
(Reserved for recording data)

DECLARATION OF DEED RESTRICTION

THIS DECLARATION, is made this Jan. 9, 2023, by Cory Robert Penz and Hilary J. Penz, husband and wife, hereinafter "Grantors";

WITNESSETH:

WHEREAS, Cory Robert Penz owns real property evidence by that certain Trustee's Deed dated April 15, 2019, filed for record in the Office of the County Recorder Olmsted County Minnesota August 13, 2019 as Doc No. A-1478699, legally described as set forth on Exhibit "A" which is attached hereto and is incorporated herein by reference (hereinafter referred to as Property"); and

WHEREAS, Grantors have, simultaneous with this Agreement, split the Property into four separate parcels, each of which is legally described as Parcels A, B, C, and D as set forth on the Exhibit "B" which is attached hereto and is incorporated herein by reference, and

WHEREAS, in conformity with Haverhill Township zoning ordinances, Grantors are required to sign and record a deed restriction to apply to Parcel D as set forth on Exhibit "B", to limit any further residences, divisions or non-agricultural development as to said Parcel D.

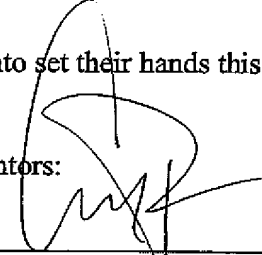
NOW, THEREFORE, the Grantors hereby declare that unless the township zoning ordinances are amended or approval is otherwise obtained by governing authorities in Haverhill Township, the Grantors' land described as described as Parcel D as set forth on Exhibit B, hereto shall not be allowed to have any further residences, divisions or non-agricultural development per the Haverhill Township zoning ordinances;

AND FURTHER, the undersigned hereby authorize the recording of this Restriction with the office of the Olmsted County, Minnesota Recorder for purposes of giving public notice of the restriction here created on Parcel D.

AND FURTHER, Hilary J. Penz claims no ownership interest in the real property being conveyed and is executing this instrument solely to release and convey a marital interest, if any, in the real property.

IN WITNESS WHEREAS, the Grantors have hereunto set their hands this Jan. 9, 2023.

Grantors:



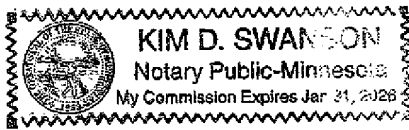
Cory Robert Penz



Hilary J. Penz

State of Minnesota, County of Olmsted

This instrument was acknowledged before me on Jan. 9, 2023, by Cory Robert Penz and Hilary J. Penz, husband and wife.





Notary Public

This Instrument was Drafted By:
Dunlap & Seeger, P.A.
30 3rd St. S.E., Suite 400
P.O. Box 549
Rochester, MN 55904-0549

Exhibit "A"

The Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, EXCEPT the following described property:

Beginning at the southwest corner of the Northeast Quarter of said Section 16; thence North 00 degrees 14 minutes 26 seconds West, assumed bearing, along the west line thereof, 1050.00 feet; thence South 75 degrees 47 minutes 51 seconds East, 1046.06 feet; thence South 00 degrees 14 minutes 26 seconds East, 789.66 feet to the south line of said Northeast Quarter; thence South 89 degrees 47 minutes 29 seconds West, along said south line, 1013.00 feet.

Exhibit "B"

PARCEL A

That part of the Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Beginning at the southeast corner of said Northeast Quarter; thence on an assumed bearing of South 89°47'27" West, along the south line of said Northeast Quarter, 275.16 feet; thence North 00°02'04" East 554.30 feet; thence northwesterly 127.58 feet, along a tangential curve, concave to the southwest, said curve has a radius of 250.00 feet, a central angle of 29°14'18", and the chord of said curve bears North 14°35'05" West 126.20 feet; thence North 29°12'14" West, tangent to said curve, 193.31 feet; thence northwesterly 265.84 feet, along a tangential curve, concave to the southwest, said curve has a radius of 275.00 feet, a central angle of 55°23'11", and the chord of said curve bears North 56°53'49" West 255.61 feet; thence North 84°35'25" West, tangent to said curve, 344.86 feet; thence North 00°21'52" West 789.75 feet; thence North 89°48'35" East 138.75 feet; thence North 00°21'52" West 805.02 feet to the north line of said Northeast Quarter; thence North 89°48'35" East 813.13 feet to the northeast corner of said Northeast Quarter; thence South 00°21'52" East, along the east line of said Northeast Quarter, 2614.23 feet to the point of beginning.

The above-described parcel contains 40.00 acres, more or less, and is subject to any easements, covenants, and restrictions of record.

PARCEL B

That part of the Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence on an assumed bearing of South 89°47'27" West, along the south line of said Northeast Quarter, 275.16 feet; thence North 00°02'04" East 554.30 feet; thence northwesterly 127.58 feet, along a tangential curve, concave to the southwest, said curve has a radius of 250.00 feet, a central angle of 29°14'18", and the chord of said curve bears North 14°35'05" West 126.20 feet; thence North 29°12'14" West, tangent to said curve, 70.86 feet to the point of beginning; thence continuing North 29°12'14" West 122.45 feet; thence northwesterly 265.84 feet, along a tangential curve, concave to the southwest, said curve has a radius of 275.00 feet, a central angle of 55°23'11", and the chord of said curve bears North 56°53'49" West 255.61 feet; thence North 84°35'25" West, tangent to said curve, 344.86 feet; thence South 00°21'52" East 477.57 feet; thence North 89°59'52" East 248.28 feet; thence North 61°30'36" East 416.27 feet to the point of beginning.

The above-described parcel contains 5.10 acres and is subject to any easements, covenants, and restrictions of record.

PARCEL C

That part of the Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence on an assumed bearing of South 89°47'27" West, along the south line of said Northeast Quarter, 275.16 feet; thence North 00°02'04" East, 554.30 feet; thence northwesterly 127.58 feet, along a tangential curve, concave to the southwest, said curve has a radius of 250.00 feet, a central angle of 29°14'18", and the chord of said curve bears North 14°35'05" West 126.20 feet; thence North 29°12'14" West, tangent to said curve, 193.31 feet; thence northwesterly 265.84 feet, along a tangential curve, concave to the southwest, said curve has a radius of 275.00 feet, a central angle of 55°23'11", and the chord of said curve bears North 56°53'49" West 255.61 feet; thence North 84°35'25" West, tangent to said curve, 344.86 feet to the point of beginning; thence North 00°21'52" West 789.75 feet; thence South 89°48'35" West 468.53 feet; thence South 00°21'52" East 200.00 feet; thence South 44°25'29" East 529.94 feet; thence South 00°21'52" East 200.00 feet; thence southeasterly 22.04 feet, along a non-tangential curve, concave to the north, said curve has a radius of 1000.00 feet, a central angle of 01°15'47", and the chord of said curve bears South 83°57'31" East; thence South 84°35'25" East, tangent to said curve, 78.49 feet to the point of beginning.

The above-described parcel contains 5.10 acres and is subject to any easement, covenant, and restrictions of record.

PARCEL D

The Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, EXCEPT the following described property:

Beginning at the southwest corner of the Northeast Quarter of said Section 16; thence North 00 degrees 14 minutes 26 seconds West, assumed bearing, along the west line thereof, 1050.00 feet; thence South 75 degrees 47 minutes 51 seconds East, 1046.06 feet; thence South 00 degrees 14 minutes 26 seconds East, 789.66 feet to the south line of said Northeast Quarter; thence South 89 degrees 47 minutes 29 seconds West, along said south line, 1013.00 feet.

ALSO EXCEPT

That part of the Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence on an assumed bearing of South 89°47'27" West, along the south line of said Northeast Quarter, 275.16 feet; thence North 00°02'04" East, 554.30 feet; thence northwesterly 127.58 feet, along a tangential curve, concave to the southwest, said curve has a radius of 250.00 feet, a central angle of 29°14'18", and the chord of said curve bears North 14°35'05" West 126.20 feet; thence North 29°12'14" West, tangent to said curve, 193.31 feet; thence northwesterly 265.84 feet, along a tangential curve, concave to the southwest, said curve has a radius of 275.00 feet,

a central angle of $55^{\circ}23'11''$, and the chord of said curve bears North $56^{\circ}53'49''$ West 255.61 feet; thence North $84^{\circ}35'25''$ West, tangent to said curve, 344.86 feet to the point of beginning; thence North $00^{\circ}21'52''$ West 789.75 feet; thence South $89^{\circ}48'35''$ West 468.53 feet; thence South $00^{\circ}21'52''$ East 200.00 feet; thence South $44^{\circ}25'29''$ East 529.94 feet; thence South $00^{\circ}21'52''$ East 200.00 feet; thence southeasterly 22.04 feet, along a non-tangential curve, concave to the north, said curve has a radius of 1000.00 feet, a central angle of $01^{\circ}15'47''$, and the chord of said curve bears South $83^{\circ}57'31''$ East; thence South $84^{\circ}35'25''$ East, tangent to said curve, 78.49 feet to the point of beginning.

ALSO EXCEPT

That part of the Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Beginning at the southeast corner of said Northeast Quarter; thence on an assumed bearing of South $89^{\circ}47'27''$ West, along the south line of said Northeast Quarter, 275.16 feet; thence North $00^{\circ}02'04''$ East, 554.30 feet; thence northwesterly 127.58 feet, along a tangential curve, concave to the southwest, said curve has a radius of 250.00 feet, a central angle of $29^{\circ}14'18''$, and the chord of said curve bears North $14^{\circ}35'05''$ West 126.20 feet; thence North $29^{\circ}12'14''$ West, tangent to said curve, 193.31 feet; thence northwesterly 265.84 feet, along a tangential curve, concave to the southwest, said curve has a radius of 275.00 feet, a central angle of $55^{\circ}23'11''$, and the chord of said curve bears North $56^{\circ}53'49''$ West 255.61 feet; thence North $84^{\circ}35'25''$ West, tangent to said curve, 344.86 feet; thence North $00^{\circ}21'52''$ West 789.75 feet; thence North $89^{\circ}48'35''$ East 138.75 feet; thence North $00^{\circ}21'52''$ West 805.02 feet to the north line of said Northeast Quarter; thence North $89^{\circ}48'35''$ East 813.13 feet to the northeast corner of said Northeast Quarter; thence South $00^{\circ}21'52''$ East, along the east line of said Northeast Quarter, 2614.23 feet to the point of beginning.

ALSO EXCEPT

That part of the Northeast Quarter of Section 16, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence on an assumed bearing of South $89^{\circ}47'27''$ West, along the south line of said Northeast Quarter, 275.16 feet; thence North $00^{\circ}02'04''$ East, 554.30 feet; thence northwesterly 127.58 feet, along a tangential curve, concave to the southwest, said curve has a radius of 250.00 feet, a central angle of $29^{\circ}14'18''$, and the chord of said curve bears North $14^{\circ}35'05''$ West 126.20 feet; thence North $29^{\circ}12'14''$ West, tangent to said curve, 70.86 feet to the point of beginning; thence continuing North $29^{\circ}12'14''$ West 122.45 feet; thence northwesterly 265.84 feet, along a tangential curve, concave to the southwest, said curve has a radius of 275.00 feet, a central angle of $55^{\circ}23'11''$, and the chord of said curve bears North $56^{\circ}53'49''$ West 255.61 feet; thence North $84^{\circ}35'25''$ West, tangent to said curve, 344.86 feet; thence South $00^{\circ}21'52''$ East 477.57 feet; thence North $89^{\circ}59'52''$

East 248.28 feet; thence North 61°30'36" East 416.27 feet to the point of beginning.

The above-described parcel contains 85.91 acres, more or less, and is subject to any easements, covenants, and restrictions of record.