

Receipt: # 639038

T260274

AP

\$46.00

Cert#

55394

Return to:
SCOTT COUNTY AUDITOR
200 4TH AVE W
SHAKOPEE MN 55379



Certified Filed and/or recorded on:

3/4/2020 4:09 PM

Office of the Registrar of Titles
Scott County, Minnesota
Julie K. Hanson, Registrar of Titles

Minnesota Department of Agriculture
90 West Plato Boulevard
St. Paul, Minnesota 55107
612-296-7861

METROPOLITAN AGRICULTURAL PRESERVES RESTRICTIVE COVENANT

THIS AGREEMENT, made and entered into this 10th day of February, 2020, by and between Burdette C Stief Living Trust, Record Fee Owners(s);
Contract for Deed Vendor(s) (Sellers), if any; _____
Contract for Deed Vendee(s) (Buyers), if any; hereinafter collectively referred to as Landowner(s); AND the
St. Lawrence Township, Scott County, Minnesota.

(NOTE: Above named landowner(s) must be identified as husband and wife, a single person, a partnership, a (State) Corporation, a Trustee of a Trust (describe), a Guardian or Administrator of an Estate (describe) – whatever the case might be – If property is homestead – spouse must join whether their name is on record or not – If property is non-homestead and spouse doesn't join – then a statement must be put at end of legal description that it is non-homestead)

WITNESSETH:

WHEREAS, the Landowner(s), above named are the owners of the tract of land (the Land) in the County of Scott, State of Minnesota, legally described as:

(IF TORRENS PROPERTY - Use description from Certificate of Title, verbatim: IF ABSTRACT PROPERTY - Use description from abstract or deed, if possible, get it from your Deputy Registrar's office. Use and additional sheet if extra space is needed. Be sure to state your parcel identification number(s) and whether or not your property is homestead)

Parcel identification Number(s): 100040020, 100040021

Homestead or Non-Homestead (please circle one)

Legal Description: See Attached Exhibit 'A'

WHEREAS, the landowner desires to receive the benefits of participation in the State of Minnesota metropolitan Agricultural Preserves Program established by Minn. Stat., Chapter 473H, and has made application for initiating placement of the Land into a Metropolitan Agricultural Preserve, a copy of which is attached hereto, and incorporated herein as Attachment A; and

WHEREAS, THE Land described herein is classified as agricultural pursuant to Minn. Stat., Section 273.13 and the County of Scott has approved and certified this Land as being eligible for designation as an agricultural preserve; a copy of the affidavit evidencing that the land is certified long-term agricultural is attached hereto and incorporated herein by reference as Attachment B;

WHEREAS, Minn. Stat., 473H.05, requires that the applicant complete and file as part of the application a "restrictive covenant which shall constitute an easement running with the land";

NOW, THEREFORE, in consideration of receipt of the benefits of participation in the State of Minnesota Metropolitan Agricultural Preserves Program, the Landowner on behalf of himself, his successors and assignees, agrees and covenants as follows:

1. The Land herein described shall be kept in agricultural use. Agricultural use, as that is used herein, means the production for sale of livestock, dairy animals, dairy products, poultry or poultry products, fur bearing animals, horticultural or nursery stock, fruit, vegetables, forage, grains, or bees and apiary products. Land also in State Conservation programs qualify as agricultural land. Wetlands, pasture and woodlands accompanying land in agricultural use shall be deemed to be in agricultural use.
2. The Land herein described shall be used in accordance with the provisions of Minn. Stat., Chapter 473H which exist on the date of this covenant.

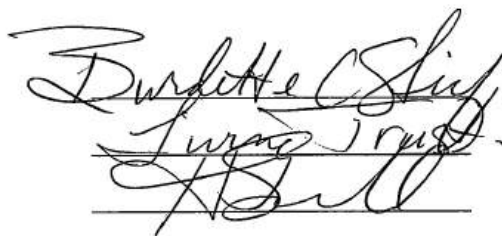
3. This Restrictive Covenant shall be binding on the owner, or his successors and assignees, and shall be an easement running with the land.
4. Duration. This Restrictive Covenant shall be in force and effect in accordance with the aforementioned statute:
 - a. Until expiration initiated pursuant to Minn. Stat., Section 473H.08 becomes final;
 - b. Until the agricultural preserve is terminated by executive order of the Governor; or
 - c. Until the Land is acquired by eminent domain;
 all in accordance with Minn. Stat., Chapter 473H.
5. Enforcement: This Agreement and Restrictive Covenant may be enforced by the County of Scott, or the State of Minnesota, or by an interested person, by appropriate action in the courts of the State of Minnesota.

This instrument was completed by Dana Anderson, Department of Property and Taxation Services, on a form prepared and approved by the Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, Minnesota.

IN WITNESS HEREOF, of parties to this agreement have caused this instrument to be executed on the day and year first above written. *(To be signed in the presence of a notary public with exact same name as on page 1.)*

Signature of Record Fee Owner(s):

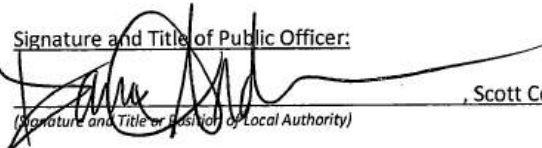
Burdette C Stief Living Trust



Signature of Contract for Deed Vendor(s) (Sellers), if any:

Witnessed Signature of Contract for Deed Vendee(s) (Buyers), if any

Signature and Title of Public Officer:

 , Scott County Deputy Auditor/Treasurer, Scott, County, Minnesota

(Signature and Title of Local Authority)

For Individual or Husband/Wife:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____, individuals.

Signature of Notary Public

Commission Expires _____

For Corporation:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____, its _____ and _____

its _____ of _____ a

Corporation, on behalf of the Corporation

Signature of Notary Public

Commission Expires _____

For Partnership:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____, partner of _____, a

Partnership, on behalf of the partnership.

Signature of Notary Public

Commission Expires _____

For Attorney-in-Fact:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____, as attorney-in-fact on behalf of _____.

Signature of Notary Public

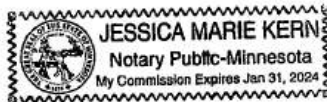
Commission Expires _____

For Trustee or Personal Representative:

State of Minnesota)
)SS
County of Rice)

The foregoing instrument was acknowledged before me this 3 day of March, 2020 by

Heidi Suhl, the Trustees of the Burdette C Stief Living Trust.



Signature of Notary Public

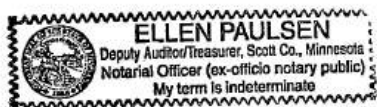
Commission Expires 1-31-2024

For Public Officer:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this 4th day of March, 2020 by

Dana Anderson, the Deputy Auditor of Scott County, Minnesota.



Signature of Notary Public

Commission Expires Indeterminate

ATTACHMENT 'A'

APPLICATION FOR INITIATING PLACEMENT OF LAND INTO A METROPOLITAN AGRICULTURAL PRESERVES

LOCAL AUTHORITY: Scott County and St. Lawrence Township

1. PRINT OR TYPE NAME(S) AND ADDRESS(ES) OF RECORD FEE OWNER(S)

(Use this space only if applicable. Must be same names as on page 1)

☐ Individual(s) ☐ Legal Guardian ☐ Family Farm Corporation ☐ Partnership ☒ Other (Specify)
Trust

Burdette C Stief Living Trust
3325 Independence Ave
Webster, MN 55088

2. PRINT OR TYPE NAMES(S) AND ADDRESS(ES) OF CONTRACT FOR DEED BUYER(S)

(Use this space only if applicable. Must be same names as on page 1)

3. PRINT OR TYPE NAMES(S) AND ADDRESS(ES) OF CONTRACT FOR DEED SELLER(S)

(Use this space only if applicable. Must be same names as on page 1)

4. BASIS OF ELIGIBILITY OF LAND ("X" one):

- ☒ 40 acres of more of land
☐ Non-contiguous parcels of at least ten acres each; parcels farmed as a unit
☐ 35 acre parcel, bound by public right-of-way or perturbation in the rectangular survey system
☐ 20 acre parcel, subject to the conditions of Minnesota Statutes, Section 473H.03, subdivision 4

5. TOTAL ACRES: 116.89 acres

6. TYPE OF PROPERTY ("X" one)

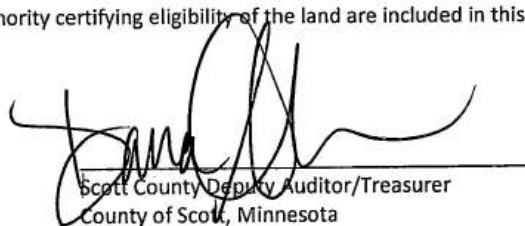
- ☐ Abstract
☒ Registered (Torrens)

FOR LOCAL AUTHORITY ONLY

7. This application has been reviewed by this Authority and is determined complete this 4 day of

March, 2020

The Restrictive Covenant and the affidavit from the Authority certifying eligibility of the land are included in this application.


Scott County Deputy Auditor/Treasurer
County of Scott, Minnesota

8. DATE OF PLACEMENT OF LAND INTO PRESERVE:

April 4, 2020
(30 days after date of application)

AFFIDAVIT OF "AUTHORITY"

I, Dana Anderson, being first duly sworn upon oath deposes and says as follows:

1. I am the Deputy Auditor/Treasurer of Scott County, State of Minnesota, which unit of government exercises the planning and zoning authority for the land described herein, and constitutes the "Authority" as that term is defined under Minn. Stat., Section 473H.02 Subdivision 4.
2. This affidavit is being executed and submitted on behalf of the Authority.
3. The tract of land in the County Scott, State of Minnesota, legally described as *(must be the same as on page 1)*

Homestead or Non-Homestead (please circle one)

Legal Description: See Exhibit 'A'

is, as of February 10, 2020, designated as long term agricultural land and in accordance with a resolution adopted by the Authority on November 24, 1981, is certified and eligible for designation as an agricultural preserve as provided under the provisions of Minn. Stat. 473H. Subdivision 4.

4. This affidavit is submitted at the request of Burdette C Stief Living Trust, (Applicants) for the purpose of making application for designation and creation of an agricultural preserve in accordance with Minn. Stat., Chapter 473H.

Signature:

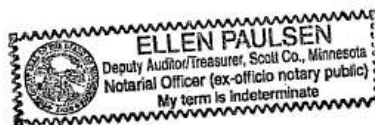
County Deputy Auditor/Treasurer
County of Scott

Subscribed and sworn to me

This 4th day of March, 2020

Am K. Paves

Commission Expires: Indeterminate



Drafted By:

Dana Anderson
Scott County Deputy Auditor/Treasurer
200 4th Avenue West
Shakopee, MN 55379

EXHIBIT A
Legal Description of Property

Tract B, REGISTERED LAND SURVEY NO. 166, lying in Section 14, Township 114, Range 24, Scott County, MN.

PID #: 100040021

AND

Tract B of REGISTERED LAND SURVEY NO. 166 lying in Sections 15, 22, and 23 in Township 114, Range 24, in Scott County, MN.

PID #: 100040020

Receipt: # 639038

A1087134

AP \$46.00

Return to:
SCOTT COUNTY AUDITOR
200 4TH AVE W
SHAKOPEE MN 55379



Certified Filed and/or recorded on:

3/4/2020 4:09 PM

Office of the County Recorder
Scott County, Minnesota
Julie K. Hanson, County Recorder

Minnesota Department of Agriculture
90 West Plato Boulevard
St. Paul, Minnesota 55107
612-296-7861

**METROPOLITAN AGRICULTURAL PRESERVES
RESTRICTIVE COVENANT**

THIS AGREEMENT, made and entered into this 10th day of February, 2020, by and between
St Lawrence Farms LP, Record Fee Owners(s);
Contract for Deed Vendor(s) (Sellers), if any; _____
Contract for Deed Vendee(s) (Buyers), if any; hereinafter collectively referred to Landowner(s); AND the
St. Lawrence Township, Scott County, Minnesota.

(NOTE: Above named landowner(s) must be identified as husband and wife, a single person, a partnership, a (State) Corporation, a Trustee of a Trust (describe), a Guardian or Administrator of an Estate (describe) – whatever the case might be – if property is homestead – spouse must join whether their name is on record or not – if property is non-homestead and spouse doesn't join – then a statement must be put at end of legal description that it is non-homestead)

WITNESSETH:

WHEREAS, the Landowner(s), above named are the owners of the tract of land (the Land) in the County of Scott, State of Minnesota, legally described as:

(IF TORRENS PROPERTY - Use description from Certificate of Title, verbatim: IF ABSTRACT PROPERTY - Use description from abstract or deed, if possible, get it from your Deputy Registrar's office. Use and additional sheet if extra space is needed. Be sure to state your parcel identification number(s) and whether or not your property is homestead)

Parcel identification Number(s): 109130031, 109140023, 109140040

Homestead or Non-Homestead (please circle one)

Legal Description: See Attached Exhibit 'A'

WHEREAS, the landowner desires to receive the benefits of participation in the State of Minnesota metropolitan Agricultural Preserves Program established by Minn. State., Chapter 473H, and has made application for initiating placement of the Land into a Metropolitan Agricultural Preserve, a copy of which is attached hereto, and incorporated herein as Attachment A; and

WHEREAS, THE Land described herein is classified as agricultural pursuant to Minn. Stat., Section 273.13 and the County of Scott has approved and certified this Land as being eligible for designation as an agricultural preserve; a copy of the affidavit evidencing that the land is certified long-term agricultural is attached hereto and incorporated herein by reference as Attachment B;

WHEREAS, Minn. Stat., 473H.05, requires that the applicant complete and file as part of the application a "restrictive covenant which shall constitute an easement running with the land";

NOW, THEREFORE, in consideration of receipt of the benefits of participation in the State of Minnesota Metropolitan Agricultural Preserves Program, the Landowner on behalf of himself, his successors and assignees, agrees and covenants as follows:

1. The Land herein described shall be kept in agricultural use. Agricultural use, as that is used herein, means the production for sale of livestock, dairy animals, dairy products, poultry or poultry products, fur bearing animals, horticultural or nursery stock, fruit, vegetables, forage, grains, or bees and apiary products. Land also in State Conservation programs qualify as agricultural land. Wetlands, pasture and woodlands accompanying land in agricultural use shall be deemed to be in agricultural use.
2. The Land herein described shall be used in accordance with the provisions of Minn. Stat., Chapter 473H which exist on the date of this covenant.

3. This Restrictive Covenant shall be binding on the owner, or his successors and assignees, and shall be an easement running with the land.
4. Duration. This Restrictive Covenant shall be in force and effect in accordance with the aforementioned statute:
 - a. Until expiration initiated pursuant to Minn. Stat., Section 473H.08 becomes final;
 - b. Until the agricultural preserve is terminated by executive order of the Governor; or
 - c. Until the Land is acquired by eminent domain;
 all in accordance with Minn. Stat., Chapter 473H.
5. Enforcement: This Agreement and Restrictive Covenant may be enforced by the County of Scott, or the State of Minnesota, or by an interested person, by appropriate action in the courts of the State of Minnesota.

This instrument was completed by Dana Anderson, Department of Property and Taxation Services, on a form prepared and approved by the Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, Minnesota.

IN WITNESS HEREOF, of parties to this agreement have caused this instrument to be executed on the day and year first above written. *(To be signed in the presence of a notary public with exact same name as on page 1.)*

Signature of Record Fee Owner(s):

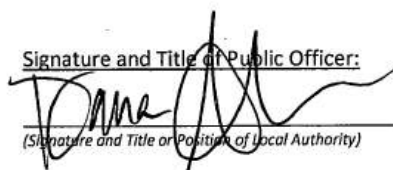
St Lawrence Farms LP


St Lawrence Farms LP
 CA

Signature of Contract for Deed Vendor(s) (Sellers), if any:

Witnessed Signature of Contract for Deed Vendee(s) (Buyers), if any

Signature and Title of Public Officer:

 _____, Scott County Deputy Auditor/Treasurer, Scott, County, Minnesota
(Signature and Title of Position of Local Authority)

For Individual or Husband/Wife:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____ individuals.

Signature of Notary Public

Commission Expires _____

For Corporation:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____, its _____ and _____ of _____ a Corporation, on behalf of the Corporation

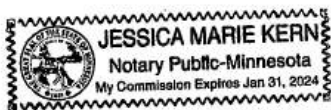
Signature of Notary Public

Commission Expires _____

For Partnership:

State of Minnesota)
)SS
County of ~~Scott~~ ^{Rice})

The foregoing instrument was acknowledged before me this 3 day of March, 2020 by Heidi Suhl, partner of St Lawrence Farms LP, a Partnership, on behalf of the partnership.



Jessica Marie Kern
Signature of Notary Public

Commission Expires 1-31-2024

For Attorney-in-Fact:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____ as attorney-in-fact on behalf of _____

Signature of Notary Public

Commission Expires _____

For Trustee or Personal Representative:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this ____ day of _____, 202__ by _____ the _____ Trustees of the _____

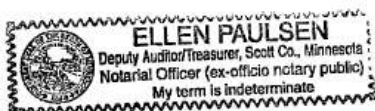
Signature of Notary Public

Commission Expires _____

For Public Officer:

State of Minnesota)
)SS
County of Scott)

The foregoing instrument was acknowledged before me this 4th day of March, 2020 by Dana Anderson, the Deputy Auditor of Scott County, Minnesota.



Ellen Paulsen
Signature of Notary Public

Commission Expires Indeterminate

ATTACHMENT 'A'

APPLICATION FOR INITIATING PLACEMENT OF LAND INTO A METROPOLITAN AGRICULTURAL PRESERVES

LOCAL AUTHORITY: Scott County and St. Lawrence Township

1. PRINT OR TYPE NAME(S) AND ADDRESS(ES) OF RECORD FEE OWNER(S)

(Use this space only if applicable. Must be same names as on page 1)

☐ Individual(s) ☐ Legal Guardian ☐ Family Farm Corporation ☒ Partnership ☐ Other (Specify) Trust

St. Lawrence Farms LP
3325 Independence Ave
Webster, MN 55088

2. PRINT OR TYPE NAMES(S) AND ADDRESS(ES) OF CONTRACT FOR DEED BUYER(S)

(Use this space only if applicable. Must be same names as on page 1)

3. PRINT OR TYPE NAMES(S) AND ADDRESS(ES) OF CONTRACT FOR DEED SELLER(S)

(Use this space only if applicable. Must be same names as on page 1)

4. BASIS OF ELIGIBILITY OF LAND ("X" one):

- ☒ 40 acres or more of land
☐ Non-contiguous parcels of at least ten acres each; parcels farmed as a unit
☐ 35 acre parcel, bound by public right-of-way or perturbation in the rectangular survey system
☐ 20 acre parcel, subject to the conditions of Minnesota Statutes, Section 473H.03, subdivision 4

5. TOTAL ACRES: 552.74 acres

6. TYPE OF PROPERTY ("X" one)

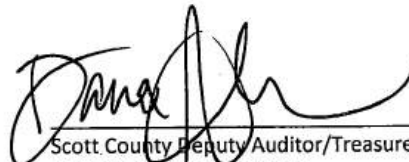
- ☒ Abstract
☐ Registered (Torrens)

FOR LOCAL AUTHORITY ONLY

7. This application has been reviewed by this Authority and is determined complete this 4 day of

March, 2020

The Restrictive Covenant and the affidavit from the Authority certifying eligibility of the land are included in this application.



Scott County Deputy Auditor/Treasurer
County of Scott, Minnesota

8. DATE OF PLACEMENT OF LAND INTO PRESERVE:

April 4, 2020
(30 days after date of application)

AG - 00869 - 03

AFFIDAVIT OF "AUTHORITY"

I, Dana Anderson, being first duly sworn upon oath deposes and says as follows:

1. I am the Deputy Auditor/Treasurer of Scott County, State of Minnesota, which unit of government exercises the planning and zoning authority for the land described herein, and constitutes the "Authority" as that term is defined under Minn. Stat., Section 473H.02 Subdivision 4.

2. This affidavit is being executed and submitted on behalf of the Authority.

3. The tract of land in the County Scott, State of Minnesota, legally described as *(must be the same as on page 1)*

Parcel identification Number(s): 109130031, 109140023, 109140040

Homestead or Non-Homestead *(please circle one)*

Legal Description: See Exhibit 'A'

is, as of February 10, 2020, designated as long term agricultural land and in accordance with a resolution adopted by the Authority on November 24, 1981, is certified and eligible for designation as an agricultural preserve as provided under the provisions of Minn. Stat. 473H. Subdivision 4.

4. This affidavit is submitted at the request of St Lawrence Farms LP, (Applicants) for the purpose of making application for designation and creation of an agricultural preserve in accordance with Minn. Stat., Chapter 473H.

Dated:

Signature:

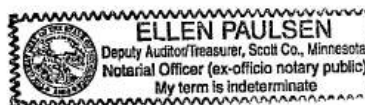
March 4, 2020
[Signature]
County Deputy Auditor/Treasurer
County of Scott

Subscribed and sworn to me

This 4th day of March, 2020

[Signature]
Signature of Notary Public

Commission Expires: Indeterminate



Drafted By:

Dana Anderson
Scott County Deputy Auditor/Treasurer
200 4th Avenue West
Shakopee, MN 55379

EXHIBIT A
Legal Description of Property

Parcel 1

The Southeast Quarter (SE ¼), and the West Half of the East Half of the Northeast Quarter (W ½ E ½ NE ¼); and

That part of Government Lots 2 and 3 of Section 14, Township 114 North, Range 24 West, Scott County, Minnesota, described as follows:

Beginning at the northeast corner of said Government Lot 2, from which the northeast of said Section 14 bears South 88 degrees 27 minutes 13 seconds East 2645.65 feet (bearing based on the Scott County Coordinate System NAD 83 (1996 Adjustment)); thence South 25 degrees 00 minutes 04 seconds West 957.60 feet to a 3/4 inch by 24 inch rebar with a plastic cap stamped "MN DNR LS 17003"; thence South 72 degrees 30 minutes 16 seconds West 646.82 feet to an existing iron pipe with a 2 1/2 inch diameter brass cap stamped "MINNESOTA DEPT OF NATURAL RESOURCES PROPERTY POST" on the southeasterly line of that certain tract of land described in the deed filed for record on November 28, 1972, in the office of Scott County Recorder as Document No. 133706; thence South 42 degrees 50 minutes 31 seconds West 244.46 feet along said southeasterly line of said tract; thence South 44 degrees 02 minutes 11 seconds West 413.08 feet along said southeasterly line of said tract; thence South 49 degrees 10 minutes 51 seconds West 342.31 feet along said southeasterly line of said tract; thence South 47 degrees 43 minutes 06 seconds West 182.43 feet along said southeasterly line of said tract; thence South 41 degrees 34 minutes 56 seconds West 325.41 feet along said southeasterly line of said tract; thence South 41 degrees 35 minutes 26 seconds West 182.40 feet along said southeasterly line of said tract; thence South 43 degrees 39 minutes 11 seconds West 214.77 feet along said southeasterly line of said tract; thence South 35 degrees 55 minutes 41 seconds West 151.98 feet along said southeasterly line of said tract; thence South 29 degrees 42 minutes 41 seconds West 90 feet, more or less, along said southeasterly line of said tract to the south line of said Government Lot 3; thence east along the south line of said Government Lot 3 a distance of 2350 feet, more or less, to the southeast corner thereof; thence North 03 degrees 01 minute 40 seconds East along the east line of said Government Lot 3 and along the east line of said Government Lot 2 a distance of 2660 feet, more or less, to the point of beginning.

All in Section 14, Township 114, Range 24, Scott County, MN.

PID #: 109140023

AND

Parcel 2

The West Half of the Northeast Quarter (W ½ NE ¼), and the East Half of the Southwest Quarter (E ½ SW ¼) and Government Lot 4, and the North Quarter of the Southwest Quarter of the Southwest Quarter (N ¼ SW ¼ SW ¼) all in Section 14, Township 114, Range 24, in Scott County, MN.

PID #: 109140040

AND

Parcel 3

The West Half of the Southwest Quarter (W ½ SW ¼) in Section 13, Township 114, Range 24, in Scott County, MN.

PID #: 109130031