

REGISTERED LAND SURVEY NO. 441

I, James E. Danley, Registered Land Surveyor, hereby certify that in accordance with the provisions of Chapter 508, Minnesota Statutes of 1949, as amended, I have surveyed the following described tract of land in the County of Ramsey, State of Minnesota, to-wit:

All that certain tract or parcel of land lying and being in Section 12, Township 28 North of Range 23 West, of the Fourth Principal Meridian, and within the following boundary lines, to-wit: Starting at a point of beginning on the North and South center line of said Section 12 (the true bearing of which line is South 0°06' East from the Northwest corner of the Northeast quarter of said Section) 2522.8 feet South of the North line of said Section 12, as said point and lines are fixed by the United States Government survey of said section; thence South 58°02' West, 303.0 feet; thence South 13°24' West, 167.2 feet; thence South 62°01' West, 314.2 feet; thence South 32°0' East 132 feet; thence North 66°0' East, 237.1 feet; thence South 6°51' East 91.0 feet; thence North 67°55' East 1100.0 feet; thence North 54°42' East 567.0 feet; thence North 44°50' East 165.73 feet; thence North 0°06' West 289.79 feet; thence South 62°23' West 144.28 feet; thence South 49°30' West 500 feet; thence South 77°22' West 834.8 feet to place of beginning.

That the survey shown herein is a correct delineation of said survey this 7TH day of APRIL, 1987.

James E. Danley
James E. Danley, Registered Land Surveyor
Minnesota Registration No. 14887

Approved and accepted by the City Council of the City of Saint Paul, Minnesota, this 16th day of JUNE, 1987.

Albert B. Olson Clerk

Taxes for the year 1987 on land described herein paid, no delinquent taxes and transfer entered, this 18 day of JUNE, 1987.

L. McKenna Director By Sue Barkwell Deputy
Department of Property Taxation

Pursuant to Chapter 7, Minnesota Laws of 1976, this Registered Land Survey has been reviewed and approved, this 17th day of JULY, 1987 and the conditions of Minnesota Statutes, Section 505.03, Subdivision 2, have been fulfilled.

David D. Claypool
David D. Claypool
Acting Ramsey County Surveyor

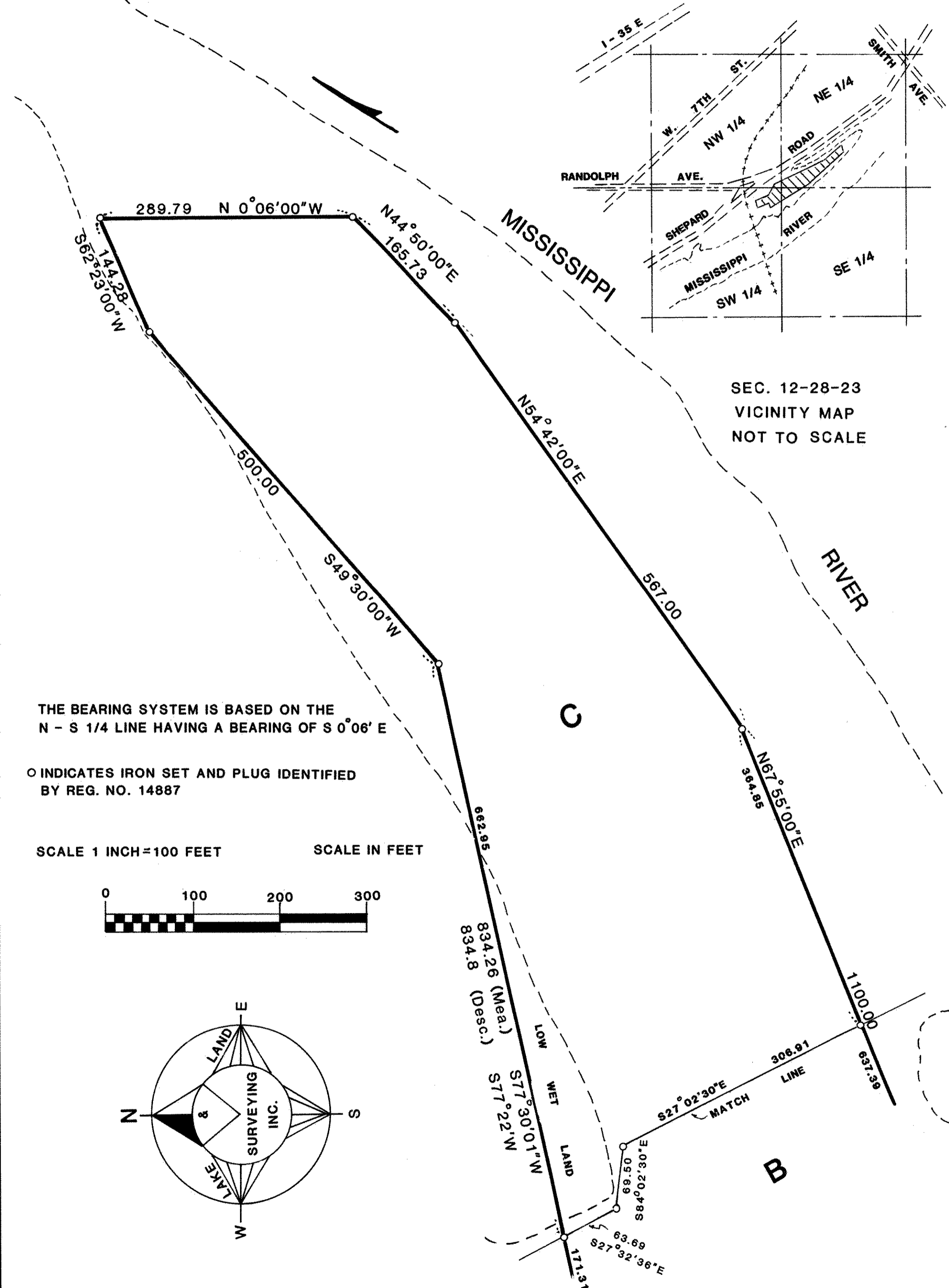
Registrar of Titles, County of Ramsey, State of Minnesota

I hereby certify that this Registered Land Survey No. 441 was filed in this office this 30TH day of JULY, 1987, at 10:40 o'clock A.M., as Document Number 844721.

By _____ Deputy
John C. Mc Laughlin, Registrar of Titles

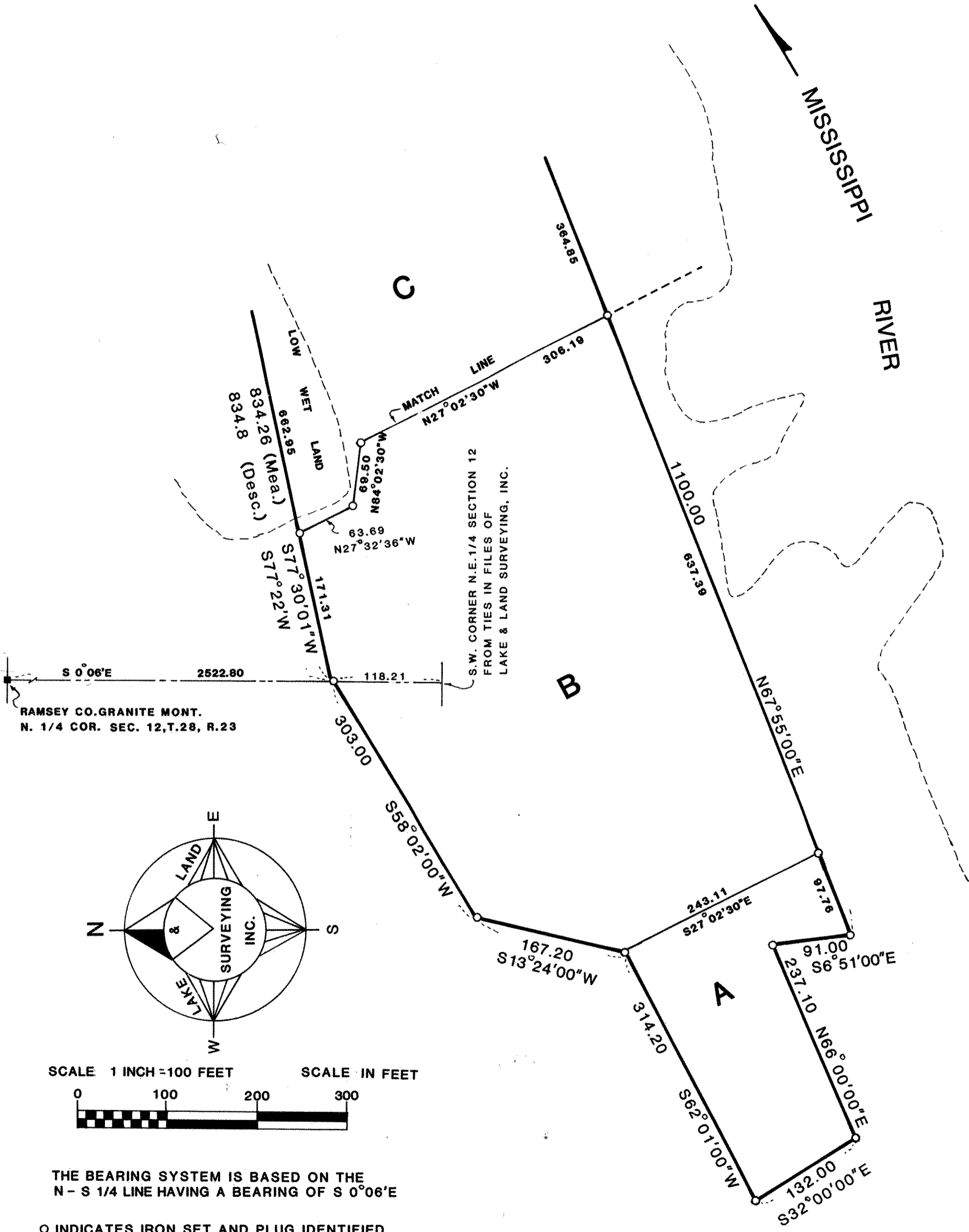
COPY

REGISTERED LAND SURVEY NO. 441



COPY

REGISTERED LAND SURVEY NO. 441



IN PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND

4
STATE OF MINNESOTA

COUNTY OF RAMSEY

FILED
Court Administrator

JAN 25 2000

By  Deputy

DISTRICT COURT

SECOND JUDICIAL DISTRICT

In the Matter of the Petition of

FILE NO. P.S. C1-99-7869

Nicollet Restoration, Inc.,

ORDER

for a New Certificate of Title
After Mortgage Foreclosure Sale.

The above-entitled matter came on for hearing on the 19th day of January, 2000, before the Examiner of Titles in Conference Room 3C of the Ramsey County Government Center West, City of St. Paul, the court having duly considered the Petition, the Report of Examiner, the Amended & Supplemental Report of Examiner and the evidence adduced by the Petitioner, finds as follows:

1.

There is outstanding in the office of the Registrar of Titles of Ramsey County Certificate of Title No. 334755, entered on December 31, 1987, in favor of Nicollet Restoration, Inc., for land in said county described as follows:

Tract B, Registered Land Survey No. 441.

2.

There appear among the memorials on said certificate of title the following:

Doc. No. 858420 - Deed reserving easements in favor of Northern States Power Company.

Doc. No. 961798 - Attorney's Lien in favor of Harry T. Neimeyer and the firm of Stringer & Rohleder, Ltd.

Doc. No. 994442 - Mechanics Lien in favor of Crocus Hill Electric Co., Inc.

Doc. No. 998298 - Mortgage in favor of Franklin National Bank of Minneapolis.

- Doc. No. 998299 - Assignment of Leases and Rents in favor of Franklin National Bank of Minneapolis.
- Doc. No. 1012705 - Notice of Lis Pendens by Crocus Hill Electric Co., Inc. to foreclose mechanics lien at Doc. No. 994442.
- Doc. No. 1073264 - Foreclosure of Mechanics Lien filed as Doc. No. 994442; sold to Stringer & Rohleder, LTD.
- Doc. No. 1090990 - Notice of Intent to Redeem by Franklin National Bank of Minneapolis.
- Doc. No. 1100446 - Power of Attorney to foreclose mortgage filed as Doc. No. 998298.
- Doc. No. 1100447 - Notice of Mortgage Foreclosure of Doc. No. 998298.
- Doc. No. 1102435 - Certificate of Redemption from Stringer & Rohleder, LTD. To Nicollet Restoration, Inc. from sale at Doc. No. 1073264.
- Doc. No. 1107902 - Mortgage Foreclosure of Doc. No. 998298 by Franklin National Bank of Minneapolis.
- Doc. No. 1132892 - Judgment in favor of City of Saint Paul.
- Doc. No. 1141906 - Certificate of Redemption by Nicollet Restoration, Inc. from foreclosure sale at Doc. No. 1107902.

3.

Registered Land Survey No. 441 is erroneous in its failure to show water boundaries for Tracts A, B, and C, and for omitting from its description the last line of the registered description, namely, "constituting Government Lot 5" of Section 12, Township 28 North, Range 23 West. The effect of failing to show such water boundaries was to omit those lands lying outside the tract boundaries from any certificate of title and to fail to provide for accretions and relictions.

4.

The survey provided by the Petitioner and on file herein shows that accretions, whether natural or artificial, have completely closed the channel on the North side of said Government Lot 5,

uniting the former island with the mainland. Because some of the mainland adjoining is not registered. The resolution of the boundary between the now adjoining island and the unregistered mainland parcels will be accomplished in a separate initial registration proceeding.

5.

Notice of this proceeding was given to the adjoining owners of Tracts A and C, Registered Land Survey No. 441, namely, Northern States Power Company by service upon it of an Order to Show Cause.

NOW THEREFORE, IT IS ORDERED, that Registered Land Survey No. 441 is reformed and amended to add to its description "being Government Lot 5, Section 12, Township 28, Range 23" and to show that the southerly perimeter lines of the exteriors of Tracts A, B and C are amended to be wavy lines indicating that the southerly exterior boundary of each tract is the shoreline of the Mississippi River.

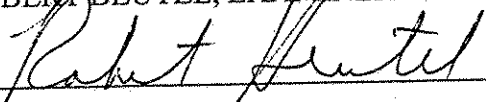
IT IS FURTHER ORDERED that in the issuance of future certificates of land for said tracts, the Registrar of Titles, in the description in the body of each certificate of title, after the words "Registered Land Survey No. 441" add the words "as amended by Order in Court File No. C1-99-7869, Doc. No. _____" [Registrar of Titles to insert document number of said Order], omitting from said future certificates of title all the memorials on Certificate of Title No. 334755, except those of Doc. Nos. 858420, and 1132892.

DATED: January 25, 2000


JUDGE OF DISTRICT COURT


The foregoing facts were found by me after due hearing and the entry of this ORDER is recommended.

ROBERT BEUTEL, EXAMINER OF TITLES

By 

RAMSEY COUNTY REGISTRAR OF TITLES

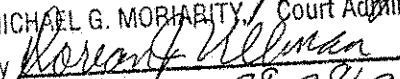
FILING FEES 54⁰⁰ PAID

 DEPUTY

60/7869order

MICHAEL G. MORIARITY, Court Administrator, Ramsey County, State of Minnesota, does hereby certify that the attached instrument is a true and correct copy of the original on file and of record in my office.

Dated this 25th day of January, 2000

MICHAEL G. MORIARITY, Court Administrator
By  Deputy

File No. C1-99-7869