#### 668596

OFFICE OF COUNTY RECORDER KANDIYOHI COUNTY MINNESOTA

FILED AND/OR RECORDED ON

07/27/2020 04:30:10 PM

JULIE KALKBRENNER COUNTY RECORDER

BY: SUSAN BREDESON DEPUTY

### AGREEMENT FOR TILE LINE EASEMENT

THIS AGREEMENT is made this 22 day of 100, 2020, by Lawrence Seifert as Trustee of the Lamont Seifert Testamentary Trust Dated December 7, 2000; Linda J. Seifert as Trustee of the Linda Seifert Trust; Lawrence J. Seifert and Pamela A. Seifert as Trustees of the 2006 Seifert Family Trust; Laurene Decker a/k/a Laurene J. Decker as Trustee of the Laurene Decker Living Trust Dated April 20, 2018; and Leland Seifert, a single person; Linda J. Seifert f/k/a Linda J. Devincenzi, and Jeffrey R. Stein, her husband; and Lawrence J. Seifert and Pamela A. Seifert, his wife; (collectively "Seifert"), and Scott E. Wagar and Patricia Wagar, husband and wife ("Wagar").

#### RECITALS

A. Wagar is the owner of real property located in Kandiyohi County, Minnesota legally described as follows:

See attached Exhibit A (the "Wagar Property").

B. Seifert is the owner of real property located in Kandiyohi County, Minnesota legally described as follows:

See attached Exhibit B (the "Seifert Property").

- C. An underground tile drainage system is located on the Seifert Property, and that system drains into an underground tile drainage system located on the Wagar Property.
- D. The parties desire to memorialize their agreement for an easement for the tile drainage system.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Grant of Easement. Wagar hereby grants and conveys to Seifert a perpetual easement for use as a tile drainage system over and across the Wagar Property. This Easement is granted as an easement for the use, maintenance and repair of the tile drainage system located on the Wagar Property, and the right to connect an underground tile line located on the Seifert Property to the drainage system located on the Wagar Property. This Easement shall run with the land, shall be



perpetual and shall be binding upon and inure to the benefit of Seifert, their heirs, successors and assigns.

- 2. <u>Construction and Repairs.</u> It is understood and agreed that Seifert shall be responsible for the maintenance and upkeep of the tile drainage system located on the Seifert Property. Wagar shall be responsible for the maintenance and upkeep of the tile drainage system located on Wagar Property.
- 3. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Minnesota.
- 4. <u>Binding Effect.</u> The provisions of this Agreement shall inure to the benefit of the parties, and their respective representatives, heirs, successors and assigns. The benefits and burdens of the Easement created herein shall be appurtenant to and run with title to the respective properties of the parties to this Agreement.
- 5. <u>Amendment.</u> This Easement and any provision herein contained may be terminated, extended, modified or amended, only with the express written consent of Seifert and Wagar. No amendment, modification, extension or termination of this Easement will affect the rights of the holder of a mortgage constituting a lien on any portion of the property affected herein at the time of such amendment, modification, extension or termination unless such mortgagee consents to the same.

Scott E. Wagar

Patricia Wagar

STATE OF MINNESOTA

COUNTY OF KANDYDH ;

The foregoing instrument was acknowledged before me this 22 day of July 2020, by Scott E. Wagar and Patricia Wagar, husband and wife.

()000

SHARI J COURTNEY

# LAMONT SEIFERT TESTAMENTARY TRUST DATED DECEMBER 7, 2000

By: Lawrence Seifert, Trustee/	Trustee
STATE OF CAUSEOFFER	. )
COUNTY OF OTAPGE	) ss 
The foregoing instrument was ackn 2020, by Lawrence Seifert as Truste	nowledged before me this 12 day of 5000, ee of the Lamont Seifert Testamentary Trust Dated December
7, 2000.	
NICHOLAS STEVEN KEEN COMM. # 231186 NOTARY PUBLIC CALIFOR ORANGE COUNTY	9 🚜 Yotary Public

LINDA SEIFERT TRUST	
Musle Sugle	
By: Linda-J. Seifert, Trustee	
STATE OF)	
COUNTY OF	
The foregoing instrument was acknowledged before 2020, by Linda J. Seifert as Trustee of the Linda S	re me this day of, eifert Trust.
	Notary Public

NAME OF THE PROPERTY OF THE PR	CIVIC CODE 9 110s
**************************************	7.00 MAY 1900 J.40 J.40 J.40 J.40 J.40 J.40 J.40 J.
A notary public or other officer completing this certific document to which this certificate is attached, and not to	ate verifies only the identity of the individual who signed the the truthfulness, accuracy, or validity of that document.
State of California )	
County of San Luis object)	
On Time 8th 2020 before me, +0	Here Insert Name and Title of the Officer
personally appeared Linda	Seifert
	Name(s) of Signer(s)
subscribed to the within instrument and acknow	evidence to be the person(s) whose name(s) is are reledged to me that he she/they executed the same in his/her/their signature(s) on the instrument the person(s) cted, executed the instrument.
The state of the s	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
FATIMA ALAMILLA Notary Public - California San Luis Obtypo County	WITNESS my hand and official seal.
My Comm. Explires Apr. 12, 2023	Signature of Notary Public
Place Notary Seal Above	TICALAL
Though this section is optional, completing this	TIONAL information can deter alteration of the document or sform to an unintended document.
Description of Attached Document	
	Document Date:
Number of Pages: Signer(s) Other Tha	n Named Above:
Capacity(ies) Claimed by Signer(s)	
Signer's Name:	Signer's Name:
Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
□ Partner — □ Limited □ General	☐ Partner — ☐ Limited ☐ General
	<ul><li>☐ Individual</li><li>☐ Attorney in Fact</li><li>☐ Guardian or Conservator</li><li>☐ Other:</li></ul>
Other:	Cianar la Danzacatione

Signer Is Representing: \_\_\_\_

Signer is Representing:

# 2006 SEIFERT FAMILY TRUST By: Lawrence J. Seifert, Trastee STATE OF CALTFORNIA SS COUNTY OF ORANGE The foregoing instrument was acknowledged before me this 152 day of 3000 2020, by Lawrence J. Seifert as Trustee of the 2006 Seifert Family Trust. NICHOLAS STEVEN KEENER COMM. # 2311869 ORANGE COUNTY Notary Public MY COMM. EXP. NOV 8, 2023 STATE OF CALEFORNER COUNTY OF \_ CRANGE The foregoing instrument was acknowledged before me this 1/2 day of Three 2020, by Pamela A. Seifert as Trustee of the 2006 Seifert Family Trust.

Notary Public

# LAURENE DECKER LIVING TRUST DATED APRIL 20, 2018

By: Laurene Decker, Trustee
STATE OF ) ss
COUNTY OF
The foregoing instrument was acknowledged before me this day of, 2020, by Laurene Decker a/k/a Laurene J. Decker as Trustee of the Laurene Decker Living Trus Dated April 20, 2018.
Notary Public

plata abjunctis

# CALIFORNIA JURAT WITH AFFIANT STATEMENT See Attached Document (Notary to cross out lines 1–6 below) See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary) 1 2 3

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5	
Signature of Document Signer No. 1	Signature of Document Signer No. 2 (if any)
A notary public or other officer completing this certificate to which this certificate is attached, and not the truthful	verifies only the identity of the individual who signed the documenness, accuracy, or validity of that document.
State of California	Subscribed and sworn to (or affirmed) before me
County of VENTURA	on this 4 day of large, 20 Z
	on this 4 day of LNE, 20 Ze by Date Month Yeo  (1) LAURENE DECKER
JOANNE CADIS	(and (2)
Notary Public - California Ventura County Commission # 2307439	Name(s) of Signer(s)
My Comm. Expires Oct 28, 2023	proved to me on the basis of satisfactory evidence to the person(s) who appeared before me
	X 10-8.22 0 1
Place Notary Seal and/or Stamp Above	Signature Signature of Notary Public
	PTIONAL SIGNATURE OF NOTARY PUBLIC
	an deter alteration of the document or his form to an unintended document.
Description of Attached Document	
Title or Type of Document:	
Document Date:	Number of Pages:
Signer(s) Other Than Named Above:	

©2017 National Notary Association

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Lefand Seifert Deute Cleuse Cl	
COUNTY OF)	
The foregoing instrument was acknowledged before me this day of, 2020, by Leland Seifert, a single person.	
Notary Public (Delow) CA	(
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness; accuracy, or validity of that document.	
State of California  County of of C	
personally appeared balanda de tert	
(Name(s) of Signer(s))  who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/ber/their authorized capacity(ies); and that ty his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.	
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.	
WITNESS my hand and official seal.	
Signature (Seal) (Seal) COMM. # 2317168 OKERN COUNTY COMM. EXPIRES JAN. 20, 2024	

Linda J. Seifert  Jelfrey R. Stein	
STATE OF)	
COUNTY OF	
The foregoing instrument was acknowled 2020, by Linda J. Seifert f/k/a Linda J. Dev	ged before-me this day of, rincenzi, and Jeffrey R. Stein, her husband.
	Notary Public

#### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

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A notary public or other officer completing this certific document to which this certificate is attached, and not t	ate verifies only the identity of the individual who signed the he truthfulness, accuracy, or validity of that document.
State of California	
^	
County of San Luis Obispo )	
On June 6th 2020 before me, Fat	tima Alamilla, Notam Robic
Date	Here Insert Name and Title of the Officer
111 10 50 0 0.0	ert and Jeffrey R. Stein
personally appeared What I Selfe	Name(s) of Signer(s)
	Name(s) or signer(s)
who proved to me on the basis of satisfactory	evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknow	ledged to me that be shown executed the same in
his/per/their)authorized capacity(ies), and that by h	his/new(their signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s) ac	cted, executed the instrument.
	I certify under PENALTY OF PERJURY under the laws
	of the State of California that the foregoing paragraph
	is true and correct.
FATIMA ALAMILLA	WITNESS my hand and official seal.
Notary Public - California San Luis Obispo County	DI- ON
My Cornm. Expires Apr 12, 2023	hitrary / ///
Amerikan selektron selektron kalifan di Bandi berkan selektron kalifan di Bandi Bandi.	Signature ANNU Wonder
	Signature of Notary Public
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Place Notary Seal Above	
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	information can deter alteration of the document or
fraudulent reattachment of this	s form to an unintended document.
Description of Attached Document	
Title or Type of Document:	Document Date:
Number of Pages: Signer(s) Other Tha	n Named Above:
Capacity(ies) Claimed by Signer(s)	
Signer's Name:	Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
□ Partner - □ Limited □ General	☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
□ Other:	☐ Other:

Signer Is Representing:

Signer Is Representing: \_\_\_\_

Lawrence J. Seifert  Pamela A. Seifert	*
STATE OF CALIFORMSA  COUNTY OF ORKNER	) ) ss )
The foregoing instrument was acknown 2020, by Lawrence J. Seifert and Pan	wledged before me this 12 day of 3 606, nela A. Seifert, his wife.
NICHOLAS STEVEN KEENER COMM. # 2311869 NOTARY PUBLIC CALIFORNIA ORANGE COUNTY	Notary Public

THIS INSTRUMENT DRAFTED BY:
Bradley J. Schmidt
Johnson, Moody, Schmidt & Kleinhuizen, P.A.
320 1st St. South P.O. Box 913 Willmar, MN 56201 320-235-2000

# EXHIBIT A (Legal Description of Wagar Property)

That part of the Northwest Quarter of Section 16, Township 119 North, Range 34 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota described as follows:

- Commencing at the northwest corner of said Section 16;
- thence on an assumed bearing of South 00 degrees 47 minutes 17 seconds West, along the west line of said Section 16, a distance of 885.17 feet to the point of beginning of the land to be described:
- thence on a bearing of South 89 degrees 12 minutes 43 seconds East a distance of 25.00 feet;
- thence on a bearing of South 00 degrees 47 minutes 17 seconds West a distance of 145.00 feet;
- -thence on a bearing of South 32 degrees 13 minutes 41 seconds East a distance of 350.58 feet;
- thence on a bearing of South 89 degrees 28 minutes 54 seconds East a distance of 1327.00 feet;
- thence on a bearing of South 01 degrees 43 minutes 57 seconds West a distance of 1340.50 feet to the south line of said Northwest Quarter;
- thence on a bearing of North 89 degrees 17 minutes 32 seconds West, along the south line of said Northwest Quarter, a distance of 1520.91 feet to the southwest corner of said Northwest Quarter;
- thence on a bearing of North 00 degrees 47 minutes 17 seconds East, along the west line of said Section 16, a distance of 1775.16 feet to the point of beginning.

# EXHIBIT B (Legal Description of Seifert Property)

All of the Grantors' right, title and interest in and to the North Half of Section 16, except the following described tract: commencing at a point on the East line of said Northeast Quarter of the Northeast Quarter 60 feet South of the Northeast corner, thence South along the East line of said Northeast Quarter of the Northeast Quarter a distance of 705 feet, thence West and parallel to the North line of said Northeast Quarter of the Northeast Quarter a distance of 582 feet, thence North and parallel to the East line of said Northeast Quarter of the Northeast Quarter a distance of 705 feet, thence East and parallel to the North line of said Northeast Quarter of the Northeast Quarter a distance of 582 feet to the point of beginning, all in Township 119 North, Range 34 West.

#### ALSO EXCEPT

That part of the Northwest Quarter of said Section 16 described as follows:

- -Commencing at the northwest corner of said Section 16;
- thence on an assumed bearing of South 00 degrees 47 minutes 17 seconds West, along the west line of said Section 16, a distance of 885.17 feet to the point of beginning of the land to be described;
- thence on a bearing of South 89 degrees 12 minutes 43 seconds East a distance of 25.00 feet;
- thence on a bearing of South 00 degrees 47 minutes 17 seconds West a distance of 145.00 feet;
- thence on a bearing of South 32 degrees 13 minutes 41 seconds East a distance of 350,58 feet;
- thence on a bearing of South 89 degrees 28 minutes 54 seconds East a distance of 1327.00 feet;
- thence on a bearing of South 01 degrees 43 minutes 57 seconds West a distance of 1340.50 feet to the south line of said Northwest Quarter;
- thence on a bearing of North 89 degrees 17 minutes 32 seconds West, along the south line of said Northwest Quarter, a distance of 1520.91 feet to the southwest corner of said Northwest Quarter;
- thence on a bearing of North 00 degrees 47 minutes 17 seconds East, along the west line of said Section 16,
   a distance of 1775.16 feet to the point of beginning.