shortened to terminate on the northerly right-of-way line of Cartway C-626. At the point of termination of said centerline, the sidelines of said easement shall be prolonged or shortened to terminate on said north line of the South Half of the Southeast Quarter.

STATE OF MINNESOTA )  
COUNTY OF OTTER TAIL ) ss. **NOTICE OF AWARD OF**  
TOWNSHIP OF DUNN ) **DAMAGES**

Mark and Sheila Beauchene

**RE: ESTABLISHMENT OF THE SPIDAHL CARTWAY**

**PLEASE TAKE NOTICE** that on May 14, 2018 the Town Board of Dunn Township, Otter Tail County, Minnesota adopted the enclosed Resolution Issuing a Final Cartway Order and Awarding Damages (“Order”). The Order was adopted pursuant to the Town Board’s authority under Minnesota Statutes, sections 164.07 and 164.08.

As is explained further in the Order, the Town Board determined that the total amount of damages to which you are entitled for establishing the cartway requested by the petitioners across your property located at SE ¼ of the SE ¼ and the SW ¼ of the SE ¼ Section 10, Township 137, Range 42 Otter Tail County Minnesota (PID Nos. 17-000-100-119-000 and 17-000-100-123-000) is Two Thousand Five Hundred Dollars (\$2,500.00). The Town Board has ordered the payment of that amount to you and a check is enclosed with this notice. If you intend to appeal the cartway establishment, please return the check to the Town Clerk and the payment of damages will be postponed until the appeal is finally resolved. This damage award is not subject to any particular terms or conditions.

The award of damages was filed with the Town Clerk on May 14, 2018 and the Town Clerk is required to notify the owners affected by this cartway establishment in writing of the award within seven days, together with a copy of the Order.

**NOTICE OF RIGHT TO APPEAL**

**PLEASE TAKE NOTICE** that you have an opportunity under Minnesota Statutes, section 164.07 to appeal this award of damages and the cartway establishment. In order to bring an appeal, notice of the appeal must be filed with the court administrator of the District Court of Otter Tail County **within 40 days of May 14, 2018** (the day the Town Board filed the award of damages with the Town Clerk). Filing a notice of appeal will not prevent the petitioner from using the cartway unless the appeal challenges the public purpose or necessity of the cartway establishment and is filed with the District Court within **10 days** of the date the award was filed with the Town Clerk as indicated above.

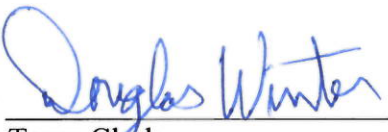
The notice of appeal must specify: (1) the award of damages or failure to award damages being appealed from; (2) the land to which the appeal relates; (3) the nature and amount of the damages you are claiming; and (4) the grounds of the appeal. The notice of appeal must also be accompanied by a bond of at least \$250, with sufficient surety approved by the judge or the county auditor conditioned to pay all costs arising from the appeal in case the award is sustained. A copy of the notice of appeal must be mailed by registered or certified mail to the Dunn Town Clerk or other member of the Town Board.



Dated and filed with the Town Clerk this 21<sup>st</sup> day of May, 2018.

**BY THE TOWN BOARD**

  
\_\_\_\_\_  
Town Chairperson

Attest:   
\_\_\_\_\_  
Town Clerk

**DUNN TOWNSHIP  
 OTTER TAIL COUNTY, MINNESOTA  
 RESOLUTION NO. 2018- 4**

**RESOLUTION DETERMINING ELIGIBILITY  
 AND CONDITIONALLY GRANTING A CARTWAY**

**WHEREAS**, the Dunn Township (“Town”) board of supervisors (“Town Board”) received a petition from Rodney J. Spidahl (“Petitioner”) requesting the establishment of a cartway pursuant to Minnesota Statutes, section 164.08, subdivision 2 to provide access to Petitioner’s property (PID 17000100127000) located in the E ½ of the NW ¼ of the SE ¼, of Section 10, Township 137, Range 42, Otter Tail, Minnesota, which contains approximately 15 acres (“Property”);

**WHEREAS**, the Petitioner requested the establishment of a 33-foot wide cartway extending from County Highway 31 to the Property:

**WHEREAS**, in the submitted petition, the Petitioner proposed three different possible routes for the cartway;

**WHEREAS**, the first route (“Route A”) would cross the following parcels at the location described in the attached Exhibit A:

<b>Owner</b>	<b>Property Location</b>	<b>PID</b>
Mark and Sheila Beauchene	South ½ of the SE ¼ Section 10, Township 137, Range 42, Otter Tail County, Minnesota	17-000-100-123-000
Mark and Sheila Beauchene	South ½ of the SE ¼ Section 10, Township 137, Range 42, Otter Tail County, Minnesota	17-000-100-119-000

**WHEREAS**, in the alternative, the second route (“Route B”) proposed by the Petitioner would cross the following parcels at the location described in the attached Exhibit B:

<b>Owner</b>	<b>Property Location</b>	<b>PID</b>
Terry Kvare	NE 1/4 of the SE ¼ Section 10, Township 137, Range 42, Otter Tail County, Minnesota	17-000-100-120-001
Curtis Strom	NW ¼ of the SE ¼ Section 10, Township 137, Range 42, Otter Tail County, Minnesota	17-000-100-122-000

**WHEREAS**, in the alternative, the third route (“Route C”) proposed by the Petitioner would cross the following parcels at the location described in the attached Exhibit C:

<b>Owner</b>	<b>Property Location</b>	<b>PID</b>
Esther Larson	SW ¼ of the NW 1/4 Section 11 Township 137, Range 42 Otter Tail County, Minnesota	17-000-110-152-001
Terrance Strom and Kevin Strom	SE ¼ of the NE ¼ Section 10, Township 137, Range 42 Otter Tail County, Minnesota	17-000-100-120-000
Terry Kvare	NE 1/4 of the SE ¼ Section 10, Township 137, Range 42, Otter Tail County, Minnesota	17-000-100-120-001
Curtis Strom	NW ¼ of the SE ¼ Section 10, Township 137, Range 42, Otter Tail County, Minnesota	17-000-100-122-000

**WHEREAS**, during an inspection of the routes, the petitioner presented a fourth alternative route (“Route D”), the general location of which is described in the attached Exhibit D and shown in the attached Exhibit E, crossing the following parcels;

<b>Owner</b>	<b>Property Location</b>	<b>PID</b>
Mark & Sheila M Beauchene	SE ¼ of the SE ¼ and the SW ¼ of the SE ¼ Section 10, Township 137, Range 42 Otter Tail County Minnesota	17-000-100-119-000 17-000-100-123-000

**WHEREAS**, the Petitioner provided the security in the form and amount as required by Town Board resolution to secure the Petitioner’s obligation to reimburse the Town for all expenses and costs its incurs related to the processing and consideration of the cartway petition, including all professional and administrative costs;

**WHEREAS**, the Town Board held a public hearing, after due notice having been provided, on January 8, 2018 during which the Town Board inspected the proposed cartway routes and gave the parties and the public an opportunity to present information, orally and in writing, regarding the proposed cartway;

**WHEREAS**, the Town Board has heard and considered the competing interests in this matter in light of its mandated statutory obligation in Minnesota Statutes, section 164.08, subdivision 2 to establish a cartway to the landlocked property of an eligible petitioner; and

**WHEREAS**, the Town Board hereby finds and determines as following regarding this matter:

- a. The petition submitted by the Petitioner is complete and proper;
- b. The Petitioner’s Property to be served by the proposed cartway contains at least 5 acres;

- c. The Petitioner's Property is landlocked in that it has no access to it except over a navigable waterway or over the lands of others, or whose access is less than two rods wide;
- d. The Petitioner is eligible to receive a cartway pursuant to Minnesota Statutes, section 164.08, subdivision 2;
- e. The Town Board inspected the proposed routes by driving a portion of them and then walking the remainder;
- f. The cartway statute expressly authorizes a town board to "select an alternative route other than that petitioned for if the alternative is deemed by the town board to be less disruptive and damaging to the affected landowners and in the public's best interest." Minn. Stat. § 164.08, subd. 2(a). The Town Board is aware of the ruling in Kennedy v. Pepin Township, 784 N.W.2d 378 (Minn. 2010) regarding the route selected for a cartway needing to provide reasonable access to a usable portion of the petitioner's property and of needing to follow the route requested by the petitioner unless an alternative route is found to be less disruptive and damaging to the neighbors and is in the public's best interest;
- g. The Town Board finds as follows with respect to Route A and Route B:
  - (1) The topography of the routes do not provide meaningful access to the Petitioner's Property;
  - (2) The proposed routes are located approximately 80 feet from an existing access onto County Road 31;
  - (3) County Road 31 in the area near these proposed routes has a large elevation changes and an additional access in this area would be a danger to the traveling public;
  - (4) The routes are not in the public's best interests.
- h. The Town Board finds as follows with respect to the Route C:
  - (1) The route travels close to existing structures and seasonal residences and would interfere with their use;
  - (2) The Town has issued a building permit along the route;
  - (3) The route would be disruptive to the property owners along the route as it would bring traffic within several feet of the existing structures;
  - (4) The route is not in the public's best interests.
- i. The Town Board hereby finds as follows with respect to the Alternative Route D:
  - (1) In September of 1985, the Town adopted an order creating a 33 foot easement for a cartway along the east-west portion of Route D;

- (2) Route D provides meaningful access to the Petitioner;
  - (3) Route D is the least disruptive route to access the Petitioner's Property as it does not pass by any existing development and a portion travels along an existing cartway;
  - (4) The access onto County Road 31 from this route provides clear visibility for the traveling public;
  - (5) Route D is in the public's best interest to be used as a cartway to access the Petitioner's Property.
- j. The Town Board hereby selects Route D as the approved route for the cartway because it is less disruptive and damaging to the property owners affected than the other requested routes and it is in the public's best interest for the reasons cited above;
  - k. A survey is needed to identify the exact location of the cartway, develop a proper legal description, and to accurately identify the boundaries of the cartway. The Town Board will select one of its supervisors to work with the survey or to correctly identify the Selected Route and the needed width;
  - l. An appraisal is needed in order to assist the Town Board to determine the amount of damages to be paid to the affected owners. The Town Board will also need information regarding the value of the trees being acquired within the 33-foot wide easement area, whether the information can be supplied by the assessor or if a forester needs to be hired to provide the information; and
  - m. The hearing needs to be continued in order to allow the Town Board to select and hire an appraiser and surveyor, allow the appraiser and surveyor to perform their work, and to allow the affected owners time to prepare whatever information they may feel is relevant in determining the amount of damages they are entitled to as a result of establishing the cartway.

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board hereby conditionally approves, based upon the record thus far and its findings and determinations contained herein, the Petitioner's cartway petition and preliminarily grants the establishment of the requested 33-foot wide cartway along Route D, said cartway to include the acquisition of all trees within the easement area, pursuant to the following terms and conditions:

- 1. The Petitioner is required to pay all costs associated with the establishment of the cartway including, but not limited to, compensation paid to the Mark and Sheila Beauchene ("Affected Owners"), the Town's attorney fees, appraiser fees, administrative costs, surveying costs, and all other costs incurred by the Town Board as part of its consideration and establishment of the requested cartway, including costs incurred prior to the date of the hearing. The Town will deduct its expenses from the amount deposited with the Town by the Petitioner. If the Town Board determines the deposited amount will not be sufficient to fully reimburse the Town for its costs, it will notify the Petitioner in writing of the need to deposit additional funds with the Town. If the Petitioner fails to deposit the required additional funds, or otherwise fails to fully reimburse the Town for

the costs it incurs, the Town Board shall suspend any further action regarding the petition until the Petitioner provide the required additional funds or otherwise fully reimburses the Town for all of its costs. If the Petitioner fails to act promptly to reimburse the Town for its costs, the Town Board may terminate the cartway proceeding and may certify any unreimbursed costs it has incurred, including collection costs, to the County Auditor for collection on the taxes of the Petitioner's Property, or any other property the Petitioner may own in the state, pursuant to Minnesota Statutes, section 366.012. In no case shall the cartway be opened or used until the cartway establishment procedure is completed and the Petitioner have fully reimbursed the Town for all of its costs;

2. The Town Board shall retain the services of a licensed surveyor to survey the approved cartway route and to develop a map and legal description of the cartway. The survey map and legal description needs to be completed and provided to the Town at least 10 days before the date set for reconvening the hearing. The Town shall provide the Affected Owners and the Petitioner a copy of the survey;
3. The Town Board shall retain the services of a licensed appraiser to prepare an opinion as to the amount of damages to be paid to the Affected Owners. The opinion is to include any information the appraiser finds is relevant to determining the appropriate amount of monetary damages needed to be paid for the taking, including the amount of any monetary benefits received by the Affected Owners resulting from the establishment of the cartway. Such report needs to be completed and submitted to the Town at least 15 days before the date set for recommending the hearing. The Town shall provide the Affected Owners and Petitioner a copy of the report;
4. The Town shall not participate in any way in the construction or improvement activities on the cartway, either upon establishment or in the future. Any such activities shall be the responsibility of the Petitioners, their heirs, assigns, and successors. The Town will also not maintain the cartway. It shall be the responsibility of one or more of the owners who own land adjacent to the cartway or who use it as access to maintain it in proportion to their level of use as provided in Minnesota Statutes, section 164.08, subdivision 3; and
5. The cartway shall not be considered established until the Town Board adopts a final cartway order and award of damages, all damages are paid, there are no appeals or all appeals are finally determined as provided in Minnesota Statutes, section 164.07, subdivisions 7 & 10, the cartway order is recorded in the office of the County Recorder, and the Petitioner has fully reimbursed the Town for its costs and expenses associated with this cartway establishment process.

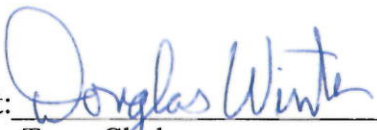
<sup>9<sup>th</sup></sup> **BE IT FURTHER RESOLVED**, the Town Board shall continue this hearing until the day of APRIL, 2018, at 7:00 p.m. at the Dunn Town Hall located at 47979 East Lake Lizzie Road, Pelican Rapids, MN at which time it will review the survey, the appraisal report, and allow those claiming to be entitled to damages as a result of the cartway establishment to present information to assist the Town Board to properly assess and award damages. The Town Board intends to determine and award damages at the reconvened hearing and to take action to adopt the final cartway order; and

**BE IT FINALLY RESOLVED**, the Town Chairperson and Town Clerk are authorized to take, in consultation with the Town's attorney, such actions as they deem necessary or expedient to prepare the Town Board to proceed with this cartway establishment procedure at the reconvened hearing and to finalize the cartway establishment. The Town Clerk is further authorized and directed to provide the Petitioner and the Affected Owners a copy of this Resolution.

Adopted this 13<sup>th</sup> day of February, 2018.

**BY THE TOWN BOARD**

  
\_\_\_\_\_  
Town Chairperson

Attest:   
\_\_\_\_\_  
Town Clerk

**EXHIBIT A**  
Description of Route A

From a point starting at the connection of County State Aid Highway 31 and the most northeasterly corner of the Mark and Sheila Beauchene property, thence running west along to the northerly boundary line of the Mark and Sheila Beauchene property to the first point of connection to the Petitioner's property.



**EXHIBIT B**  
Description of Route B

From a point starting at the connection of County State Aid Highway 31 and the most southeasterly corner of the Terry Kvale property, thence running west along the southerly boundary line of the Terry Kvale property to the easterly boundary of the Curtis Strom property, thence continuing westerly along the southerly boundary of the Curtis Strom property to the first point of connection to the easterly boundary of the Petitioner's property.

**EXHIBIT C**  
Description of Route C

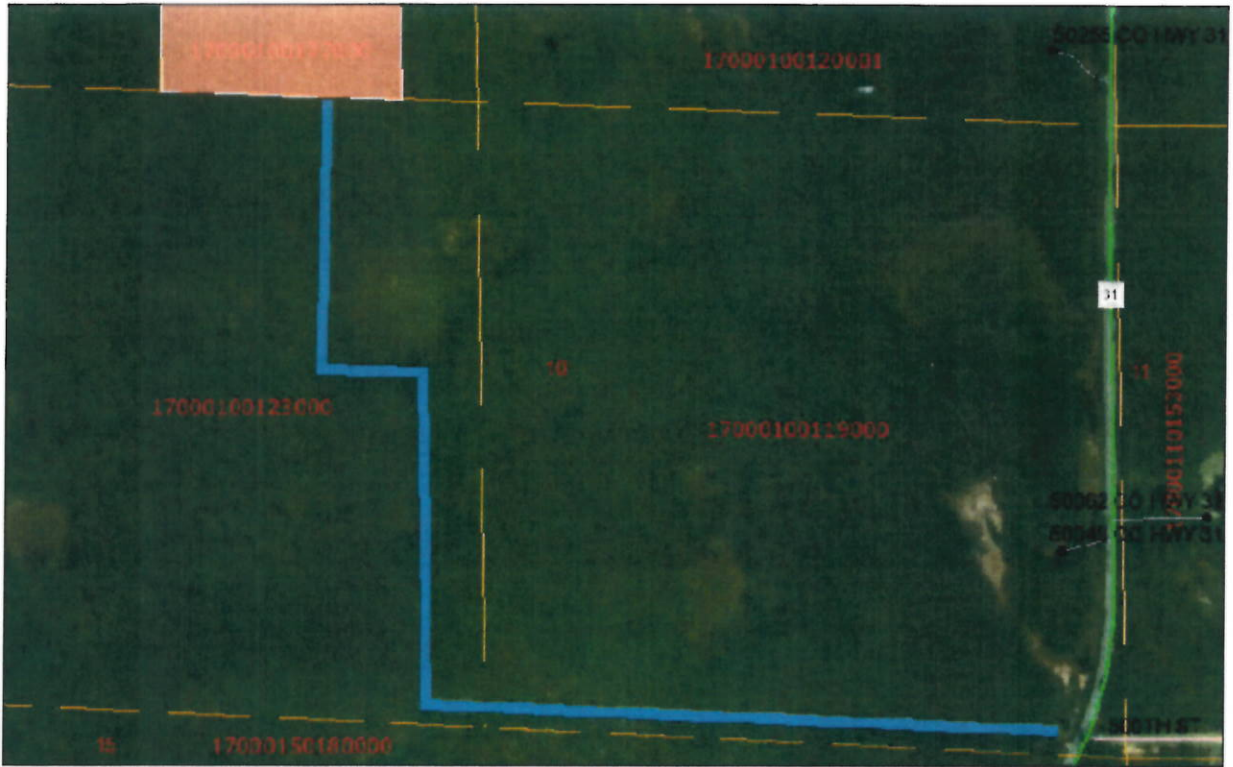
From a point starting at the connection of County State Aid Highway 31 and the most easterly boundary of the Esther Larson property, thence running southwest to the easterly boundary line of the Terrance Strom and Kevin Strom property thence continuing southwesterly, thence northwesterly, westerly and southwesterly to the northerly line of the Terry Kvale property, thence southwesterly to the easterly boundary line of the Curtis Strom property, thence continuing westerly to the first point of connection to the easterly boundary of the Petitioner's property.

**EXHIBIT D**  
Description of Route D

Following the existing constructed cartway across from the intersection of County Highway 31 and Township Road 500<sup>th</sup> Street, continuing west approximately 1,300 feet then proceeding north approximately 700 feet to an existing low lying slew, then proceeding west along the slew and then north to the Petitioner's Property.

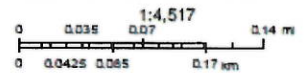
**EXHIBIT E**  
**Map of Route D**

**Preliminary Cartway Route**



2/1/2018, 10:44:32 AM

- Addresses
- Driveways



GIS Dept  
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Oliver Tail County GIS  
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