

2014 ILM Survey

○ Denotes proposed location of Judicial Landmark which will be a 3/4" x 24" aluminum rod with a 3-1/4" diameter aluminum disc on top stamped "JUDICIAL LANDMARK, DO NOT DISTURB, LIC. NO. 16099"



**DESCRIPTION OF PROPOSED REGISTRATION**

Beginning at a Judicial Landmark set pursuant to Order of the District Court, Second Judicial District, State of Minnesota, County of Ramsey, Court File No. 62-CV-11-8651 at the Northeast corner of the East Half of Block 30, Stinson, Brown and Ramsey's Addition to St. Paul, Ramsey County Minnesota; thence South 00 degrees 12 minutes 53 seconds East, along the East line of said Block 30, a distance of 58.00 feet to a Judicial Landmark set pursuant to said Court File No. 62-CV-11-8651 on the North right-of-way line of the Soo Line Railroad (formerly Chicago, Milwaukee, St. Paul and Pacific Railroad Company); thence along said right-of-way line South 76 degrees 49 minutes 29 seconds West a distance of 259.68 feet to a Judicial Landmark set pursuant to said Court File No. 62-CV-11-8651 on the East line of Webster Street; thence North 00 degrees 09 minutes 10 seconds West, along said East line of Webster Street, a distance of 116.52 feet to a Judicial Landmark set pursuant to said Court File No. 62-CV-11-8651 on the North line of said Block 30; thence North 89 degrees 50 minutes 55 seconds East, along said North line of Block 30, a distance of 252.94 feet to the point of beginning.

<b>PROJECT NUMBER:</b>	S. Paul, Minnesota
<b>CONTRACT NUMBER:</b>	Schmidt Brewery
<b>PARCEL NUMBER:</b>	Parcel 5
<b>REGISTERED SURVEY:</b>	Fort Road Federation
<b>DATE:</b>	9/21/14
<b>BY:</b>	973 W. 7th Street St. Paul, MN 55102

<b>PROFESSIONAL SERVICES:</b>	<b>LOUCKS ASSOCIATES</b>
<b>REGISTERED SURVEYOR:</b>	James A. Loucks, Registered Professional Surveyor
<b>DATE:</b>	2/20/14

<b>PROPOSED REGISTRATION:</b>	Parcel 5
<b>REGISTERED SURVEYOR:</b>	James A. Loucks, Registered Professional Surveyor
<b>DATE:</b>	2/20/14

<b>REGISTERED SURVEYOR:</b>	James A. Loucks, Registered Professional Surveyor
<b>DATE:</b>	2/20/14

<b>REGISTERED SURVEYOR:</b>	James A. Loucks, Registered Professional Surveyor
<b>DATE:</b>	2/20/14

<b>REGISTERED SURVEYOR:</b>	James A. Loucks, Registered Professional Surveyor
<b>DATE:</b>	2/20/14

561 Co. Atlas Book B Plats page 21  
NW 12-28-23  
Last Certification Date: September 30, 2013  
PIN No.:  
App. Doc. No.: 4305779 of RCR  
Last Doc. No.: 4305779 of RCR

Atty: Calvin P. Hoffman (612-335-1926)

**FILED**  
**Court Administrator**

STATE OF MINNESOTA

JAN 03 2014

DISTRICT COURT

COUNTY OF RAMSEY

By Joe Deputy

SECOND JUDICIAL DISTRICT

In the Matter of the Application of

**COURT FILE NO. 62-CV-11-8651**

West 7<sup>th</sup>/Fort Road Federation, Inc.  
a Minnesota corporation

**REPORT OF EXAMINER**

To Register Title to Certain Land.

TO THE HONORABLE JUDGES OF THE DISTRICT COURT:

Pursuant to Minnesota Statutes 508.13, as amended, the undersigned Examiner of Titles has examined into the title of the applicant(s) in and to the land described in the application, and into the truth of all matters set forth therein, and whether or not the land is occupied, and, if occupied, the nature thereof, and by what right the occupation is held, and also whether or not any judgments against applicant(s) or those through whom applicant(s) claim title, exist, which may be a lien upon the land described in the application, and to search all public records, and fully investigate all facts pertaining to the title which have been brought to my notice; and to make a report in writing to the Court of the substance of the proof and file a report thereon, including a certificate of opinion upon the title;

I, said Examiner of Titles, having examined the records indicated on all the abstracts filed herein, do now report as follows:

1. At the time of the filing of the application herein, the said applicant(s),

West 7<sup>th</sup>/Fort Road Federation, Inc., a Minnesota corporation ,

is the owner in fee simple, except as hereinafter set forth, of all the certain lands in the

County of Ramsey and State of Minnesota described in said application and as follows:

That part of Block 30, Stinson, Brown and Ramsey's Addition to St. Paul described as follows:

Beginning at the Northeast corner of the East half of Block 30, Stinson, Brown and Ramsey's Addition to St. Paul; thence South 00 degrees 12 minutes 53 seconds East, along the East line of said Block 30, a distance of 58.00 feet to a point on the North line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company right of way; thence along said right of way line South 76 degrees 49 minutes 29 seconds West, 259.68 feet to a point on the East line of Webster Street; thence North 00 degrees 09 minutes 10 seconds West, along said East line of Webster Street, a distance of 116.52 feet to the North line of said Block 30; thence North 89 degrees 50 minutes 55 seconds East, along said North line, a distance of 252.94 feet to the point of beginning.

2. At paragraph E of the application, the applicant alleges that the property is vacant. *(I assume there will be evidence at the hearing and in the Order and Decree of Registration to be entered herein to support this finding of fact).*

3. The mortgages on said land are as follows and should be shown in the "subject to" clause on page 3 of the printed form of the Order and Decree of Registration:

A mortgage from West 7<sup>th</sup>/Fort Road Federation, Inc., a Minnesota non-profit corporation, to Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, dated April 28, 2011, recorded May 2, 2011, as Doc. No. 4267294 of Ramsey County Records (abstract entry 100), to secure the principal sum of \$1,895,715.00.

I recommend the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota as a defendant herein.

**NOTE: As required by Rule 4.03(e) of the Rules of Civil Procedure, the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, should be served by delivering a copy of the Summons to one of its 6 commissioners (each commissioner is also a member of the City Council of the City of Saint Paul).**

4. I note the following defects, encumbrances and irregularities:

(a) At paragraph F of the application, applicant identifies the following interests which it recognizes as encumbering the subject property:

- A Sign Variance in favor of the Minnesota Brewing Company recorded as Doc. No. 2658182 of Ramsey County Records.

- A Sign Variance in favor of the Minnesota Brewing Company recorded as Doc. No. 2658924 of Ramsey County Records.
- A Declaration of Restrictive Uses, dated April 28, 2011, recorded May 2, 2011 as Doc. No. 4278203.

*I recommend that the Order and Decree of Registration to be entered herein contain the preceding encumbrances as recitals in the "subject to" clause.*

I further recommend the City of Saint Paul Minnesota as a defendant herein.

**NOTE: As required by Rule 4.03(e) of the Rules of Civil Procedure, the City of Saint Paul should be served by delivering a copy of the Summons to the Mayor or to the City Clerk.**

b) At paragraph G of the application, applicant identifies a historic gap in the legal description comprised of roughly 33.4 feet in the North 75 feet of the subject parcel and a 3.4 foot gap directly below that. Based on my review of the abstract on file herein the last record owner of the entire property was Mary G. Brodhead who acquired title by Warranty Deed recorded in Book 373 of Deeds, page 507 as Doc. No. 154841 (abstract entry 69). I recommend Mary G. Brodhead as a defendant herein. To the extent that the applicant does not have good record title to the subject property, *(I assume there will be evidence at the hearing to support the following finding of fact that)* Applicant has established title by adverse possession.

c) At paragraph H of the application on file herein, applicant recognizes an ambiguity in a portion of the legal description adjoining the railroad right of way. Additionally, at paragraph K of the application, applicant indicates a desire to register the boundaries of the land. To the extent that there is an ambiguity in the legal description, the placement of Judicial Landmarks will address the discrepancy. The adjoining railroad is identified at various entries in the abstract of title as Chicago, Milwaukee and St. Paul Railway Company and Chicago, Milwaukee, St. Paul and Pacific Railroad Company. *(I assume there will be evidence presented to establish that)* Soo

Line Railroad Company is the successor to the adjoining railroad. Accordingly, I recommend the adjoining property owner, Soo Line Railroad Company, as a defendant herein.

d) As previously stated, applicant indicates that it wishes to register the boundaries to the subject property. As required by statute the adjoining owners and encumbrancers must be named and served as Defendants. *Before proceeding further in this matter the Applicant's attorney should secure and file herein an Owners and Encumbrancers Report showing the current owners and encumbrances for the lands to the South of the subject property to be registered.* Upon receipt of the Owners and Encumbrancers Report your Examiner will issue a Supplemental Report naming the required additional defendants. All other boundaries of the subject property are public roadways and no additional defendants are necessary.

*Prior to issuance of the Summons*, the Applicant should present the survey intended to be filed for review by your Examiner and possibly the County Surveyor; and a final draft subject to placement of Judicial Landmarks should be filed with the Court. **Attorney to also submit a letter size copy of said surveys for scanning purposes with the Examiner of Titles Office.**

In the registration of boundaries there are two hearings. At the first hearing the entire case should be proved up. However, at that time only an Interlocutory Order Determining Boundaries may be entered, which Order will direct the applicant's surveyor to mark the boundaries by placing Judicial Landmarks. After the Surveyor has complied with said Interlocutory Order and has set the Judicial Landmarks and filed his Certificate of Survey certifying that he has placed the Judicial Landmarks as ordered by the Court and showing the location of the same on his survey, the case should again be placed on the calendar for a second hearing. At the second hearing the Decree of Registration may be obtained. This decree should contain a finding setting out what boundaries were determined and that those boundaries were marked by Judicial Landmarks set by the

applicant's surveyor as shown by his Certificate of Survey on file therein and that the description as thereafter set forth makes appropriate reference to the Judicial Landmarks. The land description in the Order and Decree of Registration must make appropriate reference to the Judicial Landmarks.

e) Entry 96 of the abstract on file herein is a Declaration of Covenants, Conditions and Restrictions dated April 28, 2011, recorded May 2, 2011, as Doc. No. 4278197 of Ramsey County Records. *I recommend that the Order and Decree of Registration to be entered herein contain the following in its "subject to" clause:*

To covenants, conditions and restrictions as contained in Declaration recorded as Doc. No. 4278197 of Ramsey County Records.

f) Entry 97 of the abstract on file herein is a Storage Tank Affidavit dated April 27, 2011, recorded May 2, 2011 as Doc. No. 4278198 of Ramsey County Records. *I recommend that the Order and Decree of Registration to be entered herein contain the following in its "subject to" clause:*

To a Storage Tank Affidavit as contained in Doc. No. 4278198 of Ramsey County Records.

g) Pursuant to Minn. Stat. §508.11 the applicant shall file with the Court Administrator an Abstract of Title to the land described in the application satisfactory to the Examiner. There is no definition of what is required of an abstract, however, the Report as to Chain of Title prepared by Janette L. Aalbers dated September 30, 2013 has been reviewed by this Examiner and found to be a sufficient abstract of title. There are certain deficiencies in the abstracting, however, the most significant of those relates to a gap in the Ramsey County Records affecting the subject property during a time period from approximately July 1907 to July of 1923. However, there are several conveyances following that which satisfy the 40 years standard to provide a source of title for the applicant.

This paragraph is not written as an objection but merely for the sake of completeness of this Report.

5. The parties defendant in said cause should be:

Housing and Redevelopment Authority of the City of Saint Paul, Minnesota

City of Saint Paul

Mary G. Brodhead

Soo Line Railroad Company

(See paragraph 4(d) as to possible additional defendants)

"and all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the application or amendments herein".

6. All the material allegations contained in the said application are substantially true as herein stated except as hereinabove found, and that the applicant is entitled to the relief prayed for upon correcting the irregularities and defects above named.

Respectfully submitted this 3<sup>rd</sup> day of January 2014.

WAYNE D. ANDERSON, EXAMINER OF TITLES

By 

**Aalbers, Janette**

**From:** Anderson, Wayne [mailto:Wayne.Anderson@CO.RAMSEY.MN.US]  
**Sent:** Monday, June 27, 2011 11:48 AM  
**To:** Aalbers, Janette  
**Subject:** FW: New Torrens Proceeding

I am forwarding the proposal from Mike Winfield in the County Surveyor's office. The biggest changes are the addition of line designations of the East line of Block 30 and the East line of Webster Street, and a correction of the distance for the south line. I defer to our surveyor on description issues.

As far as abstracting, I suspect there have been few conveyances done in the area and few available abstracts, but I will see if we have any nearby Torrens pieces we can work from.

I will be out of the office the remainder of today, but will try to get back to you tomorrow.

Wayne D. Anderson  
 Examiner of Titles  
 Ramsey County, Minnesota  
 (651) 266-2886

**From:** Winfield, Mike  
**Sent:** Monday, June 27, 2011 10:18 AM  
**To:** Anderson, Wayne  
**Subject:** RE: New Torrens Proceeding

I'll add my two cents:

**Beginning at the Northeast corner of the East Half of Block 30, Stinson, Brown and Ramsey's Addition to St. Paul; thence South 00 degrees 12 minutes 53 seconds East, along the East line of said Block 30, a distance of 58.00 feet to a point\* on the North line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company Right of Way; thence along said right of way line South 76 degrees 49 minutes 29 seconds West 260.07 feet (164.18 + 95.89) to a point\* on the East line of Webster Street; thence North 00 degrees 08 minutes 04 seconds West, along said East line of Webster Street, a distance of 116.61 feet to the North line of said Block 30; thence North 89 degrees 50 minutes 55 seconds East, along said North line, a distance of 253.28 feet to the point of beginning.**

The math closes good,

Mike

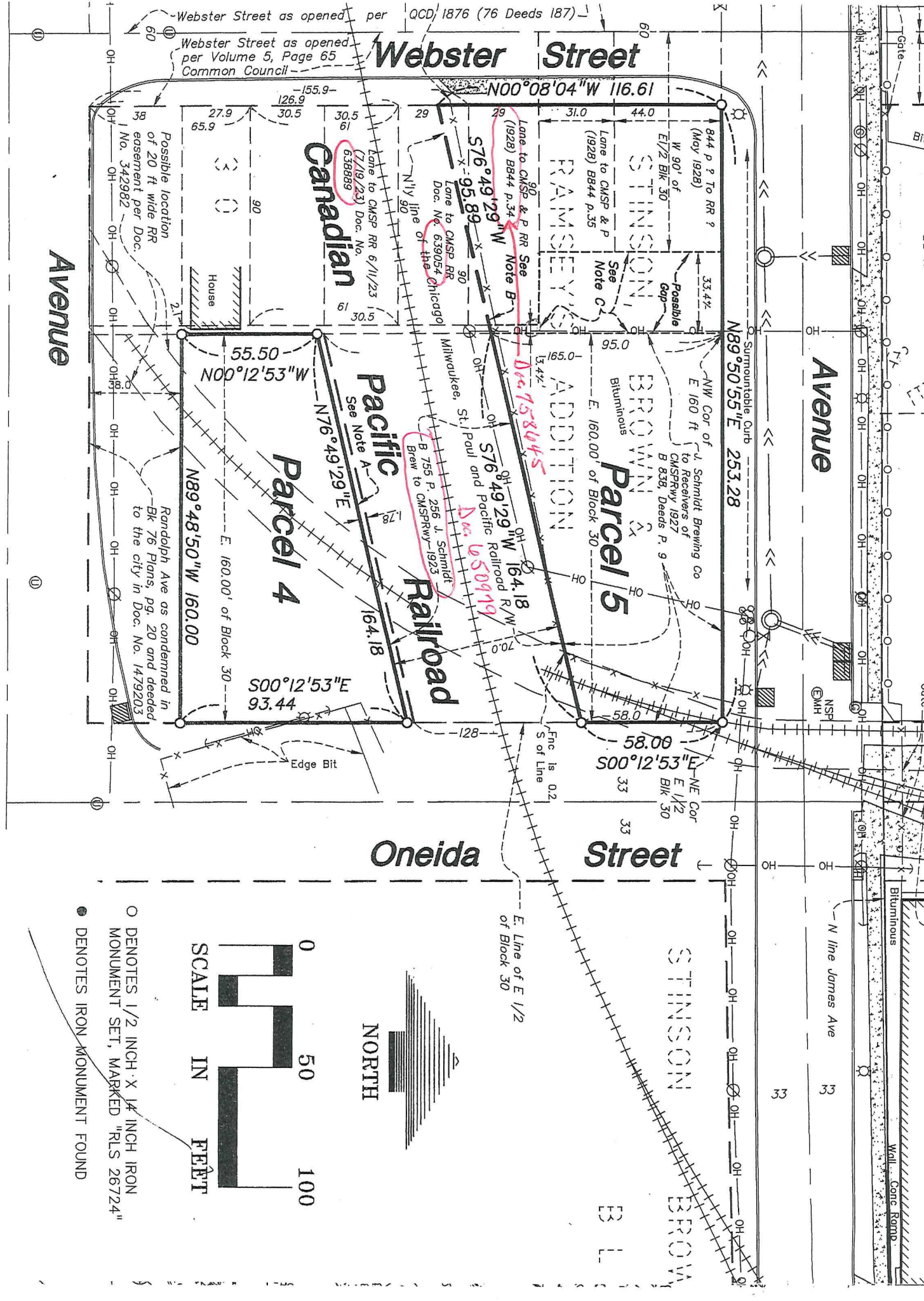
**From:** Anderson, Wayne  
**Sent:** Monday, June 27, 2011 8:42 AM  
**To:** Winfield, Mike  
**Subject:** FW: New Torrens Proceeding

I always send my survey questions to you guys. Your thoughts?

WDA



2011 Survey



Avenue

Webster Street

Avenue

Oneida Street

Canadian

Pacific

Railroad

Parcel 4

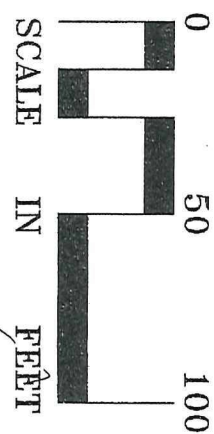
Parcel 15

STINSON

BROW

○ DENOTES 1/2 INCH X 1/4 INCH IRON MONUMENT SET, MARKED "RLS 26724"

● DENOTES IRON MONUMENT FOUND



NORTH



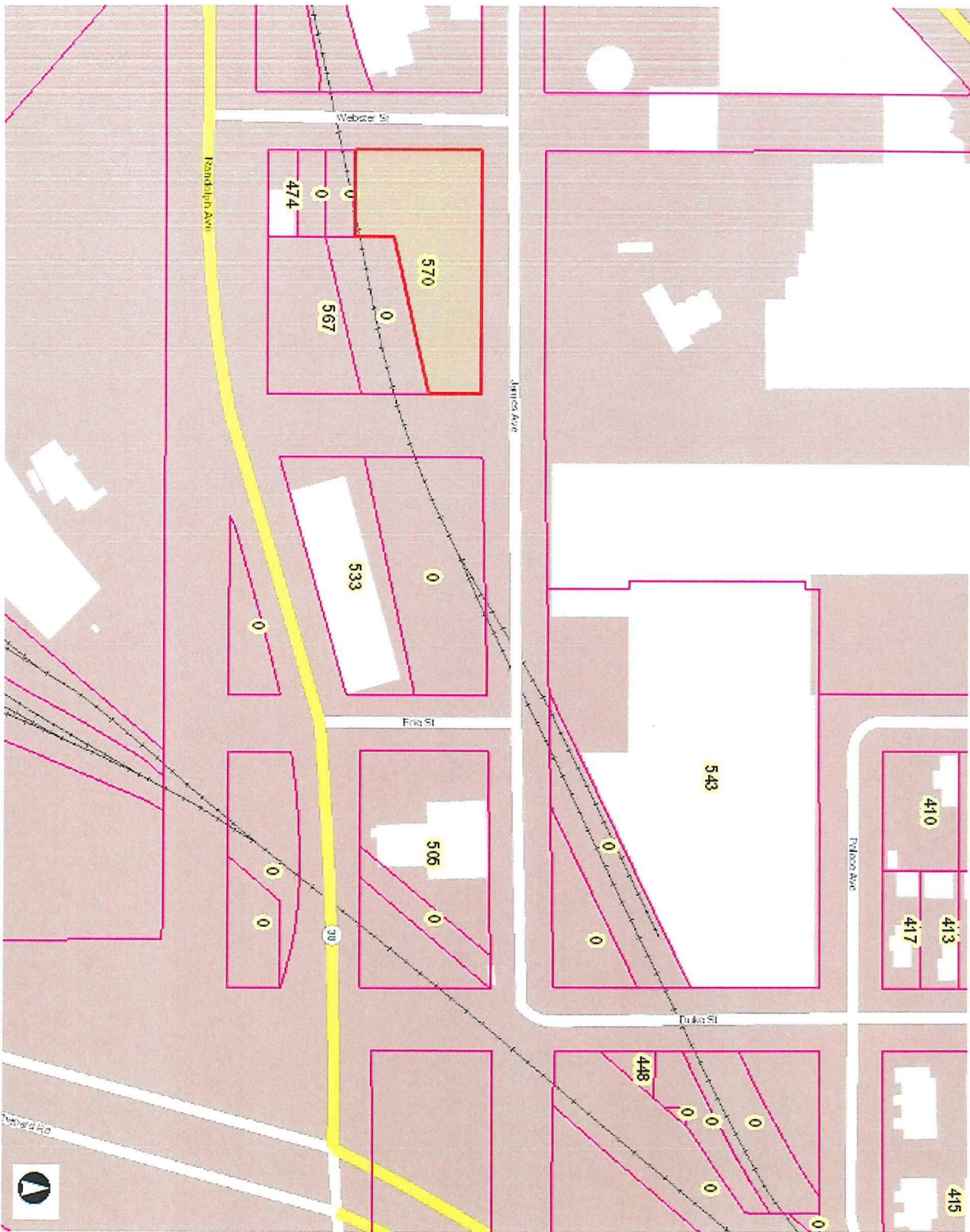
[Home](#) [Site Map](#) [Contact Us](#)

# Tax & Property Look Up Information - Tax Payment

[Home](#) || [Information](#) || [Property Look Up](#) || [Record Look Up](#) || [Contact Us](#)[New Property Search](#) > Tax Payment Information[Back to Search Results](#)[Quick Info](#)[Property Information](#)[Taxpayer Name and Address](#)[Value Information](#)[Value History](#)[Structure Description](#)[Sale Information](#)[Special Assessments](#)[Property Tax Payment Information](#)[Property Tax Payment History](#)[2013 Value Notice](#)[2013 Property Tax Statement](#)[2013 Payment Stubs](#)[2013 Proposed Tax Notice](#)[2012 Value Notice](#)[2012 Property Tax Statement](#)[2011 Value Notice](#)[2011 Property Tax Statement](#)[2010 Value Notice](#)

**Property Identification Number (PIN)** 12.28.23.23.0125  
**Property Address** 570 Webster St  
**Municipality** St. Paul  
**Watershed** Capital Region W/S  
**School District Number** 625

**First Half Due 05-15-2013****Original Amount Due** \$3,515.00**Penalty and Fees (thru current month)** \$386.65**Sub Total** \$3,901.65**Payments Made** \$0.00**Balance Due** \$3,901.65**Second Half Due 10-15-2013****Original Amount Due** \$3,515.00**Payments Made** \$0.00**Balance Due** \$3,515.00**Total Current Taxes Due** \$7,416.65**Total Delinquent Taxes Due** \$0.00**Pay electronically:** [E-Pay \(US Bank Browser Requirements\)](#)

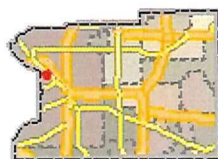


NAD\_1983\_HARN\_Adi\_MN\_Ramsey\_Feet  
 © Ramsey County Enterprise GIS Division

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

### Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

### Notes

Parcel 5