

Memo

From: Joan Wall, Clerk-Treasurer

To: Freeport City Council

Date: 5/23/19

Re: Partial Release of Easement – Rita Blommel home

Scott Dymoke contacted me regarding the following matter:

“I’m working with Rita Blommel on the sale of her home at 215 Second St NE. The buyer’s attorney identified a blanket sewer line easement from 1921 over all of Lot 36, Auditor’s Subdivision No. 5. Rita Blommel owns part of Lot 36.

“I checked with Dave and confirmed that Freeport has a sewer line in place across Lot 36 that effects Rita Blommel’s property.

“Blanket easements were common up until about 25 years ago, when the Legislature prohibited their use. When we come across an old blanket easement, the practice is to confine the easement to described corridor.

“I have prepared a Partial Release of Easement that limits the sewer line easement across Rita Blommel’s property to 10 feet along the back of the property.

“Please place this item on the agenda for the next Council meeting. At the Council meeting, I’ll ask the Council to approve the partial release and authorize you and the Mayor to sign. I’ll bring a clean copy of the release to the meeting.

“Attached is a draft copy of the release, together with additional information showing Blommel’s property and the location of the sewer line.”

Partial Release of Easement

Date: May 28, 2019

FOR VALUABLE CONSIDERATION, the real property in Stearns County, Minnesota, legally described as follows:

See attached Exhibit A

is hereby released from the encumbrance of a certain easement dated April 19, 1921 and filed for record December 31, 1921, in Book K of A & A, Page 489, in favor of the Village (now City) of Freeport; EXCEPT that the City of Freeport shall retain said easement rights over that portion of said Lot 36, of Auditor's Subdivision No. 5 of the Village (now City) of Freeport described as follows, to-wit: *See attached Exhibit B.*

City of Freeport

Michael Eveslage, Mayor

Joan Wall, Clerk-Treasurer

STATE OF MINNESOTA)
)ss.
COUNTY OF STEARNS)

The foregoing instrument was acknowledged before me on _____, 20____, by Michael Eveslage, and Joan Wall, the Mayor and Clerk-Treasurer, respectively, of the City of Freeport, a Minnesota municipal corporation.

Notary Public

Exhibit A

That part of Lots 36, 38, and 39 of AUDITOR'S SUBDIVISION NO. 5, according to the recorded plat thereof, Stearns County, Minnesota, described as follows: Commencing at the most northerly corner of Lot 41, said AUDITOR'S SUBDIVISION NO. 5; thence South 60 degrees 35 minutes 17 seconds East, assumed bearing, along the northeasterly line of said Lot 41 and the northeasterly line of Lot 40, said AUDITOR'S SUBDIVISION NO. 5, and its southeasterly extension, 154.00 feet, to the point of beginning of the tract to be described; thence South 22 degrees 25 minutes 59 seconds West, 145.13 feet, to the northerly right of way of 2nd Street Northeast; thence South 60 degrees 35 minutes 20 seconds East, along said northerly right of way line, 117.07 feet; thence North 22 degrees 52 minutes 40 seconds East, 145.00 feet, to the northeasterly line of said Lot 38; thence North 60 degrees 35 minutes 17 seconds West, along said northeasterly line of Lot 38, the northeasterly line of Lot 39, and said southeasterly extension of the northeasterly line of Lot 40, a distance of 118.20 feet, to the point of beginning.

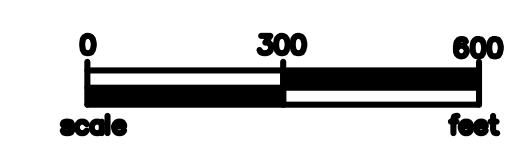
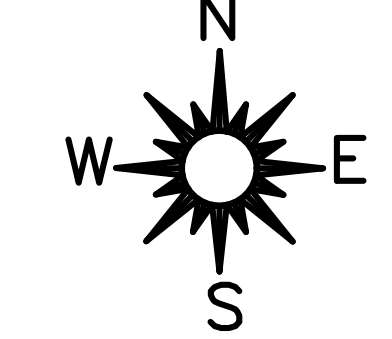
Parcel No. 54.32075.0000

Exhibit B

That part of Lot 36 of AUDITOR'S SUBDIVISION NO. 5 IN THE CITY OF FREEPORT, Section 3, Township 125 North, Range 32 West, Stearns County, Minnesota, lying northerly of a line that is ten feet southerly of and parallel to Line 1 described below:

Line 1. Commencing at the most northerly corner of Lot 41, said AUDITOR'S SUBDIVISION NO. 5; thence South 60 degrees 35 minutes 17 seconds East, assumed bearing, along the northeasterly line of said Lot 41 and the northeasterly line of Lot 40, said AUDITOR'S SUBDIVISION NO. 5, and its southeasterly extension, a distance of 154.00 feet, to the point of beginning of the line to be described; thence continuing South 60 degrees 35 minutes 17 seconds East, 47.00 feet, more or less, to the northwest corner of Lot 39 of said AUDITOR'S SUBDIVISION NO. 5, and there terminating.

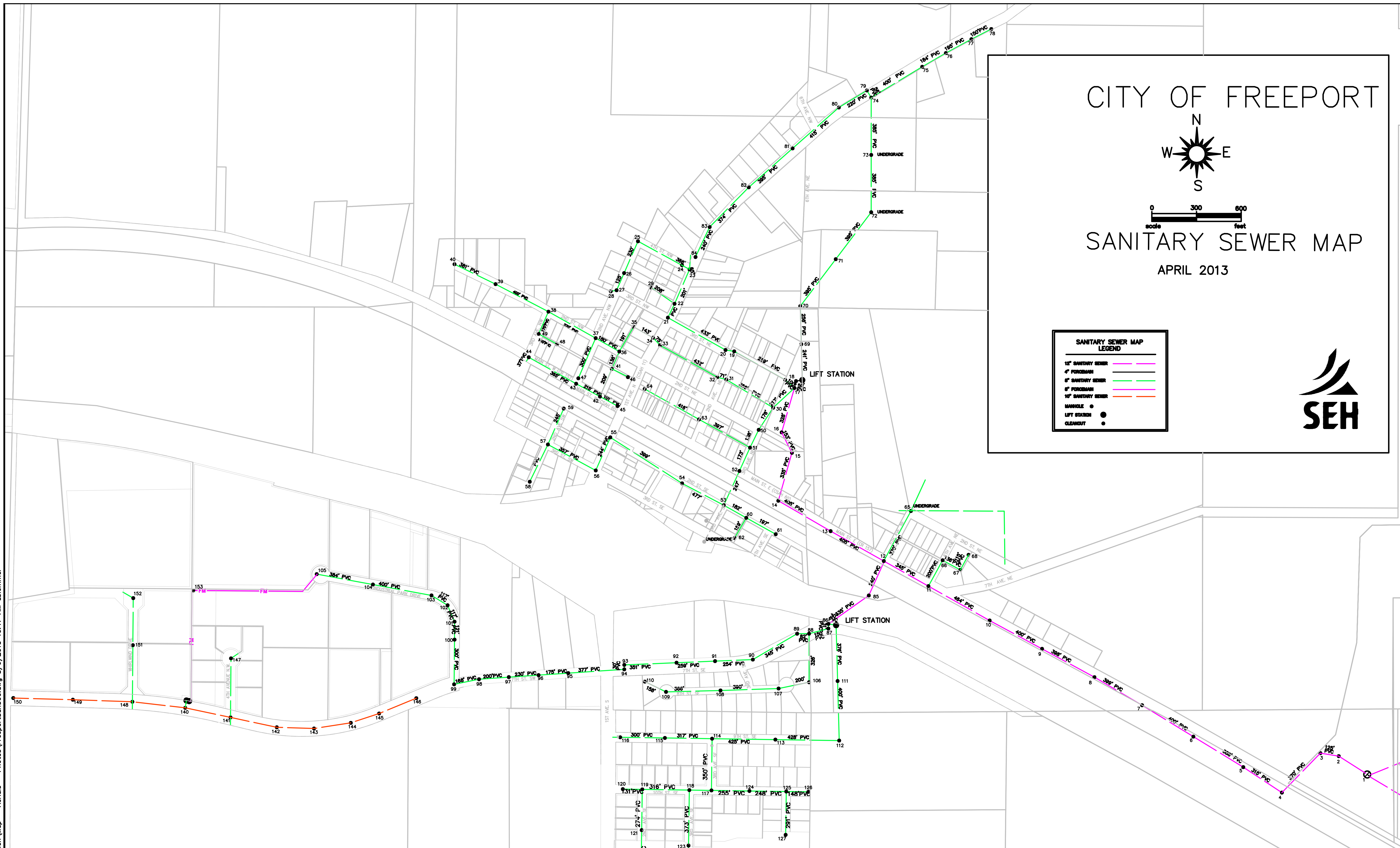
CITY OF FREEPORT



SANITARY SEWER MAP

APRIL 2013

SANITARY SEWER MAP LEGEND	
12" SANITARY SEWER	
4" FORCEMAIN	
6" SANITARY SEWER	
8" FORCEMAIN	
10" SANITARY SEWER	
MANHOLE	
LIFT STATION	
CLEANOUT	



P:\V\F\FREEP\common_Map - Aerials\FreeportSan300.dwg 8/6/2015 10:17 AM dblommel



PHONE: 320.229.4300
1200 25TH AVENUE SOUTH
P.O. BOX 1717
ST. CLOUD, MN 56302-1717
www.sehinc.com

FILE NO. FREEP COMMON
DATE: APRIL 2013

SANITARY SEWER SYSTEM
FREEPORT, MINNESOTA

EXHIBIT
NO. 2

Blommel Property



0 20 40 80 Feet



Data is as represented in Stearns County Databases. It is NOT Intended for Locational Use and Stearns County waives all liability from this product.

