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**FIRST AMENDMENT TO WELL DECLARATION
AND DEDICATION OF EASEMENT**

This First Amendment to Well Declaration and Dedication of Easement is made effective this 8th day of August, 2018, by Wayne M. Decklever and Rose Decklever, husband and wife, hereinafter referred to as “Decklever” and Susan E. Horsman, a single person, hereinafter referred to as “Horsman” and Steven Behrens and Savay Behrens, husband and wife, hereinafter referred to as “Behrens”, and all of whom are hereinafter referred to collectively as “Declarants”.

WHEREAS, Declarants are the fee owners of all of the tracts of real property that are subject to that certain Well Declaration and Dedication of Easement dated December 1, 2017 and recorded December 11, 2017 in the office of the Olmsted County Recorder as Document Number A-1439399, hereinafter the “Declaration” and

WHEREAS, said tracts are designated in the Declaration as Tracts “A”, “B”, “C”, “D” and “E”, and

WHEREAS, Declarants wish to amend the Declaration to add two (2) additional tracts currently owned by Decklever and more particularly described on the attached Exhibit “A”, hereinafter also referred to as “the additional Tracts”.

NOW, THEREFORE, Declarants declare that the Declaration is hereby amended as follows:

1. Those certain Tracts of real property more particularly described on the attached Exhibit “A” are hereby added to the tracts that are subject to the Declaration and shall be designated as Tract “F” and Tract “G” for reference.
2. The installation of water lines to serve the additional Tracts shall be located within the appropriate easements created by the Declaration; further, the parties hereby grant and declare easements for the purpose of installing and maintaining water lines to serve the additional Tracts over and across the “Driveway and Utility Easement” as described in that certain Declaration of Driveway and Utility Easement recorded on April 1, 2013 as Document Number A-1316596 in the office of the Olmsted County Recorder and amended by Amendment to Declaration of Driveway Easement and Utility Easement Dated December 22, 2016 and recorded December 28, 2016 as Document Number A-1414662 in the office of the Olmsted County Recorder, and further amended by Second Amendment to Declaration of Driveway Easement and Utility Easement Dated November 20, 2017 and recorded November 29, 2017 as Document Number A-1438497 in the office of the Olmsted County Recorder.
3. The owners of the additional Tracts, their successors and assigns, shall be bound by the terms of the above-referenced Well Declaration and Dedication of Easement dated December 1, 2017 and recorded December 11, 2017 in the office

of the Olmsted County Recorder as Document Number A-1439399, and as amended.

4. Any subsequent owner of the respective additional Tracts, their successors and assigns, shall be responsible to pay the cost of installation of any water lines necessary to serve the respective additional Tracts described on the attached Exhibit "A". Decklever shall have no obligation to install water lines to serve the additional Tracts.
5. The remaining terms of the Declaration and any amendments thereto shall remain unchanged in all other respects and shall be given full force and effect.

Wayne M. Decklever

Rose Decklever

State of Minnesota)
)ss
County of Olmsted)

Subscribed and sworn to before me this _____ day of August, 2018, by Wayne M. Decklever and Rose Decklever, husband and wife, who executed the foregoing instrument as their free act and deed.

Notary Public

Steven Behrens

Savay Behrens

State of Minnesota)
)ss
County of Olmsted)

Subscribed and sworn to before me this ____ day of _____, 2018, by Steven Behrens and Savay Behrens, husband and wife, who executed the foregoing instrument as their free act and deed.

Notary Public

This instrument was drafted by:

Hansen Title & Legal Services, LLC
Timothy J. Hansen, Attorney at Law
2518 Superior Drive NW, Suite 100
Rochester, MN 55901
507-252-0123

EXHIBIT "A"

LEGAL DESCRIPTION

TRACT "F":

That part of the Northeast Quarter of the Northeast Quarter of Section 4 and that part of the Northwest Quarter of Section 3, all in Township 107 North, Range 15 West, Olmsted County, Minnesota described as follows:

Commencing at the northeast corner of said Northwest Quarter of Section 3; thence South $00^{\circ}09'33''$ East, assumed bearing, along the east line of said Northwest Quarter, 778.09 feet; thence continue South $00^{\circ}09'33''$ East, along said east line, 300.00 feet; thence South $47^{\circ}22'42''$ West 467.35 feet; thence North $48^{\circ}33'51''$ West 249.89 feet; thence northeasterly 123.46 feet along a non-tangential curve, concave to the northwest, said curve has a radius of 450.00 feet, a central angle of $15^{\circ}43'12''$ and the chord of said curve bears North $33^{\circ}34'29''$ East 123.08 feet; thence South $74^{\circ}48'52''$ West, not tangent to said curve 132.55 feet; thence southwesterly 227.31 feet along a non-tangential curve, concave to the northwest, said curve has a radius of 700.00 feet, a central angle of $18^{\circ}36'19''$ and the chord of said curve bears South $58^{\circ}43'12''$ West 226.31 feet; thence continuing southwesterly 209.27 feet along said curve, concave to the northwest, said curve has a radius of 700.00 feet, a central angle of $17^{\circ}07'43''$, and the chord of said curve bears South $76^{\circ}35'13''$ West 208.49 feet; thence South $85^{\circ}09'04''$ West, tangent to said curve, 49.01 feet to the point of beginning; thence westerly 251.90 feet, along a tangential curve, concave to the north, said curve has a radius of 800.00 feet, a central angle of $18^{\circ}02'28''$ and the chord of said curve bears North $85^{\circ}49'42''$ West 250.86 feet; thence South $00^{\circ}09'07''$ East 314.89 feet; thence North $89^{\circ}52'14''$ West 674.15 feet; thence North $00^{\circ}05'26''$ West 250.83 feet; thence North $01^{\circ}36'08''$ West 72.69 feet; thence South $87^{\circ}25'15''$ West 721.13 feet; thence North $09^{\circ}48'09''$ East 504.62 feet; thence North $87^{\circ}25'16''$ East 698.22 feet; thence North $38^{\circ}04'43''$ East 483.53 feet; thence North $43^{\circ}43'21''$ East 584.31 feet to the north line of said Northwest Quarter of Section 3; thence South $89^{\circ}48'51''$ West, along said north line, 1354.01 feet; thence South $00^{\circ}56'00''$ East 251.60 feet; thence South $65^{\circ}07'00''$ West 249.35 feet; thence South $78^{\circ}46'00''$ West 132.40 feet; thence North $78^{\circ}35'00''$ West 152.68 feet; thence South $77^{\circ}45'00''$ West 209.20 feet; thence North $88^{\circ}26'00''$ West 216.80 feet; thence South $70^{\circ}25'00''$ West 99.80 feet; thence South $55^{\circ}55'00''$ West 134.03 feet; thence South $20^{\circ}24'00''$ West 136.55 feet; thence South $50^{\circ}36'00''$ East 60.04 feet; thence South $74^{\circ}24'00''$ East 142.76 feet; thence South $36^{\circ}44'00''$ East 111.68 feet; thence South $04^{\circ}33'00''$ West 192.70 feet; thence South $76^{\circ}39'14''$ East 756.38 feet; thence South $09^{\circ}48'10''$ West 253.90 feet; thence North $87^{\circ}25'16''$ East 730.37 feet; thence South $00^{\circ}05'26''$ East 318.99 feet; thence North $89^{\circ}52'09''$ East 1033.45 feet; thence North $00^{\circ}13'54''$ West 370.63 feet to the point of beginning.

The above described parcel contains **40.68 acres** and is subject to any easements, covenants and restrictions of record.

TRACT "G":

That part of the Northeast Quarter of the Northeast Quarter of Section 4 and that part of the Northwest Quarter of Section 3, all in Township 107 North, Range 15 West, Olmsted County, Minnesota described as follows:

Commencing at the northeast corner of said Northwest Quarter of Section 3; thence South $00^{\circ}09'33''$ East, assumed bearing, along the east line of said Northwest Quarter, 778.09 feet; thence continue South $00^{\circ}09'33''$ East, along said east line, 300.00 feet; thence South $47^{\circ}22'42''$ West 467.35 feet; thence North $48^{\circ}33'51''$ West 249.89 feet; thence northeasterly 123.46 feet along a non-tangential curve, concave to the northwest, said curve has a radius of 450.00 feet, a central angle of $15^{\circ}43'12''$ and the chord of said curve bears North $33^{\circ}34'29''$ East 123.08 feet; thence South $74^{\circ}48'52''$ West, not tangent to said curve 132.55 feet; thence southwesterly 227.31 feet along a non-tangential curve, concave to the northwest, said curve has a radius of 700.00 feet, a central angle of $18^{\circ}36'19''$ and the chord of said curve bears South $58^{\circ}43'12''$ West 226.31 feet; thence continuing southwesterly 209.27 feet along said curve, concave to the northwest, said curve has a radius of 700.00 feet, a central angle of $17^{\circ}07'43''$, and the chord of said curve bears South $76^{\circ}35'13''$ West 208.49 feet; thence South $85^{\circ}09'04''$ West, tangent to said curve, 49.01 feet; thence westerly 251.90 feet, along a tangential curve, concave to the north, said curve has a radius of 800.00 feet, a central angle of $18^{\circ}02'28''$ and the chord of said curve bears North $85^{\circ}49'42''$ West 250.86 feet to the point of beginning; thence South $00^{\circ}09'07''$ East 314.89 feet; thence North $89^{\circ}52'14''$ West 674.15 feet; thence North $00^{\circ}05'26''$ West 250.83 feet; thence North $88^{\circ}35'10''$ East 327.86 feet; thence North $01^{\circ}36'49''$ West 33.00 feet; thence North $06^{\circ}17'26''$ East 184.47 feet; thence southeasterly 367.82 feet along a non-tangential curve, concave to the northeast, said curve has a radius of 800.00 feet, a central angle of $26^{\circ}20'35''$ and the chord of said curve bears South $63^{\circ}38'10''$ East 364.59 feet to the point of beginning.

The above described parcel contains **4.94 acres** and is subject to any easements, covenants and restrictions of record.

