



RINKE NOONAN

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*attorneys at law*

Firmly Committed.



RINKE NOONAN

*attorneys at law*

Certificates of Possessory Title  
(CPT)  
November 6, 2013

Minnesota Registrars of Title

Firmly Committed.



RINKE NOONAN

*attorneys at law*

David Meyers  
Sherburne, Mille Lacs, Roseau, Marshall,  
and Kittson County Examiner of Titles

[www.RinkeNoonan.com](http://www.RinkeNoonan.com)

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## I. Requirements

- A. County Board approval.
- B. A Registrar willing to try something new.
- C. An Examiner with basic knowledge of the CPT procedures.
- D. What is a CPT?

Firmly Committed.

Firmly Committed.

**RESOLUTION**  
**SHERBURNE COUNTY BOARD OF COMMISSIONERS**

**November 12, 2002**

**Resolution #111202-AD-773**

Date

Number

**ESTABLISHMENT OF THE POSSESSORY TITLE METHOD OF  
REGISTERING PROPERTY IN SHERBURNE COUNTY**

WHEREAS, the Sherburne County Board of Commissioners would like to provide property owners in Sherburne County with a simplified alternative procedure for property registration; and


WHEREAS, Minnesota Statutes provide for the possessory title method of registering property, which is a simplified alternative procedure; and

WHEREAS, the Sherburne County Recorder has recommended that the Sherburne County Board of Commissioners authorize the Sherburne County Recorder/Registrar of Titles and the Sherburne County Examiner of Titles to implement the possessory title method of registering property as provided for in Minnesota Statutes Chapter 508A.

NOW, THEREFORE, BE IT RESOLVED, that the use of the possessory title method of registration of title to real estate provided in Minnesota Statutes Chapter 508A is authorized in Sherburne County effective November 12, 2002.

	Aye	Naye
Commissioner Engstrom	<u>  X  </u>	_____
Commissioner Nagorski	<u>  X  </u>	_____
Commissioner Friedl	<u>  X  </u>	_____
Commissioner Wergin	<u>  X  </u>	_____
Commissioner Leonard	<u>  X  </u>	_____

  
\_\_\_\_\_  
Terry Nagorski  
Chairperson

  
\_\_\_\_\_  
Brian Bensch  
County Administrator (Seal)

Firmly Committed.

# Certificate of Possessory Title (CPT)

Certificate No: 9734.0

First Certificate of Possessory Title, pursuant to the Directive of the Examiner of Titles, County of Sherburne, and State of Minnesota, date September 19, 2013

## *State of Minnesota, County of Sherburne*

This is to certify that  
**DAVID GILBERT**

Whose address is  
**9880 55th Street SE  
in the City of Clear Lake  
State of Minnesota 55319**

*Owner(s) of the following described land situated in the  
County of Sherburne and State of Minnesota*

**Lot 7, Block 1, Herbst Addition, Less the Northeasterly 27 feet of said Lot 7, as measured at right angles to the Northeasterly line thereof.**

Subject to the encumbrances, liens and interest noted by the memorial underwritten or endorsed hereon; and subject to the following rights, or encumbrances subsisting, as provided in M.S. Section 508A.25 namely;

1. liens, claims, or rights arising or existing under the laws or Constitution of the United States, which this state cannot require to appear of record;
2. the lien of any real property tax or special assessment;
3. any lease for a period not exceeding three years when there is actual occupation of the premises under it;
4. all rights in public highways upon the land;
5. the rights of any person in possession under deed or contract for deed from the owner of the CPT;
6. any claims that may be made pursuant to section 508A.17 within five years from the date of the first CPT; and
7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17;

Firmly Committed.





***In Witness Whereof,***

I have hereunto subscribed my name and affixed the seal of my office this 19th day of September, 2013

Michelle Ashe  
Registrar of Titles  
In and for the  
County of Sherburne  
State of Minnesota

By Michelle Ashe

Firmly Committed.

Firmly Committed.



# Memorials

Certificate No: 9734.0

Document #: A 754075

Amount: \$123,000.00

Dated: 02/15/2012

In favor of:

**AFFINITY PLUS FEDERAL CREDIT UNION**

Comments:

/s/ Holly Menke

Instr: MORTGAGE

Ref: A754076

Filed: 08/01/2012 at 9:30 AM

Document #: T 49213

Amount:

Dated: 09/17/2013

In favor of:

**GILBERT, DAVID**

Comments:

/s/ Holly Menke

Instr: DIR/CERT POSSESSORY TITLE

Ref:

Filed: 09/19/2013 at 2:00 PM

\*\*\*\*\* End of Memorials \*\*\*\*\*

Firmly Committed.





## II. Why Use a CPT?

A. Inexpensive, quick and easy solution to many title problems.

B. Average cost for an action to determine adverse claims (Quiet Title Action) can be \$2,500.00 - \$5,000.00, plus the cost of a survey if needed.

C. Average cost for a CPT in Sherburne or Mille Lacs Counties is less than \$1,500.00, plus the cost of a survey if needed.

*(continued)*

Firmly Committed.



D. Court actions take about 90-120 days, assuming they are default, (not contested).

E. A CPT takes about 60-75 to complete.

F. A CPT is “intended for uncontested titles.” See Minn. Stat. § 508A.01, subd. 1.

Firmly Committed.

Firmly Committed.



### III. Procedure: Minn. Stat. Chap. 508A

A. Application

B. Filed with the County Recorder

Firmly Committed.

Firmly Committed.



Office of the County Recorder  
Sherburne County, MN

**Doc. No. 775741**

Certified, filed, and/or recorded on

8/1/2013 10:30 AM

Michelle Ashe, County Recorder

By  Deputy

Fees: \$46.00



**EXAMINER OF TITLES  
COUNTY OF SHERBURNE**

CPT FILE NO. \_\_\_\_\_

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In the Matter of the Application of:

David Gilbert

To Register Possessory Title to Certain Land

**APPLICATION  
for Certificate of Possessory Title  
Where Applicant is an Individual**

---

STATE OF MINNESOTA     )  
  ) SS  
COUNTY OF SHERBURNE )

Applicant hereby applies to register the possessory title to the land described in this Application, pursuant to Minnesota Statutes, Chapter 508A and solemnly swears that the contents of this Application are true to the best of Applicant's own knowledge, except as to those matters stated on Applicant's information and belief, and that as to those matters Applicant believes them to be true.

A.     Name: David Gilbert  
       Address: 9880 – 55<sup>th</sup> Street SE  
                    Clear Lake, MN 55319

Applicant is 18 years of age or older and is not under any legal incapacity.

B.     Applicant is not married.

Applicant has never been divorced, except:  
    Divorced prior to buying property.

*Firmly Committed.*

<State the date of the divorce decree, the county and state where granted, the court file name and the name of the former spouse; if no divorce, strike "except">

C. Description of land:

Lot 7, Block 1, Herbst Addition, Less the Northeasterly 27 feet of said Lot 7, as measured at right angles to the Northeasterly line thereof.

The estimated market value of the land to be registered, exclusive of improvements, according to the last official assessment is \$42,000.00.

D. Estate or interest claimed in the land is fee simple and is:

subject to homestead; or  
 not subject to homestead.

- E.  The land is occupied by Applicant; or  
 The land is unoccupied; or  
 The land is occupied as follows: [State the full name and address of each occupant and the nature of the estate, interest, lien, or charge which the occupant or occupants have, or claim to have, in the land].

- F. The following persons or parties have or claim some right, title, estate, lien or interest in the land: There is a defect in the chain of title resulting from two 1987 Personal Representative Deeds, Sherburne County Recorder Document Nos. 204705 and 206757, both arising out of the Estate of Ernest Herbst. The required Letters Testamentary and certified copy of the Will are not in the public records.

- G. The land is subject to the following liens or encumbrances: A February 15, 2012, \$123,000.00 mortgage in favor of Affinity Plus Federal Credit Union, filed with the Sherburne County Recorder on August 1, 2012, as Document No. 754075.

- H. Applicant is in actual or constructive possession of the land.

Applicant requests the registration of a possessory estate in the land under a CPT.

  
\_\_\_\_\_  
David Gilbert

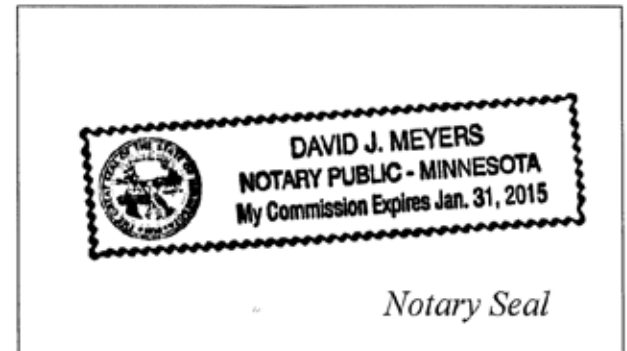
Firmly Committed.



Subscribed and sworn to before me on

July 30, 2013  
date

by [Signature]  
Notary Public



**Attorney for Applicant:**

Name: David J. Meyers  
Address: Rinke Noonan  
1015 West St. Germain Street, Suite 300  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
Telephone: (320) 251-6700  
Fax: (320) 656-3500  
Attorney Registration No. #151695  
Email: Dmeyers@RinkeNoonan.com

**Approved for Filing:**

[Signature]  
David J. Meyers, #151695  
Examiner of Titles  
Rinke Noonan  
1015 West St. Germain Street, Suite 300  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
Phone: (320) 251-6700  
Fax: (320) 656-3500  
Email: dmeyers@rinkenoonan.com  
File No. 16602.356

Firmly Committed.



### Description Sketch

for  
**Dave Gilbert**

Lot 7, Block 1, HERBST ADDITION  
Sec. 28, T. 35, R. 29, Sherburne County, Minnesota

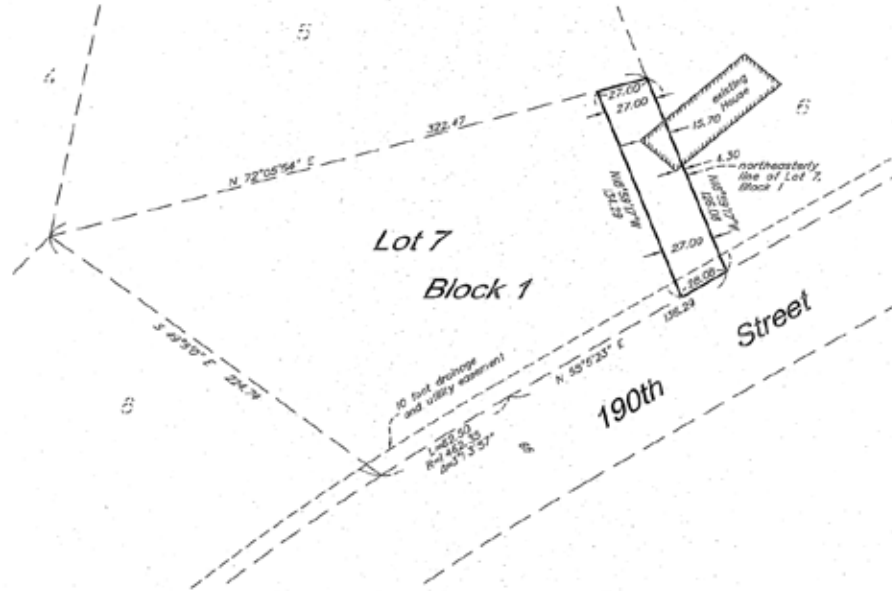
#### GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.

Bearing Assumption:  
Bearing based on the plat of HERBST

Northeasterly 27.00 feet of Lot 7 = 3.53 Sq.Ft. (0.08 acres)  
Remainder of Lot 7 = 42.23 Sq.Ft. (0.92 acres)  
Total Lot 7 area = 44.03 Sq.Ft. (1.01 acres)



Surveyor's Note:  
House location and lot lines based on a survey prepared by John Oliver & Associates, Inc., dated 8/15/08, Job No. 7323.10-102.

Proposed Property Description:  
The northeasterly 27.00 feet of Lot 7, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota, as measured at right angles to the northeasterly line thereof.

FIELD DATE: DATE  
BK/PG: B/P  
DRAWN BY: DRAWN  
CHECKED BY: CHECK

REVISIONS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Signed:   
Lee A. Brown  
Date: 10-22-12 Lic. No. 41896



**BOGART, PEDERSON & ASSOCIATES, INC.**

LAND SURVEYING  
CIVIL ENGINEERING  
MAPPING  
1026 FIRST STREET, REDUK, MN 55304-3222  
TEL 763-282-0822 FAX 763-282-8814

DRAWING FILE: 12-0207SKETCH.DWG FILE NO. 12-0207.00-GILBERT

Firmly Committed.

# Sherburne County, MN



Date Created: 7/30/2013



Overview



Legend

- Townships
- Roads
- Plats
- Parcels

<b>Parcel ID</b>	40-424-0130	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	BECK, STANLEY R & LEUTY, WANDA M
<b>Sec/Twp/Rng</b>	28-35-29	<b>Class</b>	201-Residential 1 unit		9894 55TH ST
<b>Property Address</b>	9894 55TH ST SE CLEAR LAKE	<b>Acreage</b>	1.05		CLEAR LAKE MN 55319
<b>District</b>	PALMER				
<b>Brief Tax Description</b>	n/a				

(Note: Not to be used on legal documents)

Firmly Committed.





**Existing Descriptions**

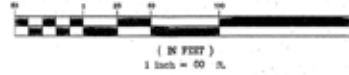
Lot 7, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota.

Lot 6, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota.

Total of Lot 7  
Northeasterly 27.00 feet of Lot 7 = 44,320 Sq Ft (1.01 acres)  
= 1,553 Sq Ft (0.04 acres)  
New Total area = 42,767 Sq Ft (0.97 acres)

Total of Lot 6  
Northeasterly 27.00 feet of Lot 7 = 42,692 Sq Ft (0.97 acres)  
= 1,553 Sq Ft (0.04 acres)  
New Total area = 41,139 Sq Ft (0.93 acres)

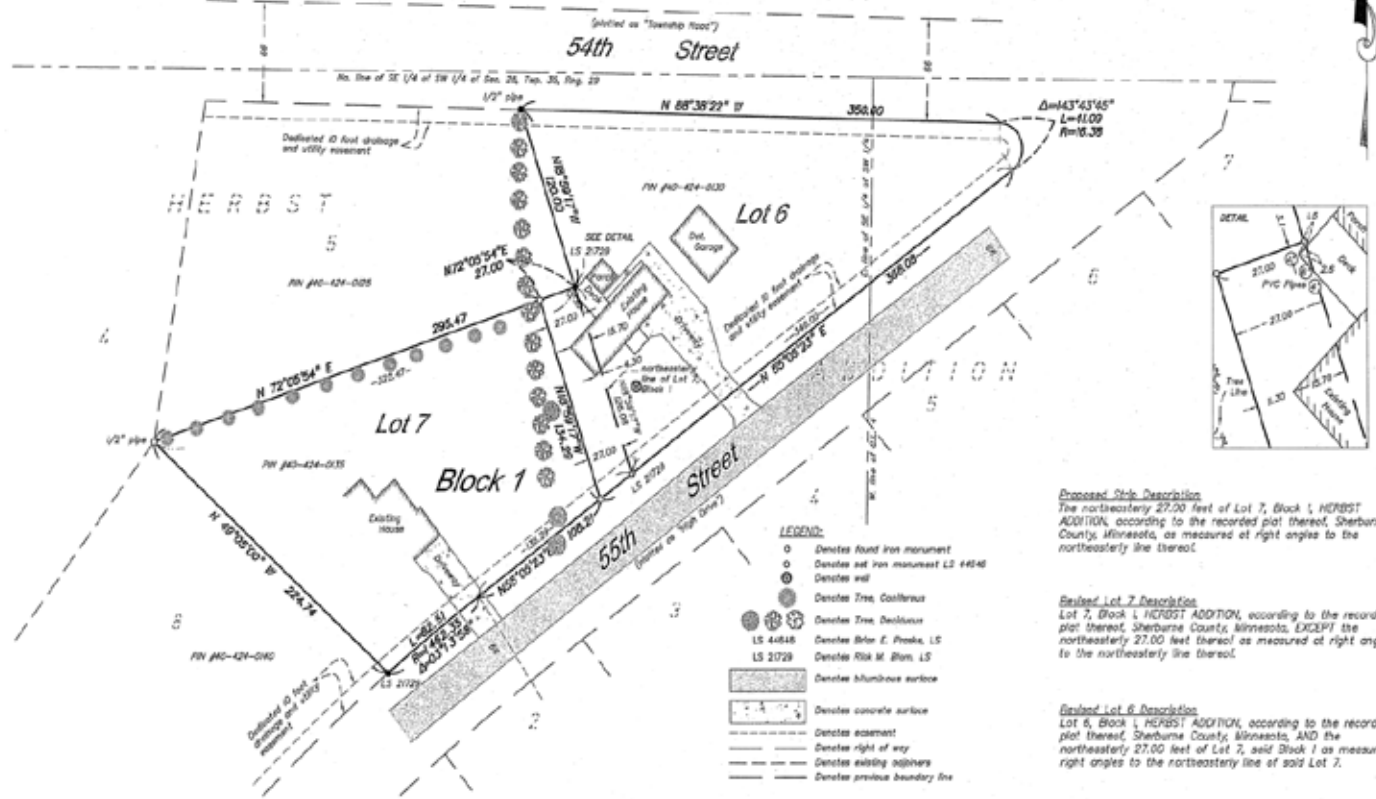
**GRAPHIC SCALE**



**Certificate of Survey**  
for  
**Dave Gilbert**  
Lot 6 & Lot 7, Block 1, HERBST ADDITION  
Sec. 29, T. 35, R. 29, Sherburne County, Minnesota

**Remarks:**

Bearings based on the plot of HERBST ADDITION. The southeasterly line of said Lot 7 and Lot 6 has a plot bearing of North 55 degrees 05 minutes 23 seconds East.



- LEGEND:**
- Denotes Round Iron monument
  - Denotes set Iron monument LS 4446
  - Denotes well
  - Denotes Tree, Callifera
  - Denotes Tree, Deciduous
  - Denotes Brick E. Probe, LS
  - Denotes Risk M. Blom, LS
  - Denotes aluminum surface
  - Denotes concrete surface
  - Denotes easement
  - Denotes right of way
  - Denotes existing adjoiners
  - Denotes previous boundary line

**Proposed Strip Description**

The northeasterly 27.00 feet of Lot 7, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota, as measured at right angles to the northeasterly line thereof.

**Revised Lot 7 Description**

Lot 7, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota, EXCEPT the northeasterly 27.00 feet thereof as measured at right angles to the northeasterly line thereof.

**Revised Lot 6 Description**

Lot 6, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota, AND the northeasterly 27.00 feet of Lot 7, said Block 1 as measured at right angles to the northeasterly line of said Lot 7.

Lot 6 & 7, Block 1  
HERBST ADDITION  
Palmer Township  
Sherburne County, MN



**BOGART, PEDERSON  
& ASSOCIATES, INC.**

LAND SURVEYING  
CIVIL ENGINEERING  
MAPPING  
NORTH HERST STREET, ROYAL, MN 55329-3129  
TEL: 763-363-8822 FAX: 763-262-8844

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Signed: *E. Praska*  
Evan E. Praska  
Date: 7/31/13 Lot No. 44646

DATE: 06/28/13	REV NO.	DATE	DESCRIPTION
DESIGN BY: JKR	1	07/31/13	Correct one dimension
DRAWN BY: DJJ			
CHECKED BY: BEP			
DWG FILE: CDS_01			
FILE NO.: 12-C207.00			

Firmly Committed.



## C. Examiner's Report

Firmly Committed.

Firmly Committed.

**EXAMINER OF TITLES**

**COUNTY OF MILLE LACS**

**CPT FILE NO. \_\_\_\_\_**

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In the Matter of the Application of:

Camp Onomia, a Minnesota non-profit  
corporation

**TITLE EXAMINER'S REPORT (CPT)**

To Register Possessory Title to Certain Land

---

Pursuant to an Order issued by the District Court appointing me as Examiner of Titles for Mille Lacs County, this matter was referred to me to examine the title of the Applicant and the truth of the matter set forth in the Application and particularly whether the land is occupied, the nature of the occupation, if occupied, and by what right, and also as to all liens and encumbrances against the property, any judgments against the Applicant and all those through whom the Applicant claims title, which may be a lien upon the lands described in the Application, and to make a report in writing to the Applicant of the substance of the proof and to file a report thereon including a certificate of my opinion upon the title, I, the Examiner of Titles, respectfully report:

*Firmly Committed.*





That I have been furnished by the Applicant with the following Abstract of Title to the land in said Application described, to-wit:

A scanned and email copy of a Stearns County Abstract Company, Abstract dated September 26, 2012 at 8:00 a.m. I have updated the title work through the Mille Lacs County online LandShark site, by both a tract search and Grantee/Grantor search, from March 1, 1995 through April 8, 2013. It shows the CPT Application was filed on March 22, 2013 as Document No. 378613. I have also examined the attached aerial survey of the land prepared by the Mille Lacs County Surveyor.

That I have searched the records and investigated all the facts brought to my notice, and find:

1. That at the time of the filing of the CPT Application herein, the said Applicant, Camp Onomia, a Minnesota non-profit organization, was the owner in fee simple of the certain land in Mille Lacs County, Minnesota described in said CPT Application and as follows, to-wit:

Government Lots Four (4) and Five (5), Section 25, Township 42, Range 27.

2. That the said land is occupied by the Applicant.

*Firmly Committed.*



3. That the liens and encumbrances on the land are as follows:
  - A) A \$239,267.00 Mortgage granted by Camp Onomia, as Mortgagor to Mission Investment Fund of the Evangelical Lutheran Church in America (formerly the American Lutheran Church), as Mortgagee, dated January 28, 2004, and filed with the Mille Lacs County Recorder on February 4, 2004, as Document No. 308183 (Book 14, Page 101); modified by a Modification Agreement dated December 7, 2004, and filed with the Mille Lacs County Recorder on December 14, 2004, as Document No. 317950. This Mortgage was again modified by a Modification of Promissory Note and Mortgage dated July 16, 2012 and filed with the Mille Lacs County Recorder on August 9, 2012 as Document No. 374619.
  - B) All minerals and mineral rights in Government Lot 4 are held by the State of Minnesota pursuant to a Conveyance of Forfeited Land, dated January 19, 1945, and filed with the Mille Lacs County Recorder on March 14, 1945, in Book 69 of Deeds, page 79.

Firmly Committed.

Firmly Committed.



- C) A Reservation of Mineral Rights in Government Lot 5, by D.S.B. Johnston Land Company, pursuant to a Land Contract dated April 19, 1920, and recorded February 21, 1923 in Book 38 of Deeds, page 516 (**Note:** the abstract does not show a conveyance from D.S.B. Johnston Land Company to the Purchasers under the Land Contract. This defect has been cured by the Marketable Title Act, Minn. Stat. § 541.023, the 40 year statutes). The Purchasers under that Land Contract, Martinius Hansen, and Else Hansen, his wife; Alvide Hansen Gulliksen and Nils Gulliksen, her husband; and Else Nilsen Paulsen and Hans Paulsen, her husband; have reserved the mineral rights in a December 11, 1922 Deed, filed with the Mille Lacs County Recorder on February 21, 1923, in Book 38 of Deeds, page 517 (**Note:** This severed mineral interest is forfeitable to the state of Minnesota under Minn. Stat. § 93.55 because no Statement of Severed Mineral Interest was filed pursuant to Minn. Stat. § 93.52).
- D) It has come to my attention that the State of Minnesota and Parks & Trails Council of Minnesota have or may claim an interest in this property pursuant to unrecorded Purchase Agreements or other instruments.
- E) Mille Lacs County Highway Easement across Government Lot 4, dated June 2, 1960, and filed with the Mille Lacs County Recorder on March 7, 1961 in Book P of Miscellaneous, page 260.
- F) Mille Lacs County Highway Easement across Government Lot 5, dated July 11, 1960, and filed with the Mille Lacs County Recorder on March 7, 1961 in Book P of Miscellaneous, page 264.
- G) On June 2, 1964, John J. Boros as representative of the Estate of Nick Vanderbloom, conveyed all of Government Lot 4, less a tract to the highway, to Charles A. Benzie and Edna C. Benzie. The Deed was recorded October 4, 1967 in Book 98 of Deeds, Page 525. There is an ambiguity in the Deed as to whether it was intended to convey the real property under the County Highway Easement. It is my opinion that it is not likely that the Grantor of a Personal Representative's Deed intended to retain any interest in the land under the Highway Easement. In the event the Highway Easement was extinguished or vacated, it is my opinion that the land would accrue to the adjoining landowner. This is a County State Aid Road, and the County is not likely to vacate the road. See: *White v.*

Firmly Committed.

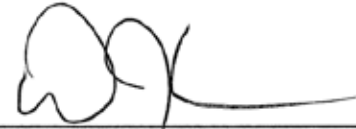
*Jefferson*, 110 Minn. 276, 124 N.W. 373 (1910); Minn. Stat. § 507.17. See also Minnesota Title Standard No. 57.

4. That the following persons or entities must be notified as provided in Minn. Stat. § 508A.13: The Mission Investment Fund of the Evangelical Lutheran Church in America, State of Minnesota, Parks and Trails Council of Minnesota, and Mille Lacs County.

5. That all of the material allegations in the said Application appear to be substantially true except as herein stated.

All of which is submitted May 6, 2013.

RINKE NOONAN



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Examiner of Titles  
David J. Meyers, #151695  
Suite 300 US Bank Plaza Building  
1015 W. St. Germain St.  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
(320) 251-6700  
(320) 656-3500 fax  
Our File No. 21202.032

Firmly Committed.





D. Notices mailed to all parties with an interest in the property

Firmly Committed.

Firmly Committed.



EXAMINER OF TITLES  
COUNTY OF SHERBURNE

CPT FILE NO. \_\_\_\_\_

---

In the Matter of the Application of:

NOTICE OF APPLICATION FOR  
CERTIFICATE OF POSSESSORY TITLE

David Gilbert

To Register Possessory Title to Certain Land

---

NOTICE IS HEREBY GIVEN, that David Gilbert has made Application for the issuance of a Certificate of Possessory Title pursuant to Sections 508A.01 to 508A.85 for land lying and being in the State of Minnesota, Sherburne County, described as follows:

Lot 7, Block 1, Herbst Addition, Less the Northeasterly 27 feet of said Lot 7, as measured at right angles to the Northeasterly line thereof.

Subject to:

A February 15, 2012, \$123,000.00 mortgage in favor of Affinity Plus Federal Credit Union, filed with the Sherburne County Recorder on August 1, 2012, as Document No. 754075.

NOTICE is further given that a Certificate of Possessory Title containing only the encumbrances as described above will be issued to the Applicant unless a valid written objection is submitted to the Examiner of Titles within 20 days from August 21, 2013, the date of mailing of this Notice.

*Firmly Committed.*





RINKE NOONAN  
*attorneys at law*

August 21, 2013

Direct Dial: 320-656-3512  
Dmeyers@RinkeNoonan.com



Affinity Plus Federal Credit Union  
175 West Lafayette Road  
St. Paul, MN 55107

**SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**Re: Application for Certificate of Possessory Title  
Mortgage dated February 15, 2012, Document No. 754075  
Our File No. 16602.356**

Dear Bank Officer:

Enclosed to you is a Notice of Application for Certificate of Possessory Title (CPT) Application, filed with the Sherburne County Recorder and referred to me as Sherburne County Examiner of Titles to have property indexed into a Possessory Certificate of Title (Minn. Stat. § 508A.01 et. seq.). A Possessory Certificate of Title is a method to bring title to real property into the Torrens Registration system without a lawsuit. The Sherburne County Board has authorized Possessory Certificates of Title.

This is notice to you that, unless you object, in writing, to me within 20 days of the receipt of this Notice, a Possessory Certificate of Title will be issued as provided in the attached Notice.

*Firmly Committed.*



Your Mortgage will become a Memorial on the Possessory Certificate of Title. Nothing in this Application will limit or expand any rights you have under the Mortgage. All that will happen is that the Possessory Certificate of Title will be created as a different way to index the legal description and property records for this property.

To assist you, I have also included a copy of the Application, Survey and the first pages of Mortgage Document No. 754075.

Let me know if you have questions.

Yours very truly,

---

David J. Meyers  
DJM/bon

Enclosures

cc: David Gilbert (w/encls.)

Suite 300 US Bank Plaza  
1015 W. St. Germain St.  
P.O. Box 1497  
St. Cloud, MN 56302  
320.251.6700

[www.rinknoonan.com](http://www.rinknoonan.com)

F:\DATA\16602\356\Letters\Letter Affinity Plus Federal Credit Union 08 21 2013.docx  
8/20/2013 4:52 PM

Firmly Committed.



Office of the County Recorder  
Sherburne County, MN

**Doc. No. 754075**

Certified, filed, and/or recorded on

8/1/2012 9:30 AM

Michelle Ashe, County Recorder

NO. 184001 DATE 8-1-12  
MTG REGISTRY TAX OF \$~~282.90~~ PAID

Diane Arnold  
County Auditor/Treasurer

Adygenabe  
Deputy Auditor/Treasurer

 Deputy

Fees: **\$46.00**



754075

[Space Above This Line For Recording Data]

## MORTGAGE

### DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated **February 15, 2012**, together with all Riders to this document.

(B) "Borrower" is **David Gilbert, A Single Person**

Firmly Committed.



Borrower is the mortgagor under this Security Instrument.

(C) "Lender" is Affinity Plus Federal Credit Union  
Lender is a Corporation  
the laws of United States of America  
175 West Lafayette Road, St.Paul, MN 55107

organized and existing under  
. Lender's address is

. Lender is the mortgagee under this Security Instrument.

(D) "Note" means the promissory note signed by Borrower and dated February 15, 2012 . The Note states that Borrower owes Lender One Hundred Twenty Three Thousand and no/100  
Dollars (U.S. \$123,000.00 )  
plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than March 01, 2042

(E) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

MINNESOTA—Single Family—Fannie Mac/Freddie Mac UNIFORM INSTRUMENT

Form 3024 1/01

MINNESOTA  
ITEM 1903L1 (010509)  
45882

Title Recording Services, Inc. 654351  
79 Western Ave N  
St. Paul, MN 55102 1066974  
SHERBURNE U AFFIN TITLE JR

GreatDocs®  
(Page 1 of 12)  
1066974



MTG

Firmly Committed.

CPT FILE NO. \_\_\_\_\_

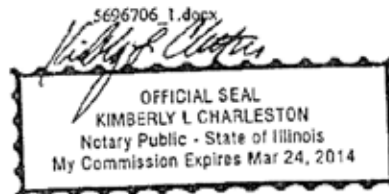
In the Matter of the Application of:

Camp Onomia, a Minnesota non-profit  
CorporationASSENT TO TITLE REGISTRATION  
UNDER MINN. STAT. § 508A.06(1)

To Register Possessory Title to Certain Land

Mission Investment Fund of the Evangelical Lutheran Church in America, a Minnesota corporation, is a party to a Mortgage stated in the attached Examiner Report and Notice of Application for a Certificate of Possessory Title.

Mission Investment Fund of the Evangelical Lutheran Church in America hereby assents to this Registration. Mission Investment Fund of the Evangelical Lutheran Church in America waives service of Notice of the CPT. This Waiver and Assent is conditioned upon the Mortgage becoming a Memorial on the CPT issued in connection with this matter.

Dated: May 2, 2013Mission Investment Fund of the Evangelical  
Lutheran Church in AmericaBy: *Amelia Dawkins*  
Name: AMELIA DAWKINS  
Title: DIRECTOR OF LENDING

Firmly Committed.



## E. Optional: County Surveyor and County Zoning Administrator comments

Firmly Committed.

Firmly Committed.



**RINKE NOONAN**  
*attorneys at law*

August 21, 2013

Direct Dial: 320-656-3512  
Dmeyers@RinkeNoonan.com



Ken Holmbeck  
Sherburne County Public Works  
County Surveyor  
Sherburne County Government Center  
13880 Business Center Drive  
Elk River, MN 55330  
**KEN.HOLMBECK@CO.SHERBURNE.MN.US**

**Re: In the Matter of the Application of David Gilbert  
In the Matter of the Application of Stanley R. Beck and Wanda M. Leuty  
Sherburne County P.I.D. No. 40-424-0351 and 40-424-0130  
Our File No. 16602.356**

Dear Ken:

Attached is a survey for two pending CPT Applications. A home owned by Stanley R. Beck and Wanda M. Leuty has been found to encroach over on property owned by David Gilbert.

Also enclosed is a copy of the email from Lynn Waytashek showing that the County Zoning office has approved the split through the CPT process. A Registered Land Survey will be completed after title is registered.

I request your comments on the survey. As always, I appreciate the assistance of you and your staff.

Let me know if you have questions.

Yours very truly,

David J. Meyers  
DJM/bon

Attachments

**Firmly Committed.**



SHERBURNE COUNTY PUBLIC WORKS  
Surveying and Mapping  
Ken Holmbeck, County Surveyor

---

13880 Business Center Drive, Elk River, MN 55330 763-765-3303 (3301 fax) [ken.holmbeck@co.sherburne.mn.us](mailto:ken.holmbeck@co.sherburne.mn.us)

August 23, 2013

Mr. David Meyers,  
Sherburne County title Examiner  
Rinke Noonan  
PO Box 1497  
St. Cloud, MN 56302-1497  
e-mail: [DMeyers@Rnoon.com](mailto:DMeyers@Rnoon.com)

**Re: Certificate of Survey for David Gilbert, Herbst Addition, Palmer Twp, by BPA, for Proposed C.P.T. Application.**

Dear David,

We have reviewed the most recent Certificate of Survey dated 7/31/13 and proposed legal descriptions prepared by Brian Praske, PLS, Bogart-Pederson Associates and have no comments.

Sincerely,

  
Ken Holmbeck, P.L.S.

C: e-mail: Russ Heiling, Assist. Co. Surveyor  
e-mail: LynnWaytashek, Assist Zoning Administrator  
e-mail: Brian Praske, PLS, Bogart Pederson & Associates

Firmly Committed.



## F. Examiner's Directive

Firmly Committed.

Firmly Committed.



RINKE NOONAN  
*attorneys at law*



August 21, 2013

Direct Dial: 320-656-3512  
Dmeyers@RinkeNoonan.com



Michelle Ashe  
Sherburne County Registrar of Titles  
Sherburne County Government Center  
13880 Business Center Drive  
Elk River, MN 55330

**SENT VIA EMAIL ONLY TO**  
**MICHELLE.ASHE@CO.SHERBURNE.MN**  
**.US**

Holly Menke  
Deputy Sherburne County Registrar of Titles  
Sherburne County Government Center  
13880 Business Center Drive  
Elk River, MN 55330

**SENT VIA EMAIL ONLY TO**  
**HOLLY.MENKE@CO.SHERBURNE.MN**  
**.US**

**Re: In the Matter of the Application of David Gilbert**  
**In the Matter of the Application of Stanley R. Beck and Wanda M. Leuty**  
**Our File No. 16602.356**

Dear Michelle and Holly:

Attached are two proposed CPT Directives. Please get back to me with comments or questions. Please note that the County Zoning office has approved this split.

I look forward to hearing from you.

Yours very truly,

David J. Meyers  
DJM/bon

Attachments

Firmly Committed.

CPT FILE NO. \_\_\_\_\_

In the Matter of the Application of:

Court File No.

David Gilbert

**EXAMINER'S DIRECTIVE  
TO ISSUE A CPT**

STATE OF MINNESOTA    )  
  ) SS  
COUNTY OF SHERBURNE )

**TO THE SHERBURNE COUNTY RECORDER**

This is a Directive pursuant to Minnesota Statutes Section 508A.22 for you, upon payment of the appropriate fees as outlined in Section 508A.22, Subd. 3, to issue a CPT to David Gilbert, single, for the property described in their CPT Application (attached as **Exhibit A**).

The CPT shall be issued and entered in the name of the Applicants, subject to the following:

- A. The exceptions set out in Section 508A.25;
- B. A February 15, 2012, \$123,000.00 mortgage in favor of Affinity Plus Federal Credit Union, filed with the Sherburne County Recorder on August 1, 2012, as Document No. 754075. Note: On August 21, 2013, the Notice required by Section 508A.13 to Affinity Plus Federal Union, as holder of the Mortgage, was served. (See attached **Exhibit B**). No objection or other comment has been received by me.
- C. The memorial of this Directive. Please note that the land described in this Directive is subject to the rights of persons and possession, if any, and any rights which would be disclosed by a survey, except as those rights are limited by Section 508A.02, Subd. 1.

Attached with **Exhibits A and B** is an accurate description of the land. Also attached is a Survey. The address of the Applicant is as shown on **Exhibit A**. The Applicants are 18 years of age or older, and under no legal incapacity.

Firmly Committed.



CPT FILE NO. \_\_\_\_\_

In the Matter of the Application of:

Court File No.

David Gilbert

**EXAMINER'S DIRECTIVE  
TO ISSUE A CPT**STATE OF MINNESOTA )  
) SS  
COUNTY OF SHERBURNE )**TO THE SHERBURNE COUNTY RECORDER**

This is a Directive pursuant to Minnesota Statutes Section 508A.22 for you, upon payment of the appropriate fees as outlined in Section 508A.22, Subd. 3, to issue a CPT to David Gilbert, single, for the property described in their CPT Application (attached as **Exhibit A**).

The CPT shall be issued and entered in the name of the Applicants, subject to the following:

- A. The exceptions set out in Section 508A.25;
- B. A February 15, 2012, \$123,000.00 mortgage in favor of Affinity Plus Federal Credit Union, filed with the Sherburne County Recorder on August 1, 2012, as Document No. 754075. Note: On August 21, 2013, the Notice required by Section 508A.13 to Affinity Plus Federal Union, as holder of the Mortgage, was served. (See attached **Exhibit B**). No objection or other comment has been received by me.
- C. The memorial of this Directive. Please note that the land described in this Directive is subject to the rights of persons and possession, if any, and any rights which would be disclosed by a survey, except as those rights are limited by Section 508A.02, Subd. 1.

Attached with **Exhibits A** and **B** is an accurate description of the land. Also attached is a Survey. The address of the Applicant is as shown on **Exhibit A**. The Applicants are 18 years of age or older, and under no legal incapacity.

1

Filed in my office this  
18 day of Sept 2013  
Diane Arnold

Sherburne County Auditor/Treasurer  
by C. Mui O'Leary  
Deputy Auditor/Treasurer

Firmly Committed.

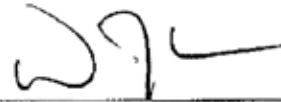
TORRENS



Title work was done using the Sherburne County on-line LandShark system. There is no Abstract.

Dated: September 17, 2013

RINKE NOONAN



David J. Meyers, #151695  
Sherburne County Examiner of Titles  
Suite 300 US Bank Plaza Building  
1015 W. St. Germain St.  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
(320) 251-6700  
(320) 656-3500 fax  
Our File No. 16602.356


Office of the County Recorder  
Sherburne County, MN

**Doc. No. 778478**

Certified, filed, and/or recorded on

9/19/2013 2:30 PM

Michelle Ashe, County Recorder

By  Deputy

Fees: **\$46.00**



778478

Office of the Registrar of Titles  
Sherburne County, MN


**Doc. No. 49213**

Certified, filed, and/or recorded on

9/19/2013 2:00 PM

Cert.: **9734**

Michelle Ashe, Registrar of Titles

By  Deputy

Fees: **\$46.00**



49213

Firmly Committed.



Office of the County Recorder  
Sherburne County, MN

**Doc. No. 775741**

Certified, filed, and/or recorded on

8/1/2013 10:30 AM

Michelle Ashe, County Recorder

By:  Deputy

Fees: \$46.00



**EXAMINER OF TITLES  
COUNTY OF SHERBURNE**

CPT FILE NO. \_\_\_\_\_

In the Matter of the Application of :

David Gilbert

To Register Possessory Title to Certain Land

**APPLICATION  
for Certificate of Possessory Title  
Where Applicant is an Individual**

STATE OF MINNESOTA     )  
  ) SS  
COUNTY OF SHERBURNE    )

Applicant hereby applies to register the possessory title to the land described in this Application, pursuant to Minnesota Statutes, Chapter 508A and solemnly swears that the contents of this Application are true to the best of Applicant's own knowledge, except as to those matters stated on Applicant's information and belief, and that as to those matters Applicant believes them to be true.

A. Name: David Gilbert  
Address: 9880 – 55<sup>th</sup> Street SE  
Clear Lake, MN 55319

Applicant is 18 years of age or older and is not under any legal incapacity.

B. Applicant is not married.

Applicant has never been divorced, except:  
Divorced prior to buying property.

EXHIBIT A

Firmly Committed.

<State the date of the divorce degree, the county and state where granted, the court file name and the name of the former spouse; if no divorce, strike "except">

C. Description of land:

Lot 7, Block 1, Herbst Addition, Less the Northeasterly 27 feet of said Lot 7, as measured at right angles to the Northeasterly line thereof.

The estimated market value of the land to be registered, exclusive of improvements, according to the last official assessment is \$42,000.00.

D. Estate or interest claimed in the land is fee simple and is:

subject to homestead; or  
 not subject to homestead.

- E.  The land is occupied by Applicant; or  
 The land is unoccupied; or  
 The land is occupied as follows: [State the full name and address of each occupant and the nature of the estate, interest, lien, or charge which the occupant or occupants have, or claim to have, in the land].

- F. The following persons or parties have or claim some right, title, estate, lien or interest in the land: There is a defect in the chain of title resulting from two 1987 Personal Representative Deeds, Sherburne County Recorder Document Nos. 204705 and 206757, both arising out of the Estate of Ernest Herbst. The required Letters Testamentary and certified copy of the Will are not in the public records.

- G. The land is subject to the following liens or encumbrances: A February 15, 2012, \$123,000.00 mortgage in favor of Affinity Plus Federal Credit Union, filed with the Sherburne County Recorder on August 1, 2012, as Document No. 754075.

- H. Applicant is in actual or constructive possession of the land.

Applicant requests the registration of a possessory estate in the land under a CPT.

  
\_\_\_\_\_  
David Gilbert

Firmly Committed.

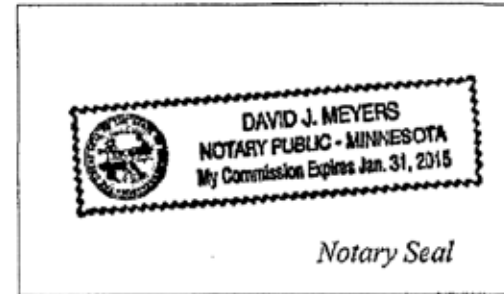




Subscribed and sworn to before me on

\_\_\_\_\_ date July 30, 2013

by [Signature]  
\_\_\_\_\_ Notary Public



**Attorney for Applicant:**

Name: David J. Meyers  
Address: Rinke Noonan  
1015 West St. Germain Street, Suite 300  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
Telephone: (320) 251-6700  
Fax: (320) 656-3500  
Attorney Registration No. #151695  
Email: Dmeyers@RinkeNoonan.com

**Approved for Filing:**

[Signature]  
David J. Meyers, #151695  
Examiner of Titles  
Rinke Noonan  
1015 West St. Germain Street, Suite 300  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
Phone: (320) 251-6700  
Fax: (320) 656-3500  
Email: dmeyers@rinkenoonan.com  
File No. 16602.356

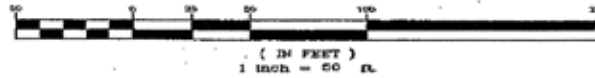
Firmly Committed.



*Description Sketch*

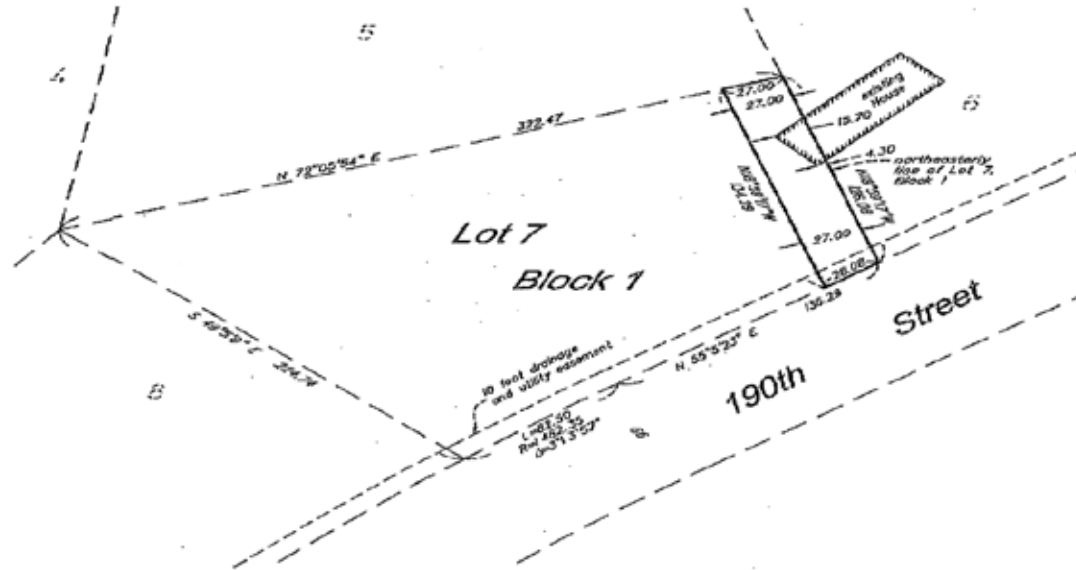
for  
**Dave Gilbert**  
Lot 7, Block 1, HERBST ADDITION  
Sec. 28, T. 35, R. 29, Sherburne County, Minnesota

GRAPHIC SCALE



Bearing Assumption:  
Bearing based on the plot of HERBST ADDITION

Northeasterly 27.00 feet of Lot 7 = 3,503 Sq.Ft. (0.08 acres)  
Remainder of Lot 7 = 40,525 Sq.Ft. (0.92 acres)  
Total Lot 7 area = 44,028 Sq.Ft. (1.01 acres)



Surveyor's Note:  
House location and lot lines based on a survey prepared by John Oliver & Associates, Inc., dated 8/19/06, Job No. 7323.10-102.

Proposed Property Description:  
The northeasterly 27.00 feet of Lot 7, Block 1, HERBST ADDITION, according to the recorded plat thereof, Sherburne County, Minnesota, as measured at right angles to the northeasterly line thereof.

FIELD DATE: DATE \_\_\_\_\_  
BK/PG: B/P \_\_\_\_\_  
DRAWN BY: DRAWN \_\_\_\_\_  
CHECKED BY: CHECK \_\_\_\_\_  
REVISIONS: \_\_\_\_\_  
\_\_\_\_\_

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Signed: *Lee A. Brown*  
Date: 10-22-12 Lic. No. 41886



**BOGART, PEDERSON & ASSOCIATES, INC.**  
LAND SURVEYORS  
MAPPING  
REGISTERED PROFESSIONAL ENGINEERS

DRAWING FILE: 12-0207SKETCH.DWG FILE NO. 12-0207.00-GILBERT

Firmly Committed.

EXAMINER OF TITLES  
COUNTY OF SHERBURNE

CPT FILE NO. \_\_\_\_\_

In the Matter of the Application of :

NOTICE OF APPLICATION FOR  
CERTIFICATE OF POSSESSORY TITLE

David Gilbert

To Register Possessory Title to Certain Land

**NOTICE IS HEREBY GIVEN**, that David Gilbert has made Application for the issuance of a Certificate of Possessory Title pursuant to Sections 508A.01 to 508A.85 for land lying and being in the State of Minnesota, Sherburne County, described as follows:

Lot 7, Block 1, Herbst Addition, Less the Northeasterly 27 feet of said Lot 7, as measured at right angles to the Northeasterly line thereof.

Subject to:

A February 15, 2012, \$123,000.00 mortgage in favor of Affinity Plus Federal Credit Union, filed with the Sherburne County Recorder on August 1, 2012, as Document No. 754075.

NOTICE is further given that a Certificate of Possessory Title containing only the encumbrances as described above will be issued to the Applicant unless a valid written objection is submitted to the Examiner of Titles within 20 days from August 21, 2013, the date of mailing of this Notice.

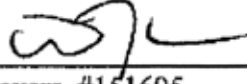
F:\DATA\16602356\ pleadings\Notice of Application (CPT) (Gilbert).docx  
8/21/2013

EXHIBIT B

Firmly Committed.

Yours very truly,

RINKE NOONAN



---

David J. Meyers, #151695  
Sherburne County Examiner of Titles  
Suite 300 US Bank Plaza Building  
1015 W. St. Germain St.  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
(320) 251-6700  
(320) 656-3500 fax  
Email: [Dmeyers@rinkenoonan.com](mailto:Dmeyers@rinkenoonan.com)  
Our File No. 16602.356  
DJM/bon

Firmly Committed.

Firmly Committed.

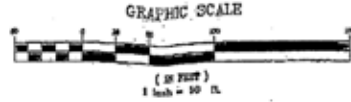




**Existing Descriptions**  
 Lot 7, Block 1, HERBST ADDITION, according to the recorded plot thereof, Sherburne County, Minnesota.  
 Lot 6, Block 1, HERBST ADDITION, according to the recorded plot thereof, Sherburne County, Minnesota.

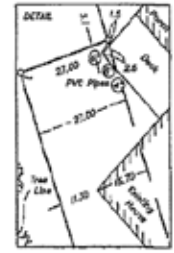
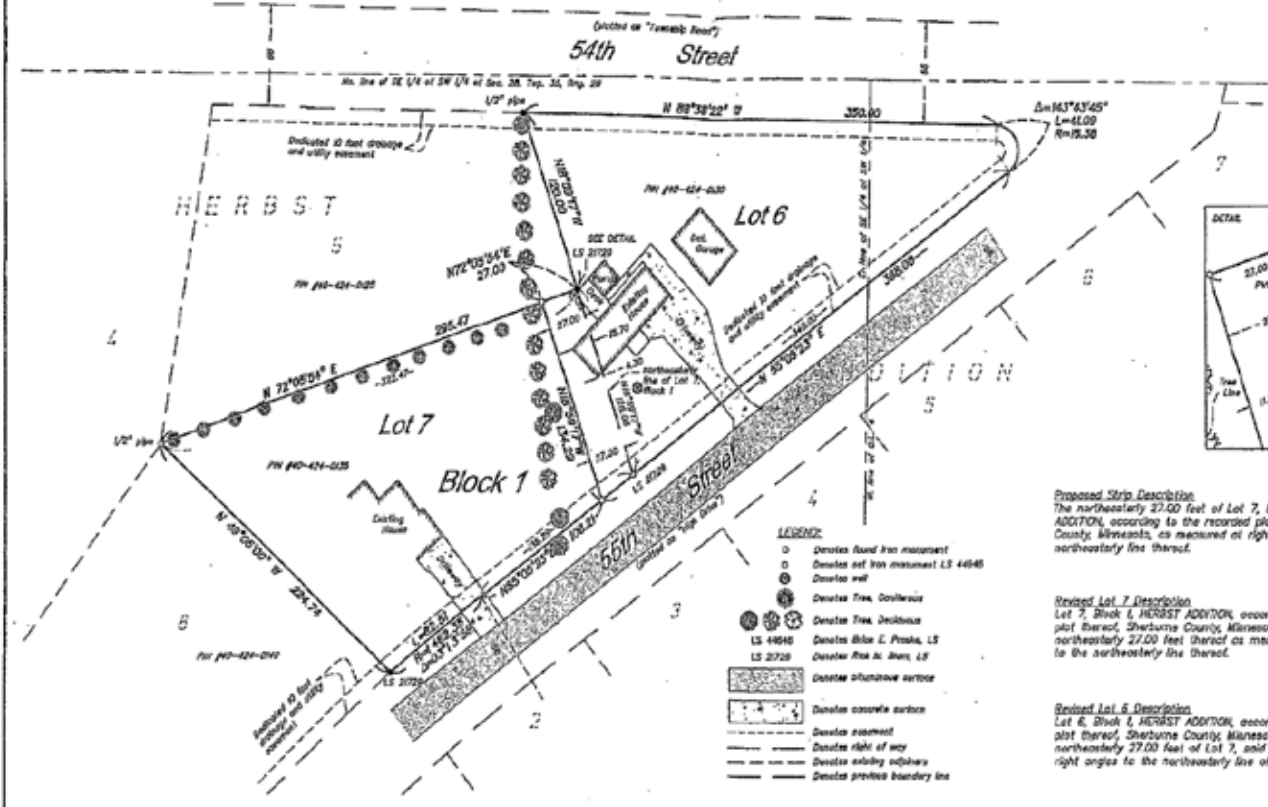
Total of Lot 7  
 northerly 27.00 feet of Lot 7 = 44.50 Sq Ft. (1.09 acres)  
 northerly 27.00 feet of Lot 7 = 44.50 Sq Ft. (1.03 acres)  
 New Total area = 89.00 Sq Ft. (2.13 acres)

Total of Lot 6  
 northerly 27.00 feet of Lot 7 = 44.50 Sq Ft. (1.09 acres)  
 northerly 27.00 feet of Lot 7 = 44.50 Sq Ft. (1.03 acres)  
 New Total area = 89.00 Sq Ft. (2.13 acres)



**Certificate of Survey**  
 for  
**Dave Gilbert**  
 Lot 6 & Lot 7, Block 1, HERBST ADDITION  
 Sec. 28, T. 56, R. 28, Sherburne County, Minnesota

**Remarks:**  
 Bearings based on the plot of HERBST ADDITION. The southerly line of said Lot 7 and Lot 6 has a plot bearing of North 55 degrees 05 minutes 23 seconds East.



- LEGEND:**
- Denotes found iron monument
  - Denotes set iron monument LS 44646
  - Denotes well
  - Denotes Tree, Coniferous
  - Denotes Tree, Deciduous
  - Denotes Blue E. Prank, LS
  - Denotes Rose in bloom, LS
  - Denotes unknown surface
  - Denotes concrete surface
  - Denotes easement
  - Denotes right of way
  - Denotes existing adjacent
  - Denotes previous boundary line

**Proposed Strip Description:**  
 The northerly 27.00 feet of Lot 7, Block 1, HERBST ADDITION, according to the recorded plot thereof, Sherburne County, Minnesota, as measured at right angles to the northerly line thereof.

**Revised Lot 7 Description:**  
 Lot 7, Block 1, HERBST ADDITION, according to the recorded plot thereof, Sherburne County, Minnesota, EXCEPT the northerly 27.00 feet thereof as measured at right angles to the southerly line thereof.

**Revised Lot 6 Description:**  
 Lot 6, Block 1, HERBST ADDITION, according to the recorded plot thereof, Sherburne County, Minnesota, AND the northerly 27.00 feet of Lot 7, said Block 1 as measured at right angles to the northerly line of said Lot 7.

Lot 6 & 7, Block 1  
 HERBST ADDITION  
 Palmer Township  
 Sherburne County, MN

**BOGART, PEDERSON & ASSOCIATES, INC.**  
 LAND SURVEYING  
 CIVIL ENGINEERING  
 PLANNING

2028 FIRST STREET, REDOON, MN 55266-6723  
 TEL: 763-282-0222 FAX: 763-282-8514

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Signed: *[Signature]*  
 Byron E. Proske  
 Date: 7/31/13 Lic. No. 44646

DATE: 08/20/13	REV. NO.	DATE	DESCRIPTION
DESIGN BY: JKB	1	07/31/13	Correct one dimension
DRAWN BY: DAJ			
CHECKED BY: BEP			
DWG FILE: 005.RT			
FILE NO.: 12-026700			

Firmly Committed.



G. Five-year limitation on actions,  
Minn. Stat. § 508A.17

H. On a regular Torrens proceeding,  
six-month limitation on actions, Minn. Stat.  
§ 508.28

Firmly Committed.

Firmly Committed.



## IV. What a CPT Cannot Do

- A. Settle contested boundary disputes
- B. Settle contested title disputes
- C. Determine contested rights of co-owners
- D. Establish a boundary with the use of Judicial Land Monuments
- E. It should not be used to circumvent land use and subdivision ordinances.
- F. Clear title of valid judgments, tax liens, mortgages, easements, and similar encumbrances.



A. Under Minn. Stat. § 508A.33. the Registrar's duties with a CPT are similar to duties as the Registrar under Chapter 508.

B. Minn. Stat. Chap. 508A.35, requires CPTs to be indexed and maintained in the same manner as Certificates of Titles under Chapter 508.

Firmly Committed.

Firmly Committed.





C. After five years, Minn. Stat. Chap. 508A.85 allows an owner to request the issuance of a regular Certificate of Title. Note, the memorial of the original CPT Directive must be carried forward on all future Certificates of Title unless otherwise directed by the District Court. See: Minn. Stat. Chap. 508A.85, subd. 4.

Firmly Committed.

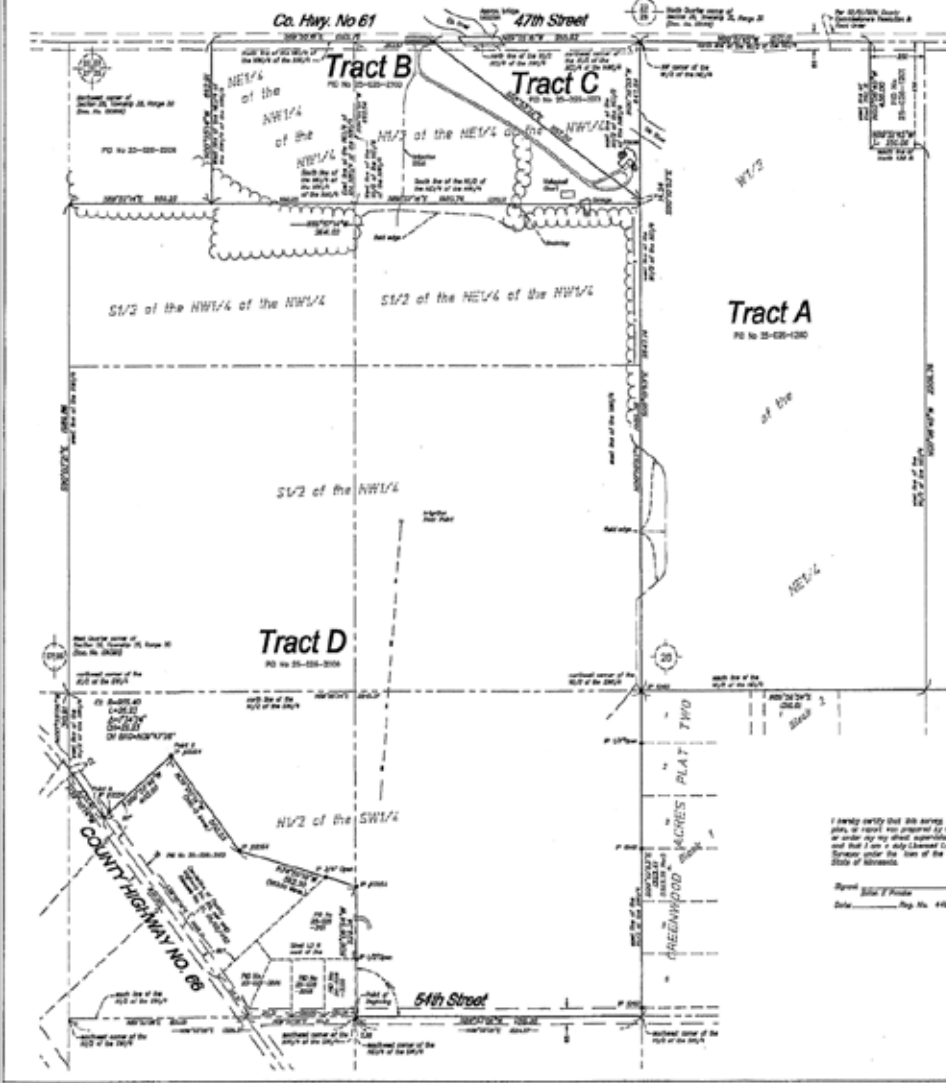
Firmly Committed.

# Example A



## CERTIFICATE OF POSSESSORY TITLE APPLICATION NO. \_\_\_\_\_

HAVEN TOWNSHIP  
SHERBURNE COUNTY, MN



Tract A  
The West Half of the Northeast Quarter of Section Twenty-six, Township Thirty-five, Range Thirty-  
EIGHT, the south 4.00 feet of the East 100.00 feet corner, Sherburne County, Minnesota.

Tract B  
The Northeast Corner of the Northeast Quarter of the Northeast Quarter  
and  
The part of the North Half of the Northeast Quarter of the Northeast Quarter  
Commencing at the Northeast corner of said North Half of the Northeast Quarter of the Northeast  
Quarter; thence on a Sherburne County Survey of North 88 degrees 00 minutes 00 seconds East  
164.28 feet, along the north line; thence a distance of 100.00 feet to the point of beginning  
of the corner in the Northeast Quarter of North 88 degrees 00 minutes 00 seconds East, a distance  
of 164.28 feet to the east line of said North Half of the Northeast Quarter of the Northeast  
Quarter; thence South 88 degrees 00 minutes 00 seconds East, along said east line a distance of  
164.28 feet to the southeast corner; thence South 00 degrees 00 minutes 00 seconds East, a distance  
of 100.00 feet to the southeast corner of said North Half of the Northeast Quarter of the  
Northeast Quarter; thence North 88 degrees 00 minutes 00 seconds West, along the east line  
thence a distance of 164.28 feet to the northeast corner of said North Half of the Northeast  
Quarter of the Northeast Quarter; thence South 88 degrees 00 minutes 00 seconds East, along  
said north line, a distance of 164.28 feet to the point of beginning.  
At a Section 36, Township 35, Range 36, Sherburne County, Minnesota.

Tract C  
The part of the North Half of the Northeast Quarter of the Northeast Quarter; Section 26,  
Township 35, Range 36, Sherburne County, Minnesota; commencing at the  
Northeast corner of said North Half of the Northeast Quarter of the Northeast  
Quarter; thence on a Sherburne County Survey of North 88 degrees 00 minutes 00 seconds East  
164.28 feet, along the north line; thence a distance of 100.00 feet to the point of beginning  
of the corner in the Northeast Quarter of North 88 degrees 00 minutes 00 seconds East, a distance  
of 164.28 feet to the east line of said North Half of the Northeast Quarter of the Northeast  
Quarter; thence South 88 degrees 00 minutes 00 seconds East, along said east line a distance of  
164.28 feet to the southeast corner; thence South 00 degrees 00 minutes 00 seconds East, a distance  
of 100.00 feet to the southeast corner of said North Half of the Northeast Quarter of the  
Northeast Quarter; thence North 88 degrees 00 minutes 00 seconds West, along the east line  
thence a distance of 164.28 feet to the northeast corner of said North Half of the Northeast  
Quarter of the Northeast Quarter; thence South 88 degrees 00 minutes 00 seconds East, along  
said north line, a distance of 164.28 feet to the point of beginning.  
At a Section 36, Township 35, Range 36, Sherburne County, Minnesota.

Tract D  
The South Half of the Northeast Quarter of the Northeast Quarter  
and  
The South Half of the Northeast Quarter  
The South Half of the Northeast Quarter  
The part of the North Half of the Southwest Quarter (designated as follows):  
Commencing at the Southeast corner of the North Half of the Southwest Quarter of Section 26,  
Township 35, Range 36, Sherburne County, Minnesota; thence on a Sherburne County Survey of  
North 88 degrees 00 minutes 00 seconds East, along said northeast line, a distance of 164.28 feet to  
the point of beginning of the northeast line; thence North 88 degrees 00 minutes 00 seconds East  
a distance of 100.00 feet to the northeast corner; thence South 88 degrees 00 minutes 00 seconds  
West, a distance of 164.28 feet to the southeast corner of said North Half of the Southwest  
Quarter; thence North 88 degrees 00 minutes 00 seconds West, along said west line a distance of  
164.28 feet to the southeast corner of said North Half of the Southwest Quarter; thence North 88  
degrees 00 minutes 00 seconds East, along said east line a distance of 100.00 feet to the point  
of beginning of the northeast line; thence North 88 degrees 00 minutes 00 seconds East, a distance  
of 100.00 feet to the northeast corner; thence South 88 degrees 00 minutes 00 seconds West,  
a distance of 164.28 feet to the southeast corner of said North Half of the Southwest Quarter;  
thence North 88 degrees 00 minutes 00 seconds West, along said west line a distance of 164.28  
feet to the southeast corner of said North Half of the Southwest Quarter; thence North 88  
degrees 00 minutes 00 seconds East, along the north line thence a distance of 204.27 feet to  
the northeast corner of said North Half of the Southwest Quarter; thence South 88 degrees 00  
minutes 00 seconds East, along the east line thence a distance of 164.28 feet to the southeast  
corner of said North Half of the Southwest Quarter; thence South 88 degrees 00 minutes 00  
seconds West, along said west line a distance of 164.28 feet to the point of beginning.  
At a Section 36, Township 35, Range 36, Sherburne County, Minnesota.

I hereby certify that the above  
plat, as hereon prepared by me  
or under my direct supervision,  
and that I am a duly Licensed Civil  
Surveyor under the laws of the  
State of Minnesota.

By: Mark F. Kukula  
Date: \_\_\_\_\_ Reg. No. 4184

LEGEND

- Dashed line for boundary
- Solid line for boundary
- Dotted line for boundary
- Double line for boundary
- Wavy line for boundary
- Thick solid line for boundary
- Thin solid line for boundary
- Thin dashed line for boundary
- Thin dotted line for boundary
- Thin double line for boundary
- Thin wavy line for boundary
- Thin thick solid line for boundary

Bogart, Pedersen & Associates, Inc.

Firmly Committed.

# Example B

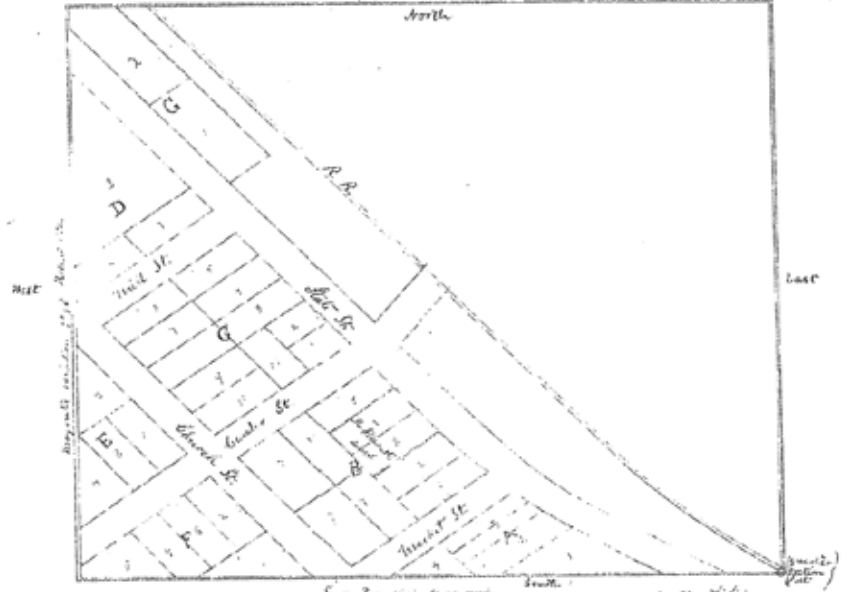


*[Faded handwritten text, likely a portion of a survey report or deed.]*

*[Faded handwritten text, possibly a continuation of the survey report.]*

*[Faded handwritten text, likely the concluding part of a survey report or deed.]*

Site  
Town of Glass Lake



*[Faded handwritten text, possibly a survey report or deed.]*

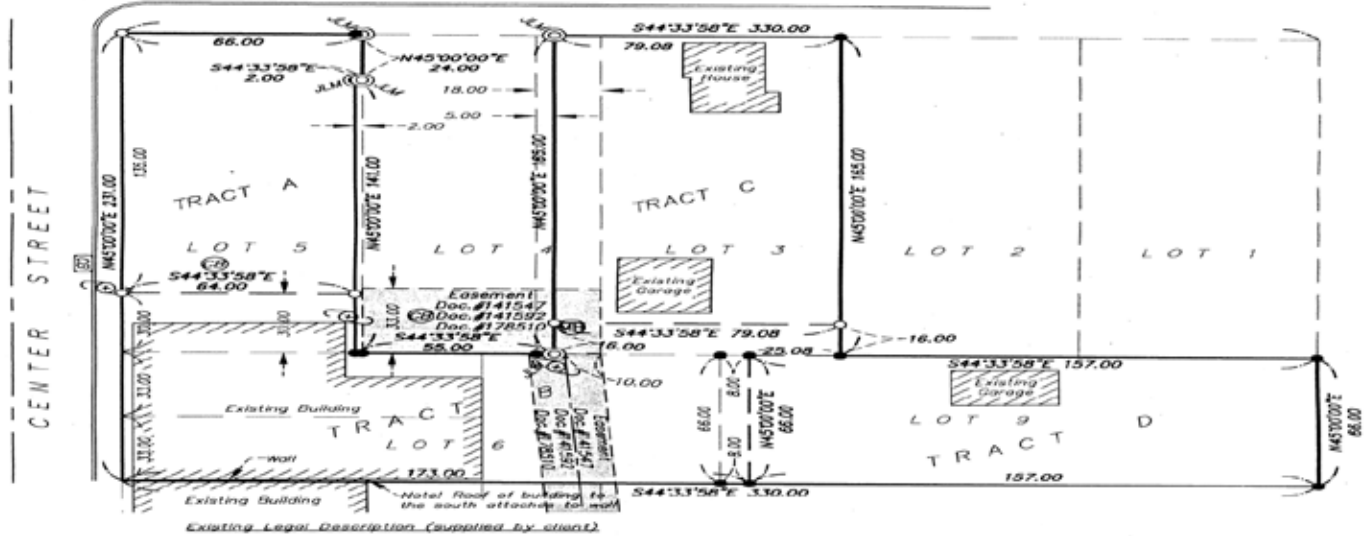
Office of Register of Deeds  
State of Michigan  
County of St. Clair  
I hereby certify that the within and above described land is the lawful and rightful property of J. M. Williams  
Dec. 16<sup>th</sup> 1872.

Firmly Committed.

# CERTIFICATE OF SURVEY

Prepared for: McDonald's Market

STATE STREET



Existing Legal Description (Supplied by client)

P.L.D. 70-402-0610; and P.L.D. 70-402-0620

Lots "A", "B" and "C" of Lot 6, Block "B" of Schwab's Subdivision of Lots 6, 7 and 8, Block "B", Townsite of Clear Lake, Sherburne County, Minnesota

SUBJECT TO as Easement dated March 21, 1977, recorded on June 6, 1977, as Document No. 141547.

AND West and 8 feet by 66 feet of Lot 9, Block B of Village of Clear Lake, also described as the Westerly 8 feet of said Lot 9, Block B of the Village of Clear Lake, Sherburne County, Minnesota.

SUBJECT TO the Reservation of Mineral Rights in the State of Minnesota pursuant to the Deed dated June 15, 1939, filed June 27, 1939, in Book 65 of Deeds, page 611.

P.L.D. 70-401-0220

Lot Three (3) and the Southeastery Eighteen (18) feet of Lot Four (4), Block B, LESS AND EXCEPT the Northwestery Five (5) feet of the Southeastery Eighteen (18) feet of Lot Four (4), in the original Plat of the Village of Clear Lake, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Sherburne County, Minnesota.

SUBJECT TO: Easement in favor of the City of Clear Lake, dated May 7, 1977, filed June 8, 1977 as Document No. 141592; and

Reservation of Mineral Rights in the State of Minnesota in a Deed dated July 14, 1942, filed August 10, 1942 in Book 65 of Deeds, page 505; and

St. Cloud Municipal Airport Zoning Ordinance, filed January 12, 1977 as Document No. 139241.

P.L.D. 70-401-0245

The South 30 feet of Lot 5, in Block "B", in Townsite of Clear Lake, being part of the Southeast Quarter of the Southwest Quarter of Section 7, Township 29, Sherburne County, Minnesota.

P.L.D. 70-401-0240

Lot 5, Block B, Townsite of Clear Lake, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Sherburne County, Minnesota, Less and Except the Southwestery 30 feet thereof and also less and except the Southeastery 2 feet of the Southwestery 141 feet thereof

SUBJECT TO an Easement in favor of the City of Clear Lake, dated October 17, 1983, filed November 2, 1983 as Document No. 178510.

P.L.D. 70-401-0250

Lot 5, Block "B", Townsite of Clear Lake, Sherburne County, Minnesota, EXCEPTING therefrom 8 feet by 66 feet on the West end.

**SCHOBORG  
LAND SURVEYING  
INC.**

763-972-3221

8097 Co. Rd. 13 SE  
Delano, MN 55328

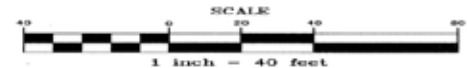
I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

*Paul B. Schoborg*  
Paul B. Schoborg

Date: July 23, 2007 Registration No. 14700

**Legend**

- Found Iron Monument
- Set Iron Monument (LS 14700)
- ⊙ J.L.M. (Judicial Land Mark)
- ⊕ Power Pole
- ⊞ Catch Basin
- Ⓜ Manhole



Job Number: 6779  
Book/Page: 68/31  
Survey Date: 7-10-07  
Drawing Name: mcdonaldsmarket.dwg  
Drawn by: KLB  
Revisions:

Firmly Committed.



TORRENS # 41102

# REGISTERED LAND SURVEY No. 34

I do hereby certify that in accordance with the provisions of Chapter 506, Minnesota Statutes of 1942, as amended, I have surveyed the following described property in the County of Shoreham, State of Minnesota, to wit:

Lots "A", "B" and "C" of Lot 4, Block "B" of Schwab's Subdivision of Lots 6, 7 and 8, Block "C", Township of Clear Lake, Shoreham County, Minnesota.

Lot Three (3) and the Southeastern Eighteen (18) feet of Lot Four (4), Block B, LESS AND EXCEPT the Northeastly Five (5) feet of the Southeastern Eighteen (18) feet of Lot Four (4), in the original Plat of the Township of Clear Lake, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Shoreham County, Minnesota.

Lot 4, Block B, Township of Clear Lake, except the Southeastly 12 feet thereof as measured perpendicular to the Southeastly line of said Lot 4, and the Southeastly 2 feet of the Southeastly 141 feet of Lot 8, Block B, Township of Clear Lake, as measured perpendicular to the Southeastly and Southeastly lines thereof.

Lot 5, Block E, Township of Clear Lake, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Shoreham County, Minnesota, less and except the Southeastly 2 feet of the Southeastly 141 feet thereof.

Lot 8, Block "B", Township of Clear Lake, Shoreham County, Minnesota.

I hereby certify that this Registered Land Survey is a correct delineation of said survey  
 dated the 28th day of October, 1927.

*Paul B. Schoberg*  
 Paul B. Schoberg, Land Surveyor  
 Minnesota License No. 14100

Approved and accepted by the City Council of the City of Clear Lake, Shoreham County, Minnesota at a meeting held this 30th day of October, 1927.

*William J. Johnson* Mayor      *Martha Bjorklund*  
 City of Clear Lake, Minn.

Pursuant to Shoreham County Ordinance Number 206, I hereby certify that this Registered Land Survey has been checked and approved as in compliance with Chapter 506, Minnesota Statutes this 30th day of November, 1927.

*K. H. Heide*  
 Shoreham County Surveyor

Approved as to form and execution this 30 day of October, 1927.

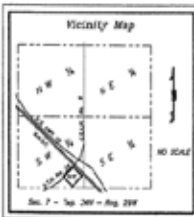
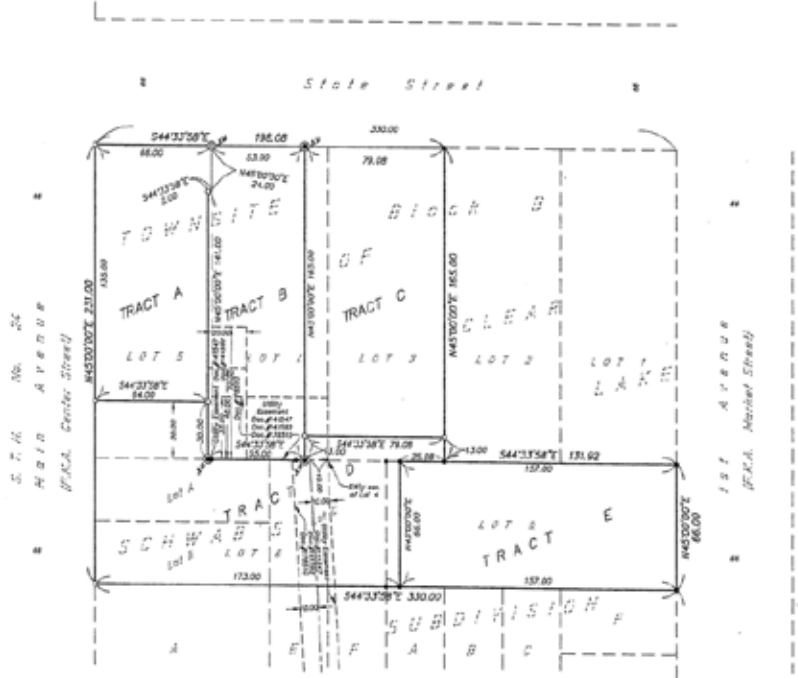
*Martha Bjorklund*  
 City of Clear Lake, Minn.

I hereby certify these parcels in the year 2007 on lands herein described are sold in full, and there are no delinquent taxes, and that transfer was entered this 15 day of November, 2007.

*Debra Donaldson*  
 Shoreham County Auditor-Treasurer

I hereby certify that this instrument was filed in the Office of the County Register of Deeds for record on this 28th day of October, 1927, at 1:55 P.M. o'clock P.M., and was duly filed as Torrens Document No. 41102.

*Merrill A. Lott, Deputy*  
 County Register of Deeds



- Legend
- Section in this instrument shown.
  - Section in 1/4 Block for 1/4 Block Plat recorded in C. S. No. 2450.
  - Section in road line instrument.
  - △ Section in Judicial Land Mark Plat recorded in C. S. No. 12-10-1924.
  - ▽ Section in Judicial Land Mark Plat recorded in C. S. No. 12-10-1924.

SCHOBERG  
 LAND SURVEYING  
 INC.

Firmly Committed.

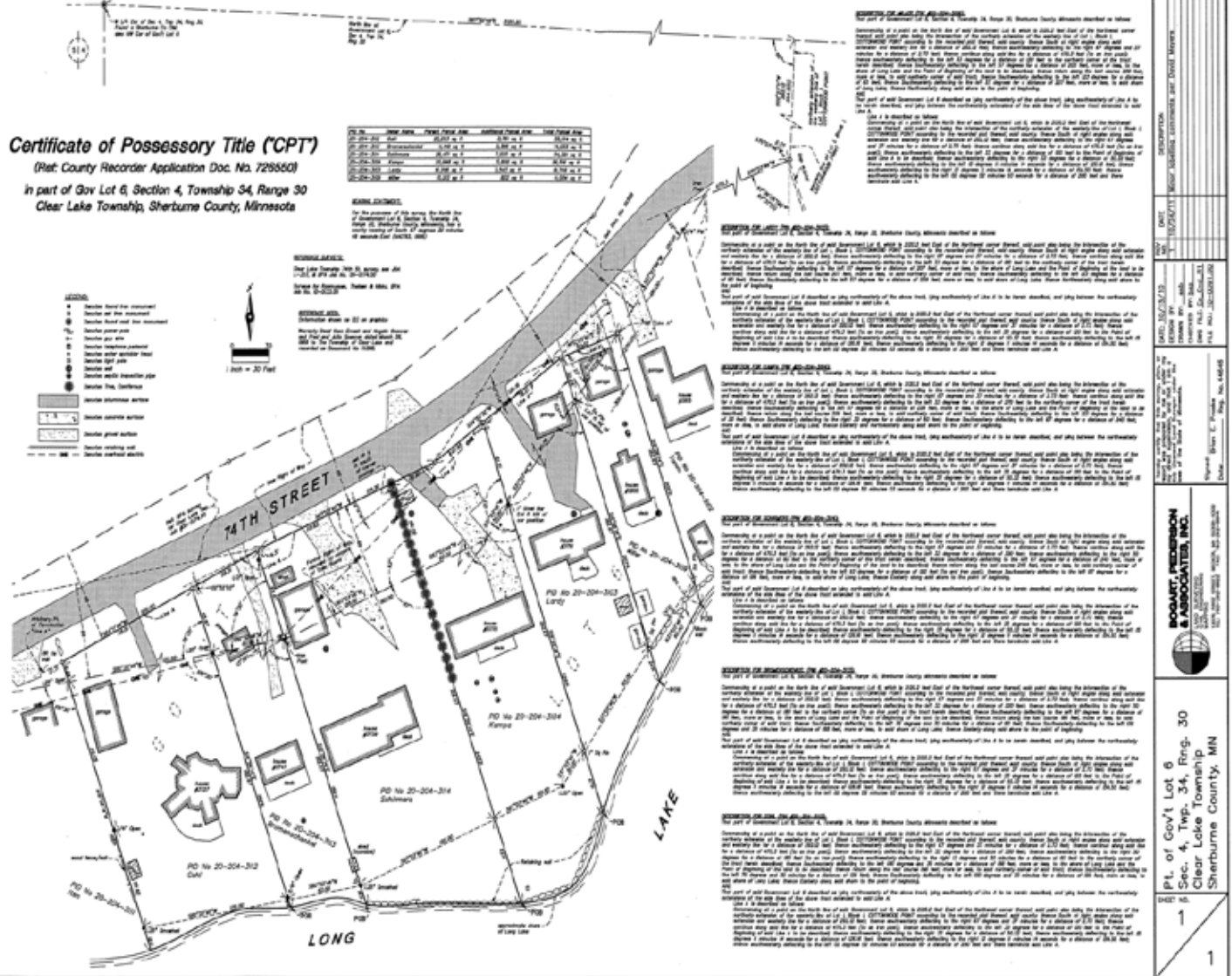
# Example C



## Certificate of Possessory Title (CPT)

(Ref: County Recorder Application Doc. No. 729550)

in part of Gov't Lot 6, Section 4, Township 34, Range 30  
Clear Lake Township, Sherburne County, Minnesota

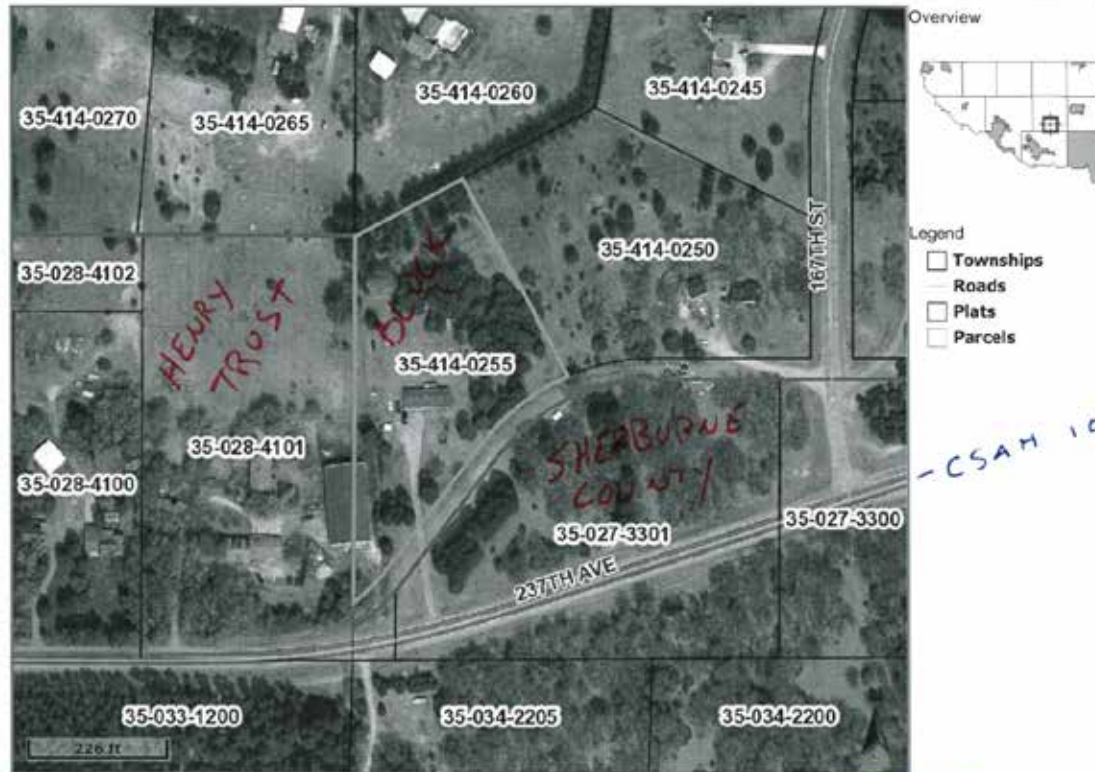


# Example D

Sherburne County, MN



Date Created: 1/3/2012

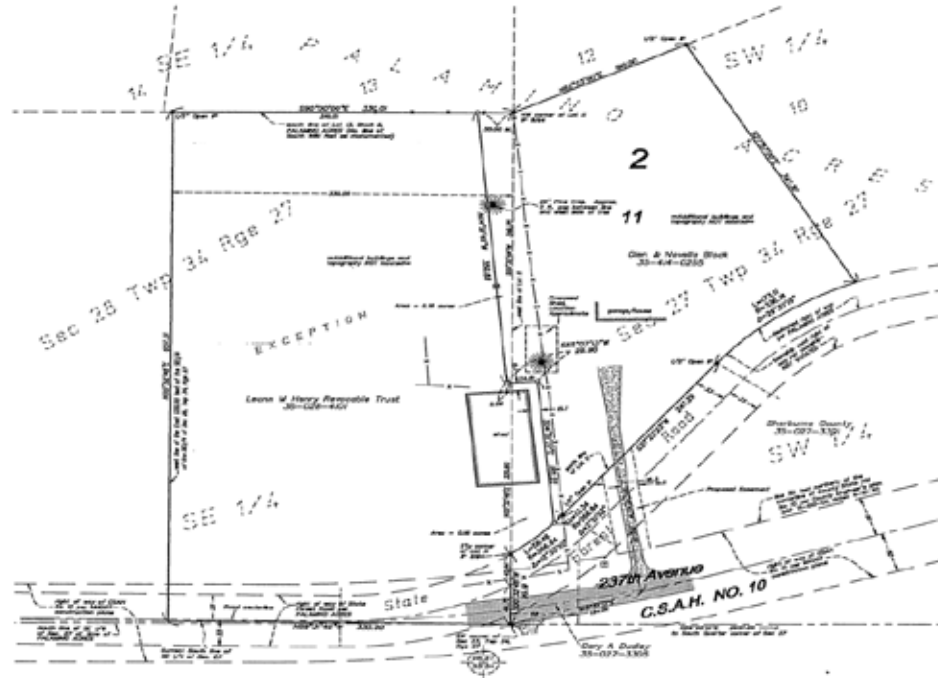


<b>Parcel ID</b>	35-414-0255	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	BLOCK, GLEN G & NOVELLA 16878 237TH AVE BIG LAKE MN 55309-9728
<b>Sec/Twp/Rng</b>	27-34-27	<b>Class</b>	201-Residential 1 unit		
<b>Property Address</b>	16878 237TH AVE NW BIG LAKE	<b>Acres</b>	2.79		
<b>District</b>	ORROCK				
<b>Brief Tax Description</b>	n/a				
	(Note: Not to be used on legal documents)				

Firmly Committed.



## DESCRIPTION SKETCH FOR HENRY / BLOCK



**County Property Description, No. 230, 24, 25-276-100**  
 (See also No. 230, 24, 25-276-100) The South 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.

**County Property Description, No. 230, 24, 25-276-100**  
 (See also No. 230, 24, 25-276-100) The North 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.

**County Property Description, No. 230, 24, 25-276-100**  
 (See also No. 230, 24, 25-276-100) The South 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.

**County Property Description, No. 230, 24, 25-276-100**  
 (See also No. 230, 24, 25-276-100) The North 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.

**County Property Description, No. 230, 24, 25-276-100**  
 (See also No. 230, 24, 25-276-100) The South 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.

**County Property Description, No. 230, 24, 25-276-100**  
 (See also No. 230, 24, 25-276-100) The North 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.



**Scale of Sketch**  
 1 inch = 50 Feet

**County Property Description**  
 (See also No. 230, 24, 25-276-100) The South 1/4 of the South 1/4 of the Southeast Quarter of Section 28, Township 34, Range 27, according to the United States Government Survey and also to Sherburne County, Minnesota.

	<b>Description Sketch for tracts in Sections 27&amp;28 Township 34, Range 27, Sherburne County, MN</b>		DATE: 04/13/12 DRAWN BY: JMS/JMS CHECKED BY: JMS DWS FILE: 12-00000 PLOT NO.: 28-700-21	NO. 1 DATE 04/17/12	DESCRIPTION Section 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
	Signed: <b>JOHN C. ROGARTY</b> Title: <b>REGISTERED PROFESSIONAL SURVEYOR</b> Reg. No. 44244				

Firmly Committed.



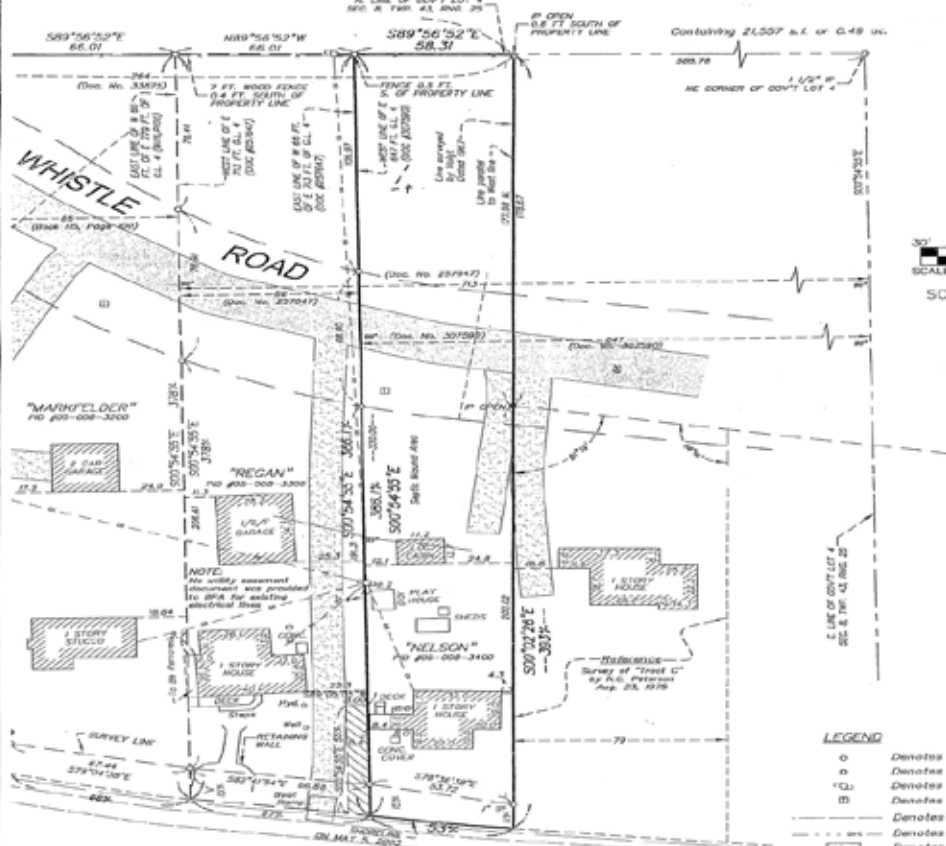




# CERTIFICATE OF SURVEY FOR ROGER PAULSON TRUST (MARLYS NELSON)

**BASIS OF BEARINGS:**  
Bearings used for this survey are based on the East line of Government Lot 4, Section 8, Township 43, Range 25, Mille Lacs County, Minnesota having an assumed bearing of South 00°54'55" East.

**Marlys description:**  
The East 842.00 feet of Government Lot 4, Section 8, Township 43, Range 25, Mille Lacs County, Minnesota, lying west of the following described line: Commencing at the Northeast corner of said Government Lot 4; thence on an assumed bearing of North 89 degrees 56 minutes 52 seconds West along the North line of said Government Lot 4, a distance of 588.79 feet to the Point of Beginning of the line to be described; thence South 03 degrees 02 minutes 29 seconds East, a distance of 323.3 feet, more or less, to the shore of Mille Lacs Lake and there terminate said line.



- LEGEND**
- Denotes cast iron monument
  - Denotes found iron monument
  - Denotes power pole
  - Denotes telephone pedestal
  - Denotes wood fence
  - Denotes overhead electric
  - Denotes bluish surface
  - Denotes gravel surface
  - LS 8154 Denotes John G. Oliver
  - Denotes property line or possible boundary solution using found monumentation
  - G.L. # Denotes Government Lot #

**MILLE LACS LAKE**  
ORDINARY HIGH WATER = 1025.8 feet (NDVD '29)  
HIGHEST KNOWN ELEVATION = 1035.6 feet (NDVD '28)

REV. NO.	DATE	DESCRIPTION

I hereby certify that the survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Signed: *Gregory D. Pederson*  
 Gregory D. Pederson  
 State Reg. No. 15005  
 Date: 8/14/2011

DATE: 08/10/11  
 DESIGN BY: G.D.P.  
 DRAWN BY: M.C.B.  
 CHECKED BY: J.S.P.  
 DWG FILE: Nelson  
 FILE NO.: 10-01112.00

**BOGART, PEDERSON  
& ASSOCIATES, INC.**

LAND SURVEYING  
ENGINEERING  
CONSULTING

1000 W. WASHINGTON AVE. SUITE 200  
MILLE LACS, MN 56253  
TEL: 763-841-3800 FAX: 763-841-3848

Part of Gov't Lot 4  
Sec. 8, Twp. 43, Rge. 25  
East Side Township  
Mille Lacs County, MN

SHEET NO.	1
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Firmly Committed.



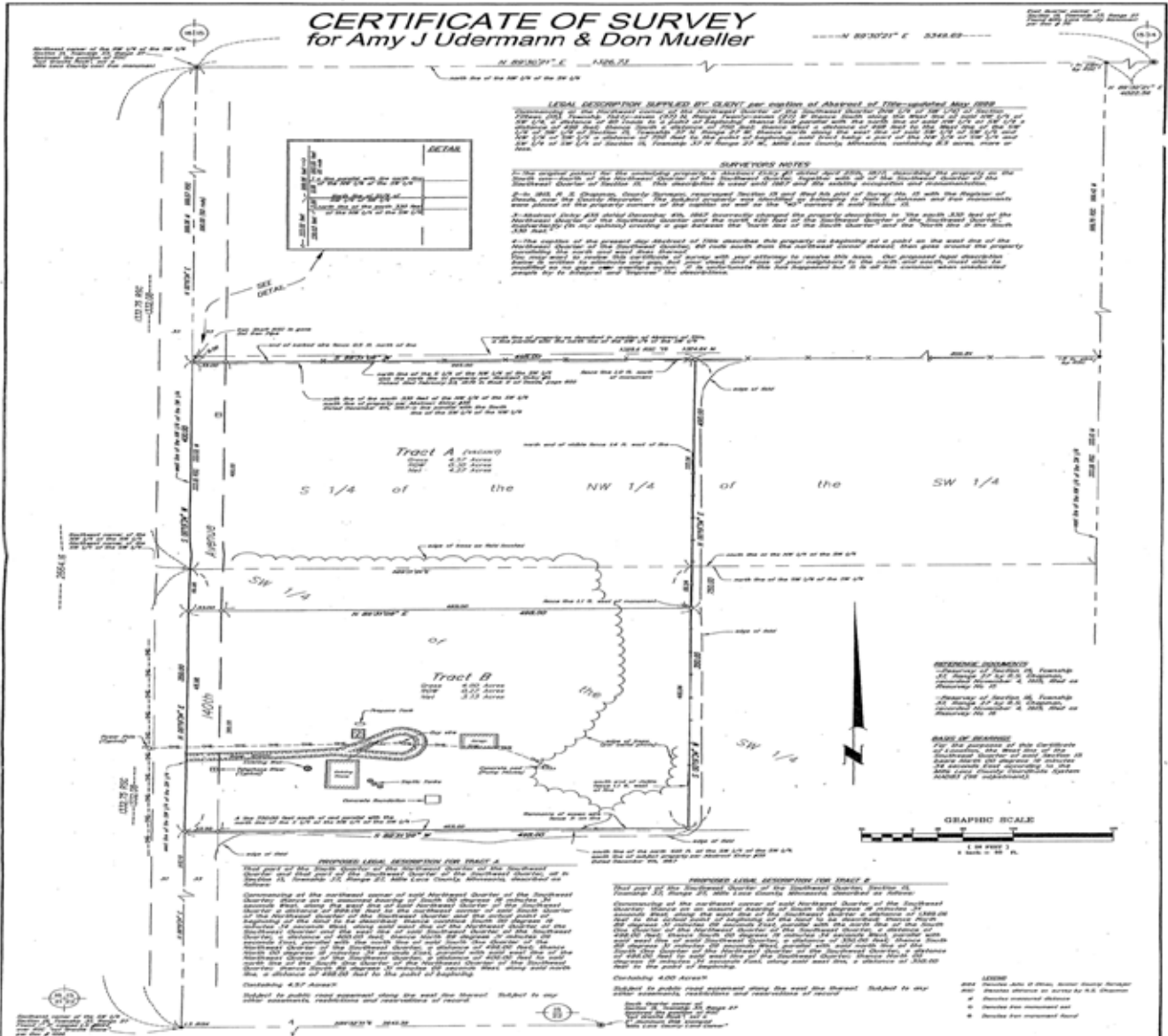
# CERTIFICATE OF SURVEY for Amy J Udermann & Don Mueller

N 89°32'1" E 3348.62'

**LEGAL DESCRIPTION SUPPLIED BY CLIENT per notation of Abstract of Title updated May 1999**  
 The following is the legal description of the Southeast Quarter of the Southeast Quarter, 1/4 of the SW 1/4 of Section 15, Twp. 37 N., Rng. 27 E., Mile Lacs County, Minnesota, containing 8.3 acres, more or less, as shown on the attached plat of the Survey.

**SURVEYORS NOTES**

The survey was conducted for the purpose of subdividing the Southeast Quarter of the Southeast Quarter, 1/4 of the SW 1/4 of Section 15, Twp. 37 N., Rng. 27 E., Mile Lacs County, Minnesota, into two tracts, Tract A and Tract B, as shown on the attached plat of the Survey. The survey was conducted in accordance with the provisions of the Minnesota Statutes, Chapter 83A, and the rules and regulations of the State Board of Surveyors. The survey was conducted on the 15th day of August, 2007, and the plat of the Survey was filed for record on the 20th day of August, 2007.



Part of the SW 1/4  
 Sec. 15, Twp. 37, Rng. 27  
 Mile Lacs Township  
 Mile Lacs County, MN

**BOGART PEDERSON & ASSOCIATES, INC.**  
 11000 Highway 101, Suite 200  
 Minneapolis, MN 55425  
 Phone: 612-833-1100  
 Fax: 612-833-1101  
 Website: www.bogartpederson.com

I certify, solely and to the best of my knowledge and belief, that the foregoing is a true and correct copy of the original plat of the Survey, as the same appears on the files of the State Board of Surveyors.

Surveyor: *[Signature]*  
 Date: 8/20/07, Lic. No. 16095

SURVEY DATE: 8-15-07  
 FILE NO.: 05-15-07  
 ORDER NO.: 005-1509  
 CHECKED BY: JUC  
 FILE NO.: 05-0883209  
 FILE NO.: 05-0483200

Requested by:		Amy Udermann	
BY	DATE	DESCRIPTION	

Firmly Committed.

# Sherburne County, MN



Date Created: 9/9/2013



<b>Parcel ID</b>	20-119-3400	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	BECK, WILLIAM H 8702 CHURCH CIRCLE CLEAR LAKE MN 55319
<b>Sec/Twp/Rng</b>	19-34-29	<b>Class</b>	103-Agricultural Special Relative		
<b>Property Address</b>		<b>Acres</b>	40.00		
<b>District</b>	CLEAR LAKE				
<b>Brief Tax Description</b>	n/a				

(Note: Not to be used on legal documents)

Firmly Committed.



## David J. Meyers

Rinke Noonan, Ltd.

1015 West St. Germain Street, Suite 300

P.O. Box 1497

St. Cloud, MN 56302-1497

(320) 251-6700

[Dmeyers@RinkeNoonan.com](mailto:Dmeyers@RinkeNoonan.com)

Firmly Committed.

Firmly Committed.



# Thank you!

Contact Rinke Noonan and David J. Meyers  
if you need any additional information.

[www.RinkeNoonan.com](http://www.RinkeNoonan.com)

Firmly Committed.

Firmly Committed.