



PERMANENT EASEMENT

157910
THIS AGREEMENT, Made and entered into this 7th day of JUNE, 1977, by and between EAGLEWOOD, a Minnesota limited partnership (hereinafter called "Eaglewood"), and the CITY OF SHAKOPEE, a Municipal corporation (hereinafter called "Shakopee"),

WITNESSETH THAT:

WHEREAS, Eaglewood is the owner of all that property described on Exhibit A, which is attached hereto, made a part hereof and incorporated herein by reference; and

WHEREAS, Shakopee has required a Permanent Easement for roadway purposes across said property between Eaglewood Drive and County Road 17.

NOW THEREFORE, In consideration of the mutual covenants herein contained, it is hereby agreed by and between Eaglewood and Shakopee as follows:

1. Eaglewood does hereby grant to the City of Shakopee a permanent roadway easement over and across the property described in Exhibit A, attached hereto, and incorporated herein by reference.
2. If construction of this road is found necessary by Shakopee, all costs of such construction shall be borne and paid by Eaglewood, its successors or assigns, directly or by assessment, or in accordance with the Developer's Agreement entered into by and between the parties.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the day and year first above written.

Edward H. Mesenbrink
Edward H. Mesenbrink

EAGLEWOOD

By

Lloyd S. Gunderson
Lloyd Gunderson
Its General Partner

Marie M. Mesenbrink
Marie M. Mesenbrink

CITY OF SHAKOPEE

By

Joe Harkness
Its Mayor

And *Paula Meade*
Its City Clerk

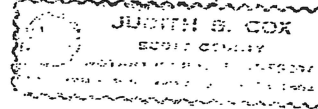
STATE OF MINNESOTA)
COUNTY OF SCOTT) ss.

The foregoing instrument was acknowledged before me this 7th day of June, 1977 by Lloyd Gunderson, partner on behalf of EAGLEWOOD, a limited partnership.

STATE OF MINNESOTA)
COUNTY OF SCOTT) ss.



The foregoing instrument was acknowledged before me this 1st day of Sept. 1977, by W.C. Buchert and Douglas J. Mesner, the Mayor and City Clerk, respectively, of CITY OF SHAKOPEE, a Municipal Corporation, on behalf of the corporation.



No. 1003—Certificate of Acknowledgment.

MILLER-DAVIS CO., MINNEAPOLIS

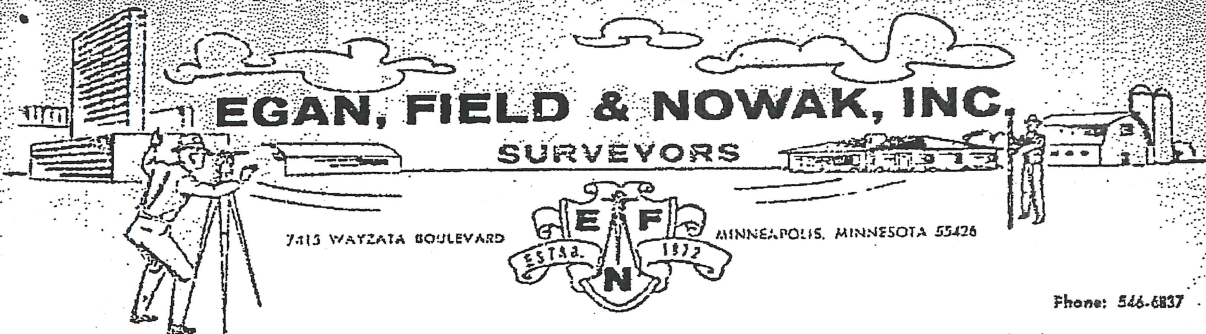
STATE OF Minnesota
County of Scott) ss.

On this 24th day of August, A. D. 1977, before me, a Notary Public within and for said County, personally appeared Edward H. Mesenbrink and Marie M. Mesenbrink, husband and wife

to me known to be the person^s described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

My commission expires





PRESIDENT
ARTHUR E. OSTLUND
REGISTERED LAND SURVEYOR

VICE PRESIDENT
VERNON A. NICKOLS
REGISTERED LAND SURVEYOR

June 7, 1977

EXHIBIT "A"

DESCRIPTION OF PROPOSED ROAD EASEMENT

A 60 foot road easement over that portion of the Northwest Quarter and that portion of the Southwest Quarter of Section 32, Township 115, Range 22, the center line of which is described as follows:

Commencing at the Northwest corner of Lot 9, Block 1, EAGLEWOOD 3RD ADDITION; thence on an assumed bearing of South 1 degree 16 minutes 35 seconds West, along the West line of said Lot 9, a distance of 59.08 feet; thence North 88 degrees 43 minutes 25 seconds West, a distance of 30 feet to the point of beginning of the center line to be described; thence South 1 degree 16 minutes 35 seconds West, a distance of 170 feet; thence Southwesterly on a tangential curve to the right, having a radius of 580.84 feet, a distance of 385.23 feet; thence South 39 degrees 16 minutes 35 seconds West, tangent to last described curve, a distance of 135 feet; thence Southwesterly, Southerly and Southeasterly along a tangential curve to the left, having a radius of 380 feet, a distance of 799.19 feet; thence Easterly and Northeasterly a compound curve having a radius of 880 feet a distance of 614.36 feet; thence North 58 degrees 46 minutes 35 seconds East, tangent to last described curve, a distance of 380 feet; thence Northeasterly and Easterly, along a tangential curve to the right, having a radius of 738.55 feet, a distance of 399.93 feet; thence North 89 degrees 48 minutes 10 seconds East, tangent to last described curve, to the West line of County State Aid Highway No. 17 and there terminating.