

WAIVER OF ASSESSMENT RIGHTS

1. The City of Shakopee ("City") is undertaking a project known as the East Shakopee Industrial Sewer Improvement Project ("Project") pursuant to which public sanitary sewer will be extended to serve various properties in the City. Those properties will be specially assessed for their proportionate cost of the Project.
2. The undersigned is the owner of property ("Property") located at 7480 Co Rd 101 E, which will be served by the public sanitary sewer after the Project is completed. The description of the Property is described in Exhibit A. The undersigned represents and warrants that it is the fee owner of the property described in Exhibit A and that it has the full legal authority and power to encumber the Property.
3. The estimated special assessment on the Property is \$11,668.84. The undersigned understands that this amount is only an estimate and that the final assessment will be determined in accordance with the City's adopted assessment policy.
4. At the time that the Property is connected to public sanitary sewer, the Property would be subject to a Metropolitan Sewer Availability Fee ("Metropolitan SAC Fee") of \$2,435/unit and a City Sewer Availability Fee ("City SAC Fee") of \$475/unit. The City has indicated a willingness to waive the City SAC Fee and to apply a credit that is available to the City for the Metropolitan SAC Fee so that the undersigned would not be obligated to pay either SAC Fee when the Property is connected to public sanitary sewer.
5. In exchange for the City waiving the City SAC fee and applying a credit for the Metropolitan SAC fee, the undersigned is willing to waive its right to challenge the special assessment for the Project up to a maximum amount of \$11,668.84.
6. The undersigned waives notice of hearing and hearing pursuant to Minnesota Statutes 429.031 on the special assessment to be levied against the Property to finance the Improvement Project pursuant to Minnesota Statutes 429.061 and specifically requests that the special assessments be levied up to a maximum amount of \$11,668.84 without such a hearing.
7. The undersigned waives all rights to appeal or otherwise contest or challenge the levy of the special assessment that will ultimately be levied against the Property, including but not limited to the right to challenge whether the increase in fair market value resulting from the construction of the Improvement Project is at least equal to the amount of the project cost that is assessed against the Property and that such increase in fair market value is a special benefit to such parcel. The undersigned further agrees that any requirements of Minnesota Statutes, Chapter 429 are waived to the extent that such requirements are not met.

Tietjen Family Inc., a Minnesota corporation (should be signed by an officer of the corporation)

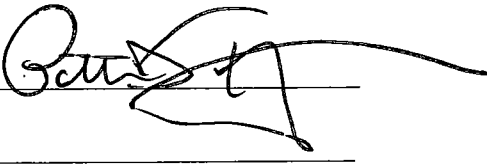
By  _____
Its _____

EXHIBIT A
(DESCRIPTION OF PROPERTY)

PID: 27-073006-0

LOT 1 BLK 3 CRETEX INDUSTRIAL PARK 1ST ADDN