



DISCLOSURE STATEMENT:
VACANT LAND

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- 1. Date 12/9/16
2. Page 1 of 10 pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED HERETO AND
4. MADE A PART HEREOF

5. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

6. NOTICE: This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page nine (9), are obligated to disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
8. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event before closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing, of any facts disclosed herein (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
9. Seller has disclosure alternatives allowed by MN Statutes. See Seller's Disclosure Alternatives form for further information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the transaction.

17. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
18. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause (10), regardless of whether the unit is in a common interest community not subject to Chapter 515B.

21. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase or any other option.

24. INSTRUCTIONS TO BUYER: Buyers are encouraged to thoroughly inspect the land personally or have it inspected by a third party, and to inquire about any specific areas of concern. NOTE: If Seller answers "NO" to any of the questions listed below, it does not necessarily mean that it does not exist on the land, did not occur, or does not apply. NO may mean that Seller is unaware.

28. INSTRUCTIONS TO SELLER: (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or inspection report(s) when completing this form. (3) Describe conditions affecting the land to the best of your knowledge. (4) Attach additional pages with your signature if additional space is required. (5) Answer all questions. (6) If any items do not apply, write "NA" (not applicable).

32. Land location or identification 14450 Nicollet Ct (Address,/Section/Township/Range)

33. PID # 02-75853-01-030, Legal Description THE GOLDEN TRIANGLE 4TH ADD 3 1

34. City or Township of Burnsville, County of Dakota, State of Minnesota.

35. A. GENERAL INFORMATION: The following questions are to be answered to the best of Seller's knowledge.

36. (1) What date 2/16/01 did you acquire the land?

37. (2) Type of title evidence: [] Abstract [] Registered (Torrens) [X] Unknown

38. Location of Abstract:

39. Is there an existing Owner's Title Insurance Policy? [X] Yes [] No

40. (3) Are you in possession of prior vacant land disclosure statement(s)? (If "Yes," please attach if in your possession.) [] Yes [X] No

42. (4) Are there any current or past Phase I, Phase II or Phase III Environmental Site Assessment(s)? (If "Yes," please attach if in your possession.) [X] Yes [] No

44. (5) Access (where/type): Egress and Egress Easement

45. Is access (legal and physical) other than by direct frontage on a public road? [X] Yes [] No



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48. Property located at 14450 Nicollet Ct Burnsville MN 55306

49. (6) Has the land been surveyed? Yes No

50. Year surveyed: 1987

51. What company/person performed the survey? unknown

52. Name: _____ Address: _____ Phone: _____

53. (7) Is this platted land? Yes No
54. If "Yes,"

55. has the plat been recorded? Yes No
56. do you have a certificate of survey in your possession? Yes No

57. If "Yes," who completed the survey? _____ When? _____

58. (8) Are there any property markers on the land? Yes No

59. If "Yes," give details: _____

60. _____

61. (9) Is the land located on a public or private road? Public Private Public: no maintenance

62. (10) Are there any private or non-dedicated roadways that you are responsible for? Yes No

63. (11) Are there any rivers, lakes, ponds, creeks, streams or springs running
64. through the land or along a boundary line? Yes No

65. (12) **Flood Insurance:** All properties in the state of Minnesota have been assigned a flood zone designation.
66. Some flood zones may require flood insurance.

67. (a) Do you know which zone the property is located in? Yes No

68. If "Yes," which zone? _____

69. (b) Have you ever had a flood insurance policy? Yes No

70. If "Yes," is the policy in force? Yes No

71. If "Yes," what is the annual premium? \$ _____

72. If "Yes," who is the insurance carrier? _____

73. (c) Have you ever had a claim with a flood insurance carrier or FEMA? Yes No

74. If "Yes," please explain: _____

75. _____

76. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood
77. insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums
78. previously charged for flood insurance for the property. As a result, Buyer should not rely on the premiums
79. paid for flood insurance on this property previously as an indication of the premiums that will apply after
80. Buyer completes their purchase.

81. (13) Is the land located in a drainage district, County or Judicial Drainage System? Yes No

82. (14) Is the land drain tiled? Yes No

83. (15) Is there a private drainage system on the land? Yes No

84. (16) Is the land located within a government designated disaster evacuation zone
85. (e.g., nuclear facility, hazardous chemical facility, hazardous waste facility)? Yes No

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89. (17) Are there encroachments? Yes No

90. (18) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:
91. _____
92. _____

93. B. GENERAL CONDITION: The following questions are to be answered to the best of Seller's knowledge.

94. (1) Are there any structures, improvements or emblements (e.g., crops) included
95. in the sale? Yes No

96. If "Yes," list all items: _____
97. _____
98. _____
99. _____

100. (2) Are there any abandoned or junk motor vehicles, equipment of any kind, or debris
101. included in the sale? Yes No

102. If "Yes," list all items: _____
103. _____

104. (3) Are there any drainage issues, flooding or conditions conducive to flooding? Yes No

105. (4) Has there been any damage by wind, fire, flood, hail or other cause(s)? Yes No

106. If "Yes," give details of what happened and when: _____
107. _____

108. (5) Were there any previous structures on the land? Yes No

109. (6) Are there any settling, erosion or soil movement problems on or affecting the land? Yes No

110. (7) Are there any gravel pits, caves, sink holes, or mineshafts on or affecting the land? Yes No

111. (8) For any questions in Section B answered "Yes," please explain: _____
112. _____
113. _____

114. C. USE RESTRICTIONS: The following questions are to be answered to the best of Seller's knowledge.

115. (1) Do any of the following types of covenants, conditions, reservations of rights or use, or restrictions affect the
116. use or future resale of the land?

117. (a) Are there easements, other than utility or drainage easements? Yes No

118. (b) Are there any public or private use paths or roadway rights of way/
119. easement(s)? Yes No

120. (c) Are there any ongoing financial maintenance or other obligations related to
121. the land that the buyer will be responsible for? Yes No

122. (d) Are there any communication, power, wind, pipeline (utility or drainage)
123. or other utility rights of way/easement(s)? Yes No

134. (e) Are there any railroad or other transportation rights of way/easement(s)? Yes No

135. (f) Is there subdivision or other recorded covenants, conditions or restrictions? Yes No

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- 139. (g) Are there association requirements or restrictions? Yes No
- 140. (h) Is there a right of first refusal to purchase? Yes No
- 141. (i) Is the land within the boundaries of a Native American reservation? Yes No
- 142. (j) Are there any Department of Natural Resources restrictions? Yes No
- 143. (k) Is the land located in a watershed district? Yes No
- 144. (l) Is the land enrolled in any Federal, State, or local governmental programs (e.g., CREP, CRP, EQIP, WRP, Conservation programs, riparian buffers, Sustainable Forest Incentive Act, etc.)? Yes No
- 145. (m) Are there any USDA Wetland Determinations? Yes No
- 146. (n) Are there any USDA Highly Erodible Land Determinations? Yes No
- 147. (o) Are there any conservation practices installed (e.g., terracing, waterways, control structures)? Yes No
- 148. (p) Are there any Federal or State listed species? Plants Animals Yes No
- 149. (q) Are there any third parties which have an interest in the mineral rights? Yes No
- 150. (r) Is there any forfeiture or transfer of rights (e.g., mineral, timber, development, etc.) Yes No
- 151. (s) Are there any historical registry restrictions? Yes No
- 152. (t) If any of the questions in Section C(1) are answered "Yes," please provide written copies of these covenants, conditions, reservations or restrictions if in your possession: _____
- 153. _____
- 154. _____
- 155. _____
- 156. _____
- 157. _____
- 158. _____
- 159. _____

160. (2) Have you ever received notice from any person or authority as to any breach of any of these covenants, conditions, reservations or restrictions? Yes No

161. If "Yes," please explain: _____

162. _____

163. _____

164. _____

165. (3) Is the land currently rented? Yes No

166. If "Yes," is there a written lease? Yes No

167. If "Yes," please provide a copy of the lease if in your possession or provide information:

168. Lease start date: _____

169. Lease end date: _____

170. Number of acres leased: _____

171. Price/acre: _____

172. Terms of lease: _____

173. Renter's name: _____ Phone number: _____

174. May the renter be contacted for information on the land? Yes No

175. (4) Is woodland leased for recreational purposes? Yes No

176. (5) Has a timber cruise been completed on woodland? Yes No

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179. Property located at 14450 Nicollet Ct Burnsville MN 55306
180. (6) Has timber been harvested in past 25 years? Yes No
181. If "Yes," what species was harvested? _____
182. Was harvest monitored by a registered forester? Yes No
183. (7) Are there plans for a new road, expansion of an existing road, airport, trail,
 184. affect by railroad or other improvement that may affect this land? Yes No
185. If "Yes," please explain: _____
186. _____
187. (8) Are there any zoning violations, nonconforming uses or unusual restrictions on the
 188. land that would affect future construction or remodeling? Yes No
189. **D. UTILITIES:** The following questions are to be answered to the best of Seller's knowledge.
190. (1) Have any percolation tests been performed? Yes No
191. When? _____ By whom? _____
192. Attach copies of results, if in your possession.
193. (2) Subsurface Sewage Treatment System Disclosure: (A subsurface sewage treatment system disclosure is
 194. required by MN Statute 115.55.) (Check appropriate box.)
195. Seller certifies that Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving
 (Check one.)
196. the above-described real property. (If answer is **DOES**, and the system does not require a state permit, see
 197. *Disclosure Statement: Subsurface Sewage Treatment System*.)
198. There is an abandoned subsurface sewage treatment system on the above-described real property.
 199. (*See Disclosure Statement: Subsurface Sewage Treatment System.*)
200. (3) Private Well Disclosure: (A well disclosure and Certificate are required by MN Statute 1031.235.)
 201. (*Check appropriate box.*)
202. Seller certifies that Seller does not know of any wells on the above-described real property.
203. Seller certifies there are one or more wells located on the above-described real property.
 204. (*See Disclosure Statement: Well.*)
205. Are there any wells serving the above-described property that are not located on the
 206. land? Yes No
207. If "Yes":
208. (1) How many properties or residences does the shared well serve? _____
209. (2) Is there a maintenance agreement for the shared well? Yes No
210. If "Yes," what is the annual maintenance fee? \$ _____
211. Is the land in a Special Well Construction Area? Yes No
212. (4) Are any of the following presently existing within the land:
213. (a) connection to public water? Yes No
214. (b) connection to public sewer? Yes No
215. (c) connection to private water system off-property? Yes No
216. (d) connection to electric utility? Yes No
217. (e) connection to pipelines (natural gas, petroleum, other)? Yes No
218. (f) connection to communication, power or utility lines? Yes No
219. (g) connection to telephone? Yes No
220. (h) connection to fiber optic? Yes No
221. (i) connection to cable? Yes No

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225. (5) Are any of the following existing at the boundary of the land:
- 226. (a) public water system access? Yes No
 - 227. (b) private water system access? Yes No
 - 228. (c) co-op water system access? Yes No
 - 229. (d) shared water system access? Yes No
 - 230. (e) electric service access? Yes No
 - 231. (f) pipeline (natural gas, petroleum, other) access? Yes No
 - 232. (g) communication, power or utility line access? Yes No
 - 233. (h) telephone access? Yes No
 - 234. (i) fiber optic access? Yes No
 - 235. (j) cable access? Yes No

236. E. ENVIRONMENTAL CONCERNS: The following questions are to be answered to the best of Seller's knowledge.

237. (1) Are there any buried storage tanks or buried debris or waste on the land? Yes No

238. If "Yes," give details: _____
 239. _____

240. (2) Are there any hazardous or toxic substances or wastes in, on, or affecting the land? Yes No

241. If "Yes," give details: _____
 242. _____

243. (3) Have any soil tests been performed? Yes No

244. When? 2/6/01 By whom? GME Consultants
 245. Attach copies of results if in your possession.

246. (4) Are there any soil problems? Yes No

247. If "Yes," give details: _____
 248. _____

249. (5) Are there any dead or diseased trees? Yes No

250. If "Yes," give details: _____

251. (6) Are there any insect/animal/pest infestations? Yes No

252. If "Yes," give details: _____
 253. _____

254. (7) Are there any animal burial pits? Yes No

255. If "Yes," give details: _____
 256. _____

256. (8) Are there any unused wells or other potential environmental hazards (e.g., fuel or
 257. chemical storage tanks, contaminated soil or water) on the land? Yes No

258. If "Yes," give details: _____
 259. _____

260. (9) Did the land at one time abut or was located in close proximity to a gas station, refuse
 261. disposal site, toxic substance storage site, junk yard or other pollution situation? Yes No

262. If "Yes," give details: _____
 263. _____

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267. (10) Is the land located in or near an agricultural zone? Yes No
268. If "Yes," the land may be subjected to normal and accepted agricultural practices and operations including,
269. but not limited to noise; dust; day and nighttime operation of farm machinery; the raising and keeping of
270. livestock; and the storage and application of manure, fertilizers, soil amendments, herbicides and pesticides
271. associated with normal agricultural operations.

272. Gardens and new tree plantings will be at least 30 feet from all surrounding property lines bordering any
273. agricultural field.

274. (11) Are there any landfills or waste disposal sites within two (2) miles of the land? Yes No
275. If "Yes," give details: _____

276. _____

277. (12) Is there any government sponsored clean-up of the land? Yes No
278. If "Yes," give details: _____

279. _____

280. (13) Are there currently, or have previously been, any orders issued on the land by any
281. governmental authority ordering the remediation of a public health nuisance
282. on the land? Yes No
283. If "Yes," Seller certifies that all orders HAVE HAVE NOT been vacated.

(Check one.)

284. (14) Other: _____

285. _____

286. _____

287. **F. PREFERENTIAL PROPERTY TAX TREATMENT:** Is the land subject to any preferential property tax status or any
288. other credits affecting the land (e.g., Disability, Green Acres, Rural Preserve,
289. Exclusive Ag Covenant)? Yes No

290. If "Yes," would these terminate upon the sale of the land? Yes No

291. Explain: _____

292. _____

293. **G. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code
294. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
295. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.

296. Seller represents that Seller IS IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,

(Check one.)

297. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
298. survive the closing of any transaction involving the property described herein.

299. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
300. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In
301. non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

302. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
303. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
304. Revenue Code.

305. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
306. for withholding the applicable tax, Buyer and Seller should seek appropriate legal and tax advice regarding
307. **FIRPTA compliance**, as the respective licensees representing or assisting either party will be unable to
308. assure either party whether the transaction is exempt from the FIRPTA withholding requirements.



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312. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

313. (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

314. Seller is not aware of any methamphetamine production that has occurred on the land.

315. Seller is aware that methamphetamine production has occurred on the land.

316. (See Disclosure Statement: Methamphetamine Production.)

317. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The land may be in or near an airport safety zone with zoning regulations adopted by the governing body that may affect the land. Such zoning regulations are filed with the county recorder in each county where the zoned area is located. If you would like to determine if such zoning regulations affect the land, you should contact the county recorder where the zoned area is located.

321. **J. CEMETERY ACT:** MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains or human burial grounds is guilty of a felony.

324. To your knowledge, are you aware of any human remains, burials or cemeteries located on the land?

Yes No

326. If "Yes," please explain: _____

327. _____
328. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08, Subd. 7.

331. **K. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory offender registry and person registered with the predatory offender registry under MN Statute 243.166 may be obtained by contacting the local law enforcement offices in the community where the land is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of Corrections web site at www.corr.state.mn.us.

336. **L. NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of Seller's knowledge.

338. **Notices:** Seller HAS HAS NOT received a notice regarding any proposed improvement project from any assessing authorities, the costs of which project may be assessed against the property. If "HAS," please attach and/or explain: _____

341. _____

342. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an ordinary buyer's use or enjoyment of the land or any intended use of the land? Yes No

344. If "Yes," explain: _____

346. **M. ADDITIONAL COMMENTS:**

347. _____
348. _____
349. _____
350. _____
351. _____
352. _____

354. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

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356. N. MN STATUTES 513.52 THROUGH 513.60:

357. Exceptions

358. The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to

- 359. (1) real property that is not residential real property;
- 360. (2) a gratuitous transfer;
- 361. (3) a transfer pursuant to a court order;
- 362. (4) a transfer to a government or governmental agency;
- 363. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 364. (6) a transfer to heirs or devisees of a decedent;
- 365. (7) a transfer from a cotenant to one or more other co-tenants;
- 366. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 367. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 369. (10) a transfer of newly constructed residential property that has not been inhabited;
- 370. (11) an option to purchase a unit in a common interest community, until exercised;
- 371. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with respect to a declarant under section 515B.1-103, clause (2);
- 373. (13) a transfer to a tenant who is in possession of the residential real property; or
- 374. (14) a transfer of special declarant rights under section 515B.3-104.

375. Waiver

376. The written disclosure required under sections 513.52 to 513.60 may be waived if Seller and the prospective Buyer agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not waive, limit or abridge any obligation for seller disclosure created by any other law.

379. No Duty to Disclose

- 380. A. There is no duty to disclose the fact that the property
- 381. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
- 382. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
- 383. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
- 384. (3) is located in a neighborhood containing any adult family home, community-based residential facility
- 385. or nursing home.

- 386. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
- 387. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a
- 388. timely manner, provides a written notice that information about the predatory offender registry and persons
- 389. registered with the registry may be obtained by contacting the local law enforcement agency where the
- 390. property is located or the Department of Corrections.

- 391. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs
- 392. A and B for property that is not residential property.

- 393. D. **Inspections.**
- 394. (1) Except as provided in paragraph (ii), Seller is not required to disclose information relating to the real
- 395. property if a written report that discloses the information has been prepared by a qualified third party
- 396. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means
- 397. a federal, state or local governmental agency, or any person whom Seller or prospective buyer reasonably
- 398. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
- 399. or investigation that has been conducted by the third party in order to prepare the written report.
- 400. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
- 401. information included in a written report under paragraph (i) if a copy of the report is provided to Seller.

403. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

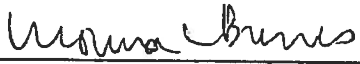
404. Property located at 14450 Nicollet Ct Burnsville MN 55306

405. O. SELLER'S STATEMENT:

406. *(To be signed at time of listing.)*

407. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s)
408. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to
409. any person or entity in connection with any actual or anticipated sale of the property. A seller may provide this
410. Disclosure Statement to a real estate licensee representing or assisting a prospective buyer. The Disclosure
411. Statement provided to the real estate licensee representing or assisting a prospective buyer is considered to have
412. been provided to the prospective buyer. If this Disclosure Statement is provided to the real estate licensee
413. representing or assisting the prospective buyer, the real estate licensee must provide a copy to the prospective
414. buyer.

415. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed**
416. **herein (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's**
417. **use or enjoyment of the property or any intended use of the property that occur up to the time of closing.**
418. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

419.  12/9/16 _____
(Seller) **Burns Professional Center LLC** (Date) (Seller) (Date)

420. P. BUYER'S ACKNOWLEDGEMENT:

421. *(To be signed at time of purchase agreement.)*

422. I/We, the Buyer(s) of the property, acknowledge receipt of this *Disclosure Statement: Vacant Land* and agree
423. that no representations regarding facts have been made other than those made above. This Disclosure Statement
424. is not a warranty or guarantee of any kind by Seller or licensee representing or assisting any party in the transaction
425. and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

426. The information disclosed is given to the best of Seller's knowledge.

427. _____
(Buyer) (Date) (Buyer) (Date)

428. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HEREIN AND ARE**
429. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

EXHIBIT A

LAND DESCRIPTION

Lot 5 together with that part of Lot 4, Block 1, THE GOLDEN TRIANGLE, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the most westerly corner of said Lot 5; thence South 45 degrees 11 minutes 38 seconds East, assumed basis for bearings, 209.49 feet along the southwesterly line of said Lot 5, said line being the northeasterly line of said Lot 4 to the southeasterly line of said Lot 4, said line being the westerly right-of-way line of Interstate 35E; thence southwesterly 95.02 feet along a non-tangential curve concave to the northwest having a radius of 1332.39 feet, a central angle of 04 degrees 05 minutes 10 seconds and a chord bearing of South 30 degrees 43 minutes 43 seconds West along said westerly right-of-way line and said southeasterly line of said Lot 4; thence continuing along said southeasterly line of said Lot 4, and said westerly right-of-way line, nontangent to the last described curve, South 45 degrees 14 minutes 08 seconds West 219.70 feet; thence North 61 degrees 51 minutes 16 seconds West 269.90 feet; thence North 28 degrees 08 minutes 44 seconds East 210 feet; thence northeasterly, northerly; and northwesterly 130.44 feet along a nontangential curve concave to the West having a radius of 226.86 feet, a central angle of 32 degrees 56 minutes 38 seconds, and a chord bearing of North 11 degrees 40 minutes 24 seconds East to the northerly line of said Lot 4; thence southeasterly 20.02 feet along a compound curve concave to the northeast having a radius of 250.00 feet, a central angle of 4 degrees 35 minutes 21 seconds and a chord bearing of South 61 degrees 13 minutes 03 seconds East; thence southeasterly, easterly, and northeasterly 110.00 feet, along said compound curve concave to the North having a radius of 110.00 feet and a central angle of 57 degrees 17 minutes 45 seconds to the point of beginning.

X
Subject to and reserving to the Grantor, its successors and assigns, a permanent easement for public utilities and a private non-exclusive ingress and egress easement for the benefit of the remainder of said Lot 4 over, under and across the westerly 80.00 feet of the above described part of said Lot 4.