

City of Tower

PO Box 576 • Tower, MN 55790 • (218)753-4070

RESOLUTION 2020-026

A RESOLUTION REQUESTING THAT THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT AND THE MINNESOTA COMMISSIONER OF FINANCE RELEASE PROPERTY WHICH IS SUBJECT TO CERTAIN DECLARATIONS

Motion by: _____ Shedd _____ Second By: _____ Beldo _____

WHEREAS, the City of Tower is a municipal corporation and political subdivision of the State of Minnesota (hereinafter 'the City'); and

WHEREAS, the Tower Economic Development Authority is a public body corporate and politic and political subdivision of the State of Minnesota (hereinafter "TEDA"); and

WHEREAS, the City of Tower and TEDA own real property located in the City and legally described on Exhibit A attached hereto (hereinafter "the Property") part of which is included in the Tower Harbor Plat; and

WHEREAS, the City and TEDA received certain grants from the State of Minnesota for the purpose of improving property part of which is now being platted as Tower Harbor (the "Grants"); and

WHEREAS, as a condition of the Grants, the Property is subject to restrictions and encumbrances as set forth further in the following:

- (i) Declaration executed on November 13, 2006 and recorded in the Office of the St. Louis County Recorder on March 27, 2007 as Document No. 01046920;
- (ii) Declaration executed on March 13, 2007 and recorded in the Office of the St. Louis County Recorder on March 27, 2007 as Document No. 01046921; and
- (iii) Declaration executed on October 1, 2009 and recorded in the Office of the St. Louis County Recorder on October 6, 2009 as Document No. 01119811; and
- (iv) Amendment of Declaration executed on November 25, 2013 and recorded in the Office of the Registrar of Titles on January 13, 2014 as Document No. 940601; and
- (v) Amendment of Declaration executed on November 25, 2013 and recorded in the Office of the Registrar of Titles on January 13, 2014 as Document No. 940602; and
- (vi) Amendment of Declaration executed on November 25, 2013 and recorded in the Office of the Registrar of Titles on January 13, 2014 as Document No. 940603 (collectively, the "Declarations").

WHEREAS, the Property was mistakenly described in the Declarations and included property not improved by the grants, and it is not and was not, at the time the Declarations were executed, bond financed property within the meaning of Minn. Stat. Section 16A.695 and was not improved with proceeds of the Grants; and

This institution is an equal opportunity provider and employer

“Lake Vermilion’s Harbor City”

WHEREAS, the City and TEDA have determined that the Property is not needed for public infrastructure in relation to the Tower Industrial Park Project, the Tower Historic Redevelopment Project, or the Tower Historic Reconstruction Project; and

WHEREAS, the City and TEDA are seeking to have the Property released from the Declarations by the Minnesota Department of Employment and Economic Development and the Minnesota Commissioner of Finance, as set forth in the Declarations.

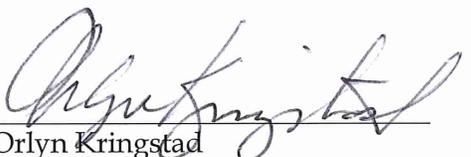
WHEREAS, the City and TEDA are requesting to have the grant-improved portions of the Property correctly restricted pursuant to the legal descriptions as platted in the Tower Harbor Plat and as legally described on Exhibit B attached hereto, by the Minnesota Department of Employment and Economic Development and the Minnesota Commissioner of Finance, as set forth in the Declarations.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF TOWER, MINNESOTA as follows:

The City requests, by way of written release or other suitable instrument in recordable form signed by both the Minnesota Department of Employment and Economic Development and the Minnesota Commissioner of Finance, that the Property be released from the Declarations and restrict the grant-improved portions of the Property as legally described in Exhibit B.

Passed and adopted by Tower City Council this 22nd day of June, 2020.

VOTE	Kringstad	Beldo	Majerle	Shedd	Setterberg
Aye	<input checked="" type="checkbox"/>				
Nay	<input type="checkbox"/>				
Abstain	<input type="checkbox"/>				
Absent	<input type="checkbox"/>				



 Orlyn Kringstad
 Mayor

Attested by:


 Victoria Ranua
 City Clerk/Treasurer

EXHIBIT A

Narrative description of Tower owned property for Marina and Road Improvement

The property consists of two main parcels. The first is 2.8 acres north of the river and west of Highway 169 described as follows:

- All that part of the West half of the Southwest quarter (W 1/2 of SW 1/4) of Section Thirty-two (32) in Township Sixty-two (62) North, Range Fifteen (15) West of the Fourth Principal Meridian, lying within the following described lines.

Commencing at the southwest corner of the Town of Tower, County of St. Louis and State of Minnesota, according to the original map or plat of the said Town of Tower made and certified to by Franklin Prince, surveyor and civil engineer, under date of March 3, 1884 A.D., duly filed and recorded in the office of the Register of Deeds in St. Louis County aforesaid; thence south 65.27 feet to a point; thence north 50° west 547 feet; thence south 40° west 515 feet to a point which is the point of beginning of the tract or parcel of land hereby conveyed; thence continue in a general southerly direction along the last described course 92.2 feet to the northerly or right bank of the stream known as East Two Rivers; thence following the said bank of said stream south 65° 10' east 241 feet; thence south 69° 16' east 181 feet; thence south 71° 31' east 267 feet; thence south 45° 58' east 114.7 feet; thence south 73° 8' east 89.7 feet to a point on the said right bank of said East Two Rivers due south of said southwest corner of the Town of Tower and on the extended west line of Tamarack Street as shown upon said plat of the Town of Tower; thence north along said extended west line of Tamarack Street to an intersection with the north line of the Southwest quarter of the Southwest quarter (SW 1/4 of SW 1/4) of said Section 32; thence westerly along said north line of said SW 1/4 of SW 1/4 295 feet; thence in a straight line to the point of beginning; the land hereby conveyed containing 0.88 acres, more or less, in the Northwest quarter of the Southwest quarter (NW 1/4 of SW 1/4) and 1.09 acres, more or less, in the Southwest quarter of the Southwest quarter (SW 1/4 of SW 1/4) of said Section 32;

EXCEPTING all minerals and **SUBJECT** to mineral rights excepted, granted or reserved by prior conveyances of record;

SUBJECT to railroad right of way and highway right of way;

SUBJECT ALSO to the rights of lessees and licensees now in possession of said premises.

The second parcel is 98 acres more or less south of the developed land within the City of Tower, south of Highway 169 and on both sides of Highway 135 described as follows:

- Part of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), Section Thirty-two (32),

Township Sixty-two (62) North, Range Fifteen (15) West of the Fourth Principal Meridian according to the United States Government Survey thereof described as follows: Lying southeasterly of the South right-of-way line of State Highway No. 169 and South of the South bank of the East Two Rivers, as located as of the date of this deed.

AND

Part of the Southeast Quarter of the Southwest Quarter (SE ¼ of SW ¼), Section Thirty-two (32), Township Sixty-two (62) North, Range Fifteen (15) West of the Fourth Principal Meridian according to the United States Government Survey thereof described as follows: Lying southwesterly of the East right-of-way line of State Trunk Highway No. 135 and southerly of the South bank of the East Two Rivers and all the unplatted portion lying northeasterly of the East right-of-way line of State Trunk Highway No. 135 as is located as of the date of this deed;

EXCEPTING deed dated January 9, 1892 as recorded in the office of the Register of Deeds for St. Louis County on October 5, 1892 in Book 68 of Deeds, Page 355 more fully described as follows: Commencing at the Southwest corner of Section Thirty-two (32) in Township Sixty-two (62) North of Range Fifteen (15) West of the FOURTH PRINCIPAL MERIDIAN of Minnesota running thence East along the section line 2096 feet; thence North at right angle with said section line 840 feet to a point on a line with the West boundary line extended of Pine Street in the Town of Tower which last point is at the southeast corner of the tract of land conveyed hereby; beginning at said last point and running thence West parallel with said section line 600 feet; thence North 250 feet to the South bank of the East Two Rivers; thence Easterly along the bank of said East Two Rivers to a point on the West line of said Pine Street extended; thence South to the point of beginning at the Southeast corner of said tract of land and containing three and one-half acres more or less; and

FURTHER EXCEPTING that part conveyed by deed dated February 24, 1888 and recorded in the office of the Register of Deeds for St. Louis County in Book 25 of Deeds, Page 249 more fully described as follows: All that part of the Southwest Quarter of Section 32, located in the Village of Tower as platted and recorded in the office of the Recorder of Deeds; a strip of land one hundred feet in width, being fifty feet on each side of the center line, which center line runs in a westerly direction from the east line of said Block 12, through Lots 1, 2, 3 and 4 thereof; also, through the unplatted portions South of Blocks 12 and 23; also through Lots 1, 2 and 3, Block 24; also, through Lots 13, 12, 11, 10, 7 and 8, Block 25, and to the west line of Pine Street, as located and built.

AND

Lots Ten (10) and Eleven (11), Block Twenty-five (25) and Lots Six (6), Seven (7), and Eight (8), Block Twenty-four (24) all in the Plat of TOWER, according to the plat thereon of file and of record in the office of the Register of Deeds for said St. Louis County, Minnesota, EXCEPTING that part conveyed by deed dated February 24, 1888 and recorded in the office of the Register of Deeds for St. Louis County in Book 25 of Deeds,

Page 249 more fully described as follows: all that part of the Southwest Quarter of Section 32, located in the Village of Tower as platted and recorded in the office of the Recorder of Deeds; a strip of land one hundred feet in width, being fifty feet on each side of the center line, which center line runs in a westerly direction from the East line of said Block 12, through Lots 1, 2, 3 and 4 thereof; also through the unplatted portions South of Blocks 12 and 23; also through Lots 1, 2 and 3, Block 24; also through Lots 13, 12, 11, 10, 7 and 8, Block 25, and to the West line of Pine Street, as located and built.

SUBJECT to leases, licenses, existing easements and right-of-way, and reservations, recorded or unrecorded.

AND

An irregular shaped parcel of land lying and being in the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Thirty-two (32), Township Sixty-two (62) North, Range Fifteen (15) West of the Fourth Principal Meridian, described as follows: Beginning at a point on the westerly boundary line of Pine Street which point is 22 feet northerly of, as measured at right angles, Track No. 80, also known as the Tower House Track; thence in a northwesterly direction parallel to and always 22 feet distant from said Tower House Track to the intersection of the last described course with the southerly boundary line of the right-of-way of State Trunk Highway No. 1; thence in an easterly direction along the said southerly right-of-way line to its intersection with the westerly boundary of said Pine Street; thence in a southerly direction along the said westerly boundary line of Pine Street to the point of beginning, comprising an area of 0.24 acres, more or less, as shown on the attached "Exhibit "A", which is hereby made a part hereof.

Except iron ore and all other ore, minerals and fossils are subject to mineral rights, as owned or record by other parties.

AND

(This deed is given to correct a previous deed between the same parties dated July 21, 1962, and recorded in the office of the Register of Deeds of St. Louis County, Minnesota, on August 27, 1962, as Document No. 11814.)

Lot Three (3), Section Five (5), in Township Sixty-one (61) North, of Range Fifteen (15) West of the 5th P.M., in St. Louis County, Minnesota.

Lot Four (4), or the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of SECTION Five (5), in TOWNSHIP Sixty-one (61) North of RANGE Fifteen (15) West of the Fourth Principal Meridian.

EXCEPT all minerals.

There is another small 6.5 acre parcel west of the project area that will most likely not be used and lies north of Highway 169 and is described as follows:

- That part of Lot 1, Section 6 Township 61 North of Range 15 West of the Fourth Principal Meridian, lying North of U.S. Highway 169 right of way as it exists this same date, EXCEPT that part which lies NE'ly of the following described line:

Commencing at the NE corner of said Government Lot 1; thence S 89 degrees 17 minutes 41 seconds W along the N line of said Government Lot 1 a distance of 228.02 feet to the W'ly right of way line of U.S. Highway 169; thence S 48 degrees 30 minutes 35 seconds W along said W'ly right of way line a distance of 723.34 feet to a tangential curve concave to the northwest; thence SW'ly along said right of way line and said curve with a delta angle of 2 degrees 05 minutes 03 seconds and a radius of 1834.86 feet, a distance of 66.74 feet to the point of beginning, thence N 44 degrees 43 minutes 27 seconds W a distance of 717.65 feet to the NW corner of said Government Lot 1 and there terminating.

EXCEPT minerals and mineral rights.

SUBJECT to easements and restrictions of record at the date of the tax judgment sale, including but without limitation, permits for telephone, telegraph and electric power lines either by underground cable or conduit or otherwise, sewer and water lines, highways, railroads and pipe lines for gas, liquids or solids in suspension, recorded in the office of the Register of Deeds, as Document No. 109881.

SUBJECT to perpetual right, privilege and easement to construct and maintain an electric transmission line, said right being limited to a strip of land not exceeding 40 feet in width, being 20 feet on either side of said center line, except for purpose of clearing away timber and where a greater width is necessary for guy wires, etc. recorded in the office of the Register of Deeds, in Book 41 of Miscellaneous, page 148.

SUBJECT to an easement for the purpose of constructing and maintaining thereon a trunk highway, together with the right to erect snow fence on said land and on the adjoining lands as granted by laws 1929, Chapter 396, Section 1, recorded in the office of the Register of Deeds, in Book 739 of Deeds, page 415.

SUBJECT to an easement for the purpose of constructing, reconstructing, improving and maintaining thereon a trunk highway together with the right to construct and maintain such temporary snow fences upon said tracts of land and upon adjacent lands and to construct slopes upon the lands herein specifically mentioned and to take all trees, shrubs, grass and herbage within the right of way of Trunk Highway Number 1 and to keep and have the exclusive control of the same recorded in the office of the Register of Deeds, in Book 744 of Deeds, page 298.

SUBJECT to an undivided $\frac{1}{2}$ interest in the mineral rights reserved by deed recorded in the office of the Register of Deeds, in Book 719 of Deeds, page 132.

SUBJECT to an undivided $\frac{1}{12}$ interest in the mineral rights reserved by deed recorded in the office of the Register of Deeds, in Book 719 of Deeds, page 133.

SUBJECT to an undivided $\frac{1}{12}$ interest in the mineral rights reserved by deed recorded in the office of the Register of Deeds, in Book 753 of Deeds, page 571.

SUBJECT to an undivided 1/12 interest in the mineral rights reserved by deed recorded in the office of the Register of Deeds, in Book 754 of Deeds, page 375.

SUBJECT to mineral rights reserved by deed recorded in the office of the Register of Deeds; in Book 719 of Deeds, page 138.

SUBJECT to mineral rights reserved by deed recorded in the office of the Register of Deeds, in Book 719 of Deeds, page 134.

SUBJECT to mineral rights reserved by deed recorded in the office of the Register of Deeds, in Book 719 of Deeds, page 136.

EXCEPT

A parcel of land located in the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 32, Township 62 North, Range 15 West of the Fourth Principal Meridian in St Louis County, Minnesota more particularly described as follows:

Commencing at the southwest corner of said Section 32; thence easterly, along the south line of the Southwest Quarter of the Southwest Quarter of said Section 32 on an assigned bearing of North 89 degrees 50 minutes 43 seconds East for a distance of 1318.27 feet to the southeast corner of said Southwest Quarter of the Southwest Quarter; thence North 01 degrees 03 minutes 39 seconds West, along the east line of said Southwest Quarter of the Southwest Quarter 150.02 feet to the north right of way line of Trunk Highway Number 135 according to the CITY OF TOWER RIGHT OF WAY PLAT NUMBER 1, recorded in the Office of the Registrar of Titles in said county as Document No. 877367, also recorded in the Office of the County Recorder in said county as Document No. 1122967, said point being the Point of Beginning; thence westerly, along said north right of way line South 89 degrees 50 minutes 43 seconds West 101.77 feet; thence westerly 43.91 feet, along the said north right of way line and along a tangential curve, concave to the north having a radius of 599.07 feet and a central angle of 04 degrees 12 minutes 00 seconds; thence North 22 degrees 16 minutes 22 seconds East 421.47 feet; thence North 89 degrees 50 minutes 43 seconds East 43.41 feet; thence North 52 degrees 58 minutes 56 seconds East 289.61 feet; thence South 37 degrees 01 minutes 04 seconds East 177.28 feet; thence North 54 degrees 06 minutes 06 seconds East 148.73 feet; thence South 37 degrees 05 minutes 50 seconds East 66.01 feet; thence South 54 degrees 06 minutes 06 seconds West 196.52 feet; thence South 37 degrees 06 minutes 10 seconds East 45.64 feet; thence South 52 degrees 58 minutes 56 seconds West 510.00 feet to the north right of way line of said Trunk Highway Number 135; thence South 89 degrees 50 minutes 43 seconds West, parallel with the south line of said Southwest Quarter of the Southwest Quarter 16.91 feet to the Point of Beginning.

Said parcel contains 170,059 square feet or 3.90 acres more or less.

River Parcel

All that part of Section 32, Township 62 North, Range 15 West of the Fourth Principal Meridian and of Section 31, Township 62 North, Range 15 West of the Fourth Principal Meridian lying between the east and west bank of the East Two Rivers and which lies northerly of the south right-of-way line of State Trunk Highway 169

AND

Boat House Parcel

All that part of the west half of the Southwest Quarter ($W \frac{1}{2}$ of $SW \frac{1}{4}$) of Section Thirty-two (32) in Township Sixty-two (62) North, Range Fifteen (15) West of the Fourth Principal Meridian, lying within the following described lines.

Commencing at the southwest corner of the Town of Tower, County of St. Louis and State of Minnesota, according to the original map or plat of the said Town of Tower made and certified to by Franklin Prince, surveyor and civil engineer, under date of March 3, 1884 A.D., duly filed and recorded in the office of the Register of Deeds in St. Louis County aforesaid; thence South 65.27 feet to a point; thence North 50 degrees West 547 feet; thence South 40 degrees West 515 feet to a point which is the POINT OF BEGINNING or the tract or parcel of land hereby conveyed; thence continue in a general southerly direction along the last described course 92.2 feet to the northerly or right bank of the stream known as East Two Rivers; thence following the said bank of said stream South 65 degrees 10 minutes East 241 feet; thence South 69 degrees 16 minutes East 181 feet; thence South 71 degrees 31 minutes East 267 feet; thence South 45 degrees 58 minutes East 114.7 feet; thence South 73 degrees 8 minutes East 89.7 feet to a point on the said right bank of said East Two Rivers due south of said southwest corner of the Town of Tower and on the extended west line of Tamarack Street as shown upon said plat of the Town of Tower; thence north along said extended west line of Tamarack Street to an intersection with the north line of the Southwest Quarter of the Southwest Quarter ($SW \frac{1}{4}$ of $SW \frac{1}{4}$) of said Section 32; thence westerly along said north line of said $SW \frac{1}{4}$ of $SW \frac{1}{4}$ 295 feet; thence in a straight line to the POINT OF BEGINNING; the land hereby conveyed containing 0.88 acres, more or less, in the Northwest Quarter of the Southwest Quarter ($NW \frac{1}{4}$ of $SW \frac{1}{4}$) and 1.09 acres, more or less, in the Southwest Quarter of the Southwest Quarter ($SW \frac{1}{4}$ of $SW \frac{1}{4}$) of said Section 32;

EXCEPTING all minerals and **SUBJECT** to mineral rights excepted, granted or reserved by prior conveyances of record;

SUBJECT to railroad right-of-way and highway right-of-way;

SUBJECT ALSO to the rights of lessees and licensees now in possession of said premises.

AND

Marina Parcel

All that part of the Southwest Quarter of Section 32, Township 62 North, Range 15 West of the Fourth Principal Meridian described as follows:

Commencing at a point on the south line of the said Southwest Quarter at the projected westerly line of Pine Street; thence South 00 degrees 31 minutes 56 seconds East along the projected westerly line of Pine Street a distance of 928.53 feet; thence South 89 degrees 50 minutes 43 seconds West parallel with the south line of said Southwest Quarter a distance of 482.13 feet to the POINT OF BEGINNING; thence North 10 degrees 59 minutes 24 seconds East a distance of 149.82 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 42.27 feet; thence North 01 degrees 26 minutes 01 seconds West a distance of 43.89 feet; thence South 89 degrees 06 minutes 21 seconds West a distance of 35.14 feet; thence North 11 degrees 54 minutes 00 seconds West a distance of 42.60 feet; thence South 85 degrees 12 minutes 23 seconds West a distance of 272.78 feet; thence South 67 degrees 36 minutes 26 seconds West a distance of 243.83 feet; thence North 41 degrees 34 minutes 20 seconds West a distance of 13.34 feet; thence South 49 degrees 10 minutes 42 seconds West a distance of 43.40 feet; thence South 41 degrees 34 minutes 20 seconds East a distance of 29.58 feet; thence South 76 degrees 44 minutes 53 seconds East a distance of 99.67 feet; thence South 10 degrees 55 minutes 05 seconds East a distance of 83.96 feet; thence North 85 degrees 34 minutes 52 seconds East a distance of 381.74 feet to the POINT OF BEGINNING and there terminating.

AND

T.H. 135 Right-of-Way Parcel

A 150.00 foot easement for highway purposes over, under and across the South Half (S ½) of the Southwest Quarter (SW ¼) of Section 32, Township 62 North, Range 15 West of the Fourth Principal Meridian and over, under and across Government Lots 3 and 4 of Section 5, Township 61 North, Range 15 West of the Fourth Principal Meridian. The centerline of said easement is described as follows:

Commencing at the southwest corner of said Section 32; thence easterly on an assigned bearing of North 89 degrees 50 minutes 43 seconds East along the south line of Section 32 a distance of 2636.55 feet to the south quarter corner of Section 32; thence South 01 degrees 11 minutes 40 seconds East along the north-south quarter line of said Section 5 a distance of 213.62 feet to the beginning of the centerline to be described; thence North 47 degrees 17 minutes 43 seconds West a distance of 91.10 feet; thence northwesterly 634.95 feet along a non-tangential curve concave to the south having a radius of 848.83 feet, a central angle of 42 degrees 53 minutes 18 seconds and a chord bearing of North 68 degrees 43 minutes 31 seconds West; thence South 89 degrees 50 minutes 43 seconds West a distance of 782.13 feet; thence northwesterly 531.23 feet along a tangential curve concave to the north having a radius of 674.07 feet and a central angle of 45 degrees 09

minutes 17 seconds and a chord bearing of North 67 degrees 34 minutes 38 seconds West; thence North 45 degrees 00 minutes 00 seconds West a distance of 351.25 feet; and said centerline there terminating.

Together with a strip of land 25.00 feet in width southerly of and adjoining the above described 150.00 foot strip and lying westerly of a line drawn at a right angle to said centerline from a point thereon distant 114.62 feet westerly from the terminus of the first above mentioned curve as measured along said centerline and easterly of a line radial to the second above described curve in said centerline at a point on said centerline 171.78 feet westerly, measured along said centerline, from the beginning of said curve.

Together with an irregularly shaped parcel southwesterly of and adjoining the above described 150.00 foot strip and westerly of and adjoining the above described 25.00 foot strip and lying northerly of the south line of Section 32 and lying northeasterly of the following described line:

Commencing at the southwest corner of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$; thence on an assigned bearing of North 89 degrees 53 minutes 55 seconds East along the south line of said Section 32 a distance of 900.11 feet to the POINT OF BEGINNING; thence North 45 degrees 02 minutes 43 seconds West a distance of 570.89 feet to the southeasterly right-of-way of Minnesota Trunk Highway 169 and there terminating.

Together with a strip of land 25.00 foot in width for temporary easement southerly of and adjoining: the above described 150.00 foot strip and easterly of and adjoining the above described 25.00 foot strip and lying westerly of a line radial to the first above described curve in said centerline at a point on said centerline 499.57 feet westerly, measured along said centerline, from the beginning of said curve.

AND

City Street Parcel

All that part of the Southwest Quarter of Section 32, Township 62 North, Range 15 West of the Fourth Principal Meridian and of the Government Lot 3, Township 61 North, Range 15 West of the Fourth Principal Meridian lying within 33 feet on both sides of the following described centerline described as follows:

Commencing at the south quarter corner of said Section 32; thence westerly along the south line of said Section 32 on an assigned bearing of South 89 degrees 50 minutes 43 seconds West a distance of 629.14 feet to the POINT OF BEGINNING which is called POINT A; thence North 00 degrees 03 minutes 31 seconds West a distance of 377.70 feet to a tangential curve concave to the west, said curve having a radius of 300.00 feet, central angle of 37 degrees 07 minutes 16 seconds for a distance of 194.37 feet; thence North 36 degrees 58 minutes 35 seconds West a distance of 197.09 feet to a tangential curve concave to the east having a radius of 240.00 feet, central angle of 86 degrees 09 minutes 19 seconds for a distance of 360.89 feet; thence North 49 degrees 18 minutes 00

seconds East for a distance of 142 feet more or less, to the north line of the East Two Rivers and there terminating.

ALSO

Beginning at the above described POINT A; thence South 00 degrees 03 minutes 31 seconds East a distance of 74.22 feet to a tangential curve concave to the west; said curve having a radius of 300.00 feet, a central angle of 21 degrees 24 minutes 25 seconds for a distance of 112.09 feet; thence South 21 degrees 20 minutes 54 seconds West a distance of 270.39 feet to the termination of said centerline which is called POINT B.

ALSO

All that part of said Government Lot 3 lying within 100.00 feet of above described POINT B.

EXCEPT

A parcel of land located in the Southwest Quarter of the Southwest Quarter and the Southeast

Quarter of the Southwest Quarter of Section 32, Township 62 North, Range 15 West of the Fourth Principal Meridian in St Louis County, Minnesota more particularly described as follows:

Commencing at the southwest corner of said Section 32; thence easterly, along the south line of the Southwest Quarter of the Southwest Quarter of said Section 32 on an assigned bearing of North 89 degrees 50 minutes 43 seconds East for a distance of 1318.27 feet to the southeast corner of said Southwest Quarter of the Southwest Quarter; thence North 01 degrees 03 minutes 39 seconds West, along the east line of said Southwest Quarter of the Southwest Quarter 150.02 feet to the north right of way line of Trunk Highway Number 135 according to the CITY OF TOWER RIGHT OF WAY PLAT NUMBER 1, recorded in the Office of the Registrar of Titles in said county as Document No. 877367, also recorded in the Office of the County Recorder in said county as Document No. 1122967, said point being the Point of Beginning; thence westerly, along said north right of way line South 89 degrees 50 minutes 43 seconds West 101.77 feet; thence westerly 43.91 feet, along the said north right of way line and along a tangential curve, concave to the north having a radius of 599.07 feet and a central angle of 04 degrees 12 minutes 00 seconds; thence North 22 degrees 16 minutes 22 seconds East 421.47 feet; thence North 89 degrees 50 minutes 43 seconds East 43.41 feet; thence North 52 degrees 58 minutes 56 seconds East 289.61 feet; thence South 37 degrees 01 minutes 04 seconds East 177.28 feet; thence North 54 degrees 06 minutes 06 seconds East 148.73 feet; thence South 37 degrees 05 minutes 50 seconds East 66.01 feet; thence South 54 degrees 06 minutes 06 seconds West 196.52 feet; thence South 37 degrees 06 minutes 10 seconds East 45.64 feet; thence South 52 degrees 58 minutes 56 seconds West 510.00 feet to the north right of way line of said Trunk Highway Number 135; thence South 89 degrees 50 minutes 43 seconds West, parallel with the south line of said Southwest Quarter of the Southwest Quarter 16.91 feet to the Point of Beginning.

Said parcel contains 170,059 square feet or 3.90 acres more or less.

Exhibit B

Boat House Parcel

All that part of the west half of the Southwest Quarter ($W \frac{1}{2}$ of $SW \frac{1}{4}$) of Section Thirty-two (32) in Township Sixty-two (62) North, Range Fifteen (15) West of the Fourth Principal Meridian, lying within the following described lines.

Commencing at the southwest corner of the Town of Tower, County of St. Louis and State of Minnesota, according to the original map or plat of the said Town of Tower made and certified to by Franklin Prince, surveyor and civil engineer, under date of March 3, 1884 A.D., duly filed and recorded in the office of the Register of Deeds in St. Louis County aforesaid; thence South 65.27 feet to a point; thence North 50 degrees West 547 feet; thence South 40 degrees West 515 feet to a point which is the POINT OF BEGINNING or the tract or parcel of land hereby conveyed; thence continue in a general southerly direction along the last described course 92.2 feet to the northerly or right bank of the stream known as East Two Rivers; thence following the said bank of said stream South 65 degrees IO minutes East 241 feet; thence South 69 degrees 16 minutes East 181 feet; thence South 71 degrees 31 minutes East 267 feet; thence South 45 degrees 58 minutes East 114.7 feet; thence South 73 degrees 8 minutes East 89.7 feet to a point on the said right bank of said East Two Rivers due south of said southwest corner of the Town of Tower and on the extended west line of Tamarack Street as shown upon said plat of the Town of Tower; thence north along said extended west line of Tamarack Street to an intersection with the north line of the Southwest Quarter of the Southwest Quarter ($SW \frac{1}{4}$ of $SW \frac{1}{4}$) of said Section 32; thence westerly along said north line of said $SW \frac{1}{4}$ of $SW \frac{1}{4}$ 295 feet; thence in a straight line to the POINT OF BEGINNING; the land hereby conveyed containing 0.88 acres, more or less, in the Northwest Quarter of the Southwest Quarter ($NW \frac{1}{4}$ of $SW \frac{1}{4}$) and 1.09 acres, more or less, in the Southwest Quarter of the Southwest Quarter ($SW \frac{1}{4}$ of $SW \frac{1}{4}$) of said Section 32;

EXCEPTING all minerals and SUBJECT to mineral rights excepted, granted or reserved by prior conveyances of record;

SUBJECT to railroad right-of-way and highway right-of-way;

SUBJECT ALSO to the rights of lessees and licensees now in possession of said premises.

AND

Those parts of Lot 1, Lot 2, and Lot 4, all in Block 2, TOWER HARBOR, according to the recorded plat thereof, St. Louis County, Minnesota, lying westerly of the west line of platted Harbor Drive, and easterly of the following described line:

Commencing at the Northeast Corner of said Lot 1, thence South 72 degrees 05 minutes 52 seconds West, along the northerly line of said Lot 1, a distance of 25.00 feet to the POINT OF

BEGINNING, and the beginning of a non-tangential curve, concave to the east, having a chord bearing of South 26 degrees 21 minutes 27 seconds East, a radius of 343.94 feet, and a central angle of 9 degrees 13 minutes 40 seconds; thence southeasterly along said curve a distance of 55.39 feet; thence South 37 degrees 05 minutes 50 seconds East a distance of 212.84 feet to the beginning of a non-tangential curve, concave to the west, having a chord direction of South 23 degrees 51 minutes 23 seconds East, a radius of 244.00 feet, and a central angle of 26 degrees 49 minutes 05 seconds; thence southerly along said curve a distance of 114.21 feet; thence South 00 degrees 03 minutes 31 seconds East a distance of 10.71 feet; thence North 89 degrees 56 minutes 29 seconds East a distance of 25.00 feet to the west line of said Harbor Drive and there terminating.

AND

Outlot D,

AND

Harbor Drive right-of-way,

All in TOWER HARBOR, according to the recorded plat thereof, St. Louis County, Minnesota.