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Plat book 9 page 61

*See Affidavit
99-3391
06/17/99
BK. 22 pg. 609.*

INSTR. NO. 993350
~~PLAT BK. 9~~ PAGE 61
BK. _____ PAGE _____

99 JUN 16 PM 12:04

JAN BORTSCHELLER
RECORDER

Prepared by: Montgomery, Barry & Boyce, 316 11th Street SW Plaza, P.O. Box 500, Spencer, IA 51301

FEE \$ 81.00

Paul R. Petitti, and Jean B. Petitti,
Husband and Wife,

Plat of Bayview Subdivision, Wahpeton,
Dickinson County, Iowa

Dated: June 16, 1999

Filed: June 16, 1999

Recorded:

Plat of Bayview Subdivision, Wahpeton,
Dickinson County, Iowa, is located on the
following described real estate, to-wit:

to

The Public.

A Subdivision of that part of Lot L of the First Addition to Lakewood Park, in the
City of Wahpeton, Dickinson County, Iowa, described as follows:

Commencing at the northwest corner of the Northeast Quarter (NE ¼) of
Section Twenty-six (26), Township Ninety-nine (99) North, Range Thirty-seven (37)
West of the Fifth Principal Meridian; thence South 0°44.6' West 1329.41 feet along
the westerly line of the Northeast Quarter (NE ¼) of said Section 26 to the northwest
corner of said Block L; thence South 87°43.1' East 61.08 feet along the northerly line
of said Block L to the easterly line of the Iowa Primary Road #86 right-of-way across
said Block L at a point North 87°43.1' West 2660.04 feet from the northeast corner of
said Block L; thence South 0°41.9' West 915.58 feet along said road right-of-way line;
thence South 53°33.8' East 104.09 feet along said road right-of-way line to the
centerline of Edgewood Drive across said Block L; thence South 38°25.6' West 55.23
feet along the easterly right-of-way line of said Primary Road #86 to the point of
beginning at the southerly right-of-way line of said Edgewood Drive; thence North
75°07.3' East 505.18 feet along said drive right-of-way line; thence Northeasterly
258.36 feet along said drive right-of-way line along a 442.25 feet radius curve concave
northwesterly with a long chord bearing North 58°22.8' East 254.70 feet to the
easterly line of said Block L; thence South 37°01.9' West 117.20 feet along said Block
L easterly line; thence Southwesterly 261.47 feet along said Block L easterly line along
a 377.46 feet radius curve concave southeasterly with a long chord bearing South
17°06.7' West 256.27 feet; thence Southeasterly 95.97 feet along said Block L easterly
line along a 141.71 feet radius curve concave northeasterly with a long chord bearing
South 21°02.4' East 94.14 feet; thence South 48°49.4' East 199.11 feet along said
Block L easterly line; thence South 37°21.7' East 51.98 feet along said Block L
easterly line to the southerly line of said Block L; thence North 87°56.4' West 829.31
feet along said Block L southerly line to the easterly right-of-way line of said Primary
Road #86 at a point South 87°56.4' East 62.12 feet from the southwest corner of said
Block L; thence North 0°41.9' East 240.82 feet along said road right-of-way line;
thence North 38°25.6' East 82.85 feet along said road right-of-way line to the point of
beginning, containing 6.04 acres.

That Paul R. and Jean B. Petitti are the sole owners of the above-described property.
Said plat is composed of seven (7) lots as set out in the Plat attached hereto and by this
reference made a part hereof, together with the notes of the surveyor and engineer locating the
corners of said lots with references to the streets therein.

13 709

(Extension of Entry No. 19.)

12:04 PM
June 16, 1999

DEDICATION. The above described property is platted with the free consent and in accordance with the desires of Paul R. and Jean E. Petitti, owners and proprietors of said land.

EASEMENTS. The ingress and egress easements shown on the plat are hereby dedicated to the use of all owners of the property in said plat for ingress and egress to the lots shown in the plat. The cost and maintenance of this ingress and egress easement through Lots 1, 2, 3 and 4 shall be the responsibility of each lot owner for the portion of that lot owner's lot through which the easement for ingress and egress runs.

The perpetual utility easements shown on the plat are dedicated to the public for utility installation, maintenance and repair.

All property in said plat shall be considered as being part of the Residential Zone under the City of Wahpeton Zoning Ordinance. Permits for the construction or improvement of any building on any of the land in this plat shall be obtained from the City Zoning Officer and all requirements of the City Zoning Ordinance of Wahpeton, Iowa, shall otherwise be complied with.

PROTECTIVE COVENANTS. The following Protective Covenants are to run with the land and shall be binding upon all of the lot owners set forth in said plat as prescribed in accordance with the laws of the State of Iowa.

- A. Said lots shall conform to Residential Zoning Ordinance of the Town of Wahpeton.
- B. All structures to be placed on any of the lots shall be constructed of new material. No buildings which are not of complete new construction shall be allowed to be moved onto the property.
- C. Any residential structure constructed on any of the lots shall meet the following minimum requirements:
 1. For one-story ranch style or for split-level styles:
 - a. 1,000 square feet ground floor area and at least a one-car attached garage.
 2. For two-story style:
 - a. 900 square feet ground floor area and at least a one-car attached garage.

3. Owners of Lots 1 through 6 shall have access through Lot 7 to the mouth of the canal on West Lake Okoboji. The permanent walkway and dock constructed through this area shall be the responsibility of and shall be paid for by the owners of said lots. The owners of said lots shall apply for a dock permit in the name of Bayview Subdivision. It shall be the responsibility of the owners of Lots 1 through 6 to set rules and regulations in regard to their operation and maintenance of Lot 7 and the use of the dock and the placement of boat hoists on the dock.
4. A home owners association shall be organized and formed for the owners of Lots 1 through 6. Each lot shall have one (1) vote. Said association shall elect officers, meet annually to make decisions in regard to Lot 7 and the dock from Lot 7 into West Lake Okoboji. The owners shall make such rules and regulations through said association as is necessary to monitor, control, and pay for the expenses of said lot.

The certificates of the Auditor, Clerk of the District Court, Recorder and Treasurer, all officers of Dickinson County, Iowa, attached hereto, are made a part hereof, as well as the certificate of Robert V. Bendixen, Registered Land Surveyor of Iowa, together with the survey and plat of said addition, the resolution of the Wahpeton Planning and Zoning Commissioner, Wahpeton, Iowa, and the resolution of the City Council of Wahpeton, Iowa approving said plat.

Paul R. Petitti
 PAUL R. PETITTI

Jean E. Petitti
 JEAN E. PETITTI

STATE OF IOWA, County of Dickinson, ss:

On this 16th day of June, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul R. Petitti and Jean E. Petitti, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

 DRUSILLA L. MCCARTHY
 My Commission Expires
 3-31-2000

Drusilla L. McCarthy
 Notary Public in and for said County and State

- b. 300 square feet 2nd story floor area.
- D. Lots 1, 2, 3, 4, 5, 6 and 7 shall not be resubdivided.
- E. No animals, livestock or poultry of any kind shall be raised, brought or kept on said lots, except that dogs, cats or other household pets are permitted if they are not kept, bred or maintained for any commercial purpose.
- F. Lots 1 through 4 (inclusive) shall share a common private access road. Said road shall be located as shown on the plat in a 50-foot wide ingress and egress easement. The maintenance and snow removal of said easement shall be the responsibility of the owners of Lots 1 through 4 inclusive. Each owner of the lots shall be responsible for maintenance, repair and construction of any hard surface or other material of the road through its area.
- G. Lots 1, 2, 3 and 4 shall have a front yard setback of a minimum one hundred (100) feet. No building or structure may be erected in this front yard setback. The front yards of Lots 1 through 4 shall be the western-most portion of said lots which is the area abutting Highway 86. It is the intent that Lots 1 through 4 have shall have consistent large front yards abutting Highway 86.
- H. Common Area - Lot 7. Lot 7 is designated as a greenspace common area and is dedicated to the owners of Lots 1 through 6 inclusive for the use and benefit of the owners of Lots 1 through 6. Lot 7 specifically is not dedicated to the use of the public, but only to the lot owners in this subdivision. The following restrictions are placed on Lot 7 in order to allow its most effective and beneficial use of Lots 1 through 6.
1. No building or structure shall be erected on Lot 7 with the exception of park-type amenities (gazebo, benches, etc.). Any construction shall be approved by a 100% vote of the lot owners. Any and all construction in Lot 7 shall also conform to current Wahpeton zoning ordinances.
 2. Owners of Lots 1 through 6 shall be responsible for the payment of the taxes on Lot 7 and further shall be responsible for the care and maintenance of Lot 7. Each lot shall bear one-sixth (1/6) of these costs. If a lot owner fails to pay his one-sixth (1/6) share after receiving notice in regard to those payments and is more than 60 days delinquent, then that owner shall lose its right to the use of Lot 7 until the owner of the lot is current with its share of the cost of taxes and maintenance of said lot.

PLAT OF BAYVIEW SUBDIVISION
Wahpeton, Dickinson County, Iowa

CERTIFICATE OF SURVEY

I, Robert V. Bendixen, a duly licensed land surveyor authorized to practice in the State of Iowa, do hereby certify that at the instance and request of the owners thereof, I surveyed the following described real estate located in Dickinson County, Iowa, to-wit:

A Subdivision of that part of Lot L of the First Addition to Lakewood Park, in the City of Wahpeton, Dickinson County, Iowa, described as follows:

Commencing at the northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-six (26), Township Ninety-nine (99) North, Range Thirty-seven (37) West of the Fifth Principal Meridian; thence South 0°44.6' West 1329.41 feet along the westerly line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 26 to the northwest corner of said Block L; thence South 87°43.1' East 61.08 feet along the northerly line of said Block L to the easterly line of the Iowa Primary Road #86 right-of-way across said Block L at a point North 87°43.1' West 2660.04 feet from the northeast corner of said Block L; thence South 0°41.9' West 915.58 feet along said road right-of-way line; thence South 53°33.8' East 104.09 feet along said road right-of-way line to the centerline of Edgewood Drive across said Block L; thence South 38°25.6' West 55.23 feet along the easterly right-of-way line of said Primary Road #86 to the point of beginning at the southerly right-of-way line of said Edgewood Drive; thence North 75°07.3' East 505.18 feet along said drive right-of-way line; thence Northeasterly 258.36 feet along said drive right-of-way line along a 442.25 feet radius curve concave northwesterly with a long chord bearing North 58°22.8' East 254.70 feet to the easterly line of said Block L; thence South 37°01.9' West 117.20 feet along said Block L easterly line; thence Southwesterly 261.47 feet along said Block L easterly line along a 377.46 feet radius curve concave southeasterly with a long chord bearing South 17°06.7' West 256.27 feet; thence Southeasterly 95.97 feet along said Block L easterly line along a 141.71 feet radius curve concave northeasterly with a long chord bearing South 21°02.4' East 94.14 feet; thence South 48°49.4' East 199.11 feet along said Block L easterly line; thence South 37°21.7' East 51.98 feet along said Block L easterly line to the southerly line of said Block L; thence North 87°56.4' West 829.31 feet along said Block L southerly line to the easterly right-of-way line of said Primary Road #86 at a point South 87°56.4' East 62.12 feet from the southwest corner of said Block L; thence North 0°41.9' East 240.82 feet along said road right-of-way line; thence North 38°25.6' East 82.85 feet along said road right-of-way line to the point of beginning, containing 6.04 acres.

PLAT OF BAYVIEW SUBDIVISION
Wahpeton, Dickinson County, Iowa

PROPRIETORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That Paul R. and Jean E. Petitti have caused that tract of land as shown in the Plat of Bayview Subdivision, which is hereto attached, to be surveyed, staked and platted as shown and set forth in and by the attached Plat and the Certificate by Robert V. Bendixen of Jacobson-Westergard & Association, Inc., Estherville, Iowa, who surveyed, staked and platted the same.

That the full legal description of the premises is attached hereto.

That it is with the free consent and in accordance with the desires of these proprietors and owners that the premises hereto informally platted be now officially filed and placed on the public record.

IN WITNESS WHEREOF, we subscribe our names this 2nd day of June, 1999.

PAUL R. PETITTI

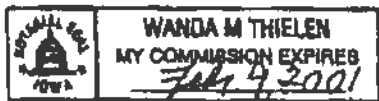
Paul R. Petitti

JEAN E. PETITTI

Jean E. Petitti

STATE OF IOWA, County of Dickinson, ss:

On this 2 day of June, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul R. Petitti and Jean E. Petitti, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Wanda M Thielen
Notary Public in and for said County and State

June 15, 1999

Page 2

said Block L; thence North $87^{\circ}56.4'$ West 829.31 feet along said Block L southerly line to the easterly right-of-way line of said Primary Road #86 at a point South $87^{\circ}56.4'$ East 62.12 feet from the southwest corner of said Block L; thence North $0^{\circ}41.9'$ East 240.82 feet along said road right-of-way line; thence North $38^{\circ}25.6'$ East 82.85 feet along said road right-of-way line to the point of beginning, containing 6.04 acres,


as disclosed by abstract of title last certified by Cornell Abstract Company, ~~061512~~
to June 14, 1999 at 10:04 p.m.

Said examination discloses good and merchantable title to be in Paul R. Petitti and Jean E. Petitti, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common.

As shown Entry No.20, the property is subject to the Zoning Ordinance of the City of Wahpeton.

Please note real estate taxes for the fiscal year 1997-98 are paid, as are prior years' taxes. Please also note my Title Guaranty Program Enrollment Number is 2693.

Very truly yours,




Dick H. Montgomery

DHM:mmc

to:Bayview.cer

For the purpose of subdividing and platting said real estate into a Plat known as Bayview Subdivision, Wahpeton, Dickinson County, Iowa, the Plat of which is hereto attached and by this reference made a part hereof; that said real estate was surveyed under my direction and the same was staked out and platted as seven (7) lots as shown on said Plat; that said Plat is a true and correct plat of said subdivision and that it sets forth the boundaries thereof with the size and dimensions of the lots in accordance with said survey. I further certify that the corners of the lots are marked with iron pins or capped rebars, and all dimensions of said Plat are shown in feet or decimals thereof.

IN WITNESS WHEREOF, I have hereunto set my name this 11th day of May, 1999.


 Robert V. Bendixen
 Registered Licensed Surveyor
 Iowa Registration No. 9017

RESOLUTION NO. 99-6

A RESOLUTION APPROVING THE PLAT OF BAYVIEW SUBDIVISION AS A SUBDIVISION IN THE CITY OF WAHPETON, IOWA.

WHEREAS, the owners of the property described in Exhibit A attached hereto and by this reference made a part hereof have caused to be prepared a Plat of Subdivision to plat said property as Bayview Subdivision to the City of Wahpeton pursuant to Chapter 354 of the 1999 Code of Iowa; and,

WHEREAS, said Plat of Bayview Subdivision includes seven (7) platted lots and utility easements as described and set out on the Plat as prepared and certified by Robert V. Bendixen, an Iowa registered land surveyor, has been presented to the City of Wahpeton for consideration; and,

WHEREAS, the proposed Plat of Bayview Subdivision has been presented to and reviewed by the Wahpeton Planning and Zoning Commission, which has unanimously recommended approval and acceptance of the Plat; and,

WHEREAS, said Plat has been considered by the City Council and has been found to conform with the requirements of the Code of Iowa and the ordinances of the City of Wahpeton, and,

WHEREAS, the public utility easements established in the Plat are appropriate and acceptable to the City;

NOW, THEREFORE, BE IT RESOLVED by the Wahpeton City Council as follows:

Section 1. The Plat of Bayview Subdivision to the City of Wahpeton, Dickinson County, Iowa, of the real property fully described in Exhibit A attached hereto is hereby approved and accepted.

Section 2. The utility easements depicted on the Plat and dedicated to the public are hereby accepted for the use and benefit of the public.

Section 3. The Mayor and City Clerk are hereby authorized and directed to execute platting documents necessary to complete the platting of Bayview Subdivision to the City of Wahpeton, Dickinson County, Iowa, and to certify the acceptance and approval of the Plat by the City of Wahpeton.

Passed, approved and adopted this 24 day of MAY, 1999.

Chelt Sliph
Mayor

ATTEST:

James Hoag
City Clerk



EXHIBIT A

A Subdivision of that part of Lot L of the First Addition to Lakewood Park, in the City of Wahpeton, Dickinson County, Iowa, described as follows:

Commencing at the northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-six (26), Township Ninety-nine (99) North, Range Thirty-seven (37) West of the Fifth Principal Meridian; thence South 0°44.6' West 1329.41 feet along the westerly line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 26 to the northwest corner of said Block L; thence South 87°43.1' East 61.08 feet along the northerly line of said Block L to the easterly line of the Iowa Primary Road #86 right-of-way across said Block L at a point North 87°43.1' West 2660.04 feet from the northeast corner of said Block L; thence South 0°41.9' West 915.58 feet along said road right-of-way line; thence South 53°33.8' East 104.09 feet along said road right-of-way line to the centerline of Edgewood Drive across said Block L; thence South 38°25.6' West 55.23 feet along the easterly right-of-way line of said Primary Road #86 to the point of beginning at the southerly right-of-way line of said Edgewood Drive; thence North 75°07.3' East 505.18 feet along said drive right-of-way line; thence Northeasterly 258.36 feet along said drive right-of-way line along a 442.25 feet radius curve concave northwesterly with a long chord bearing North 58°22.8' East 254.70 feet to the easterly line of said Block L; thence South 37°01.9' West 117.20 feet along said Block L easterly line; thence Southwesterly 261.47 feet along said Block L easterly line along a 377.46 feet radius curve concave southeasterly with a long chord bearing South 17°06.7' West 256.27 feet; thence Southeasterly 95.97 feet along said Block L easterly line along a 141.71 feet radius curve concave northeasterly with a long chord bearing South 21°02.4' East 94.14 feet; thence South 48°49.4' East 199.11 feet along said Block L easterly line; thence South 37°21.7' East 51.98 feet along said Block L easterly line to the southerly line of said Block L; thence North 87°56.4' West 829.31 feet along said Block L southerly line to the easterly right-of-way line of said Primary Road #86 at a point South 87°56.4' East 62.12 feet from the southwest corner of said Block L; thence North 0°41.9' East 240.82 feet along said road right-of-way line; thence North 38°25.6' East 82.85 feet along said road right-of-way line to the point of beginning, containing 6.04 acres.

LAW OFFICES
MONTGOMERY, BARRY & BOVEE

316 11TH STREET SW PLAZA
P.O. BOX 500
SPENCER, IOWA 51301-0500

B.I.F.: 42-0642214

TELEPHONE (712) 262-1150
FAX (712) 262-3590

DICK H. MONTGOMERY
RICHARD J. BARRY
MICHAEL R. BOVEE

June 16, 1999



Mr. and Mrs. Paul Petitti
1704 Edgewood Drive
Milford, IA 51351

Dear Mr and Mrs. Petitti:

We do hereby certify that we have examined abstract of title to the following described real property situated in Dickinson County, Iowa, to-wit:

A Subdivision of that part of Lot L of the First Addition to Lakewood Park, in the City of Wahpeton, Dickinson County, Iowa, described as follows:

Commencing at the northwest corner of the Northeast Quarter (NE¼) of Section Twenty-six (26), Township Ninety-nine (99) North, Range Thirty-seven (37) West of the Fifth Principal Meridian; thence South 0°44.6' West 1329.41 feet along the westerly line of the Northeast Quarter (NE¼) of said Section 26 to the northwest corner of said Block L; thence South 87°43.1' East 61.08 feet along the northerly line of said Block L to the easterly line of the Iowa Primary Road #86 right-of-way across said Block L at a point North 87°43.1' West 2660.04 feet from the northeast corner of said Block L; thence South 0°41.9' West 915.58 feet along said road right-of-way line; thence South 53°33.8' East 104.09 feet along said road right-of-way line to the centerline of Edgewood Drive across said Block L; thence South 38°25.6' West 55.23 feet along the easterly right-of-way line of said Primary Road #86 to the point of beginning at the southerly right-of-way line of said Edgewood Drive; thence North 75°07.3' East 505.18 feet along said drive right-of-way line; thence Northeasterly 258.36 feet along said drive right-of-way line along a 442.25 feet radius curve concave northwesterly with a long chord bearing North 58°22.8' East 254.70 feet to the easterly line of said Block L; thence South 37°01.9' West 117.20 feet along said Block L easterly line; thence Southwesterly 261.47 feet along said Block L easterly line along a 377.46 feet radius curve concave southeasterly with a long chord bearing South 17°06.7' West 256.27 feet; thence Southeasterly 95.97 feet along said Block L easterly line along a 141.71 feet radius curve concave northeasterly with a long chord bearing South 21°02.4' East 94.14 feet; thence South 48°49.4' East 199.11 feet along said Block L easterly line; thence South 37°21.7' East 51.98 feet along said Block L easterly line to the southerly line of

PLAT OF BAYVIEW SUBDIVISION
Wahpeton, Dickinson County, Iowa

CERTIFICATE OF APPROVAL
Wahpeton Planning & Zoning Commission

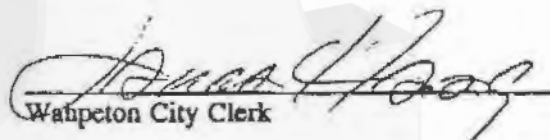
STATE OF IOWA, DICKINSON COUNTY, ss:

The undersigned, LAURA, states that (s)he is the duly appointed and acting City Clerk of the City of Wahpeton, Iowa, and that in such capacity (s)he acts as Secretary for the Wahpeton Planning & Zoning Commission.

The undersigned further states that the Wahpeton Planning & Zoning Commission has considered and reviewed the proposed Plat of Bayview Subdivision to the City of Wahpeton, Iowa. Following consideration and discussion, the Wahpeton Planning and Zoning Commission passed a motion unanimously recommending approval of the final Plat of Bayview Subdivision to the Wahpeton City Council.

The undersigned further states that, accordingly, the Plat of Bayview Subdivision to the City of Wahpeton has been approved as required by the Wahpeton Planning & Zoning Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of this office this 24 day of MAY, 1999.


Wahpeton City Clerk

Subscribed and sworn to before me by the said City Clerk this 3rd day of June, 1999.

Susan M. Schoning
Notary Public in and for the State of Iowa



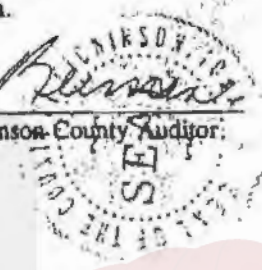
PLAT OF BAYVIEW SUBDIVISION
Wahpeton, Dickinson County, Iowa

AUDITOR'S APPROVAL

I, Nancy Reiman, duly elected and acting Dickinson County Auditor, hereby approve the designation of "PLAT OF BAYVIEW SUBDIVISION" as an acceptable subdivision plat title of property in the City of Wahpeton, Dickinson County, Iowa.

June 16, 1999
Date

Nancy Reiman
Nancy Reiman, Dickinson County Auditor.



PLAT OF BAYVIEW SUBDIVISION
Wahpeton, Dickinson County, Iowa

CERTIFICATE OF FILING

The undersigned hereby confirms and acknowledges that on the 16th day of June, 1999, the documents comprising the Plat of Bayview Subdivision to the City of Wahpeton, Dickinson County, Iowa, were filed in the office of the Dickinson County Auditor.

Nancy Reiman
Nancy Reiman, Dickinson County Auditor.



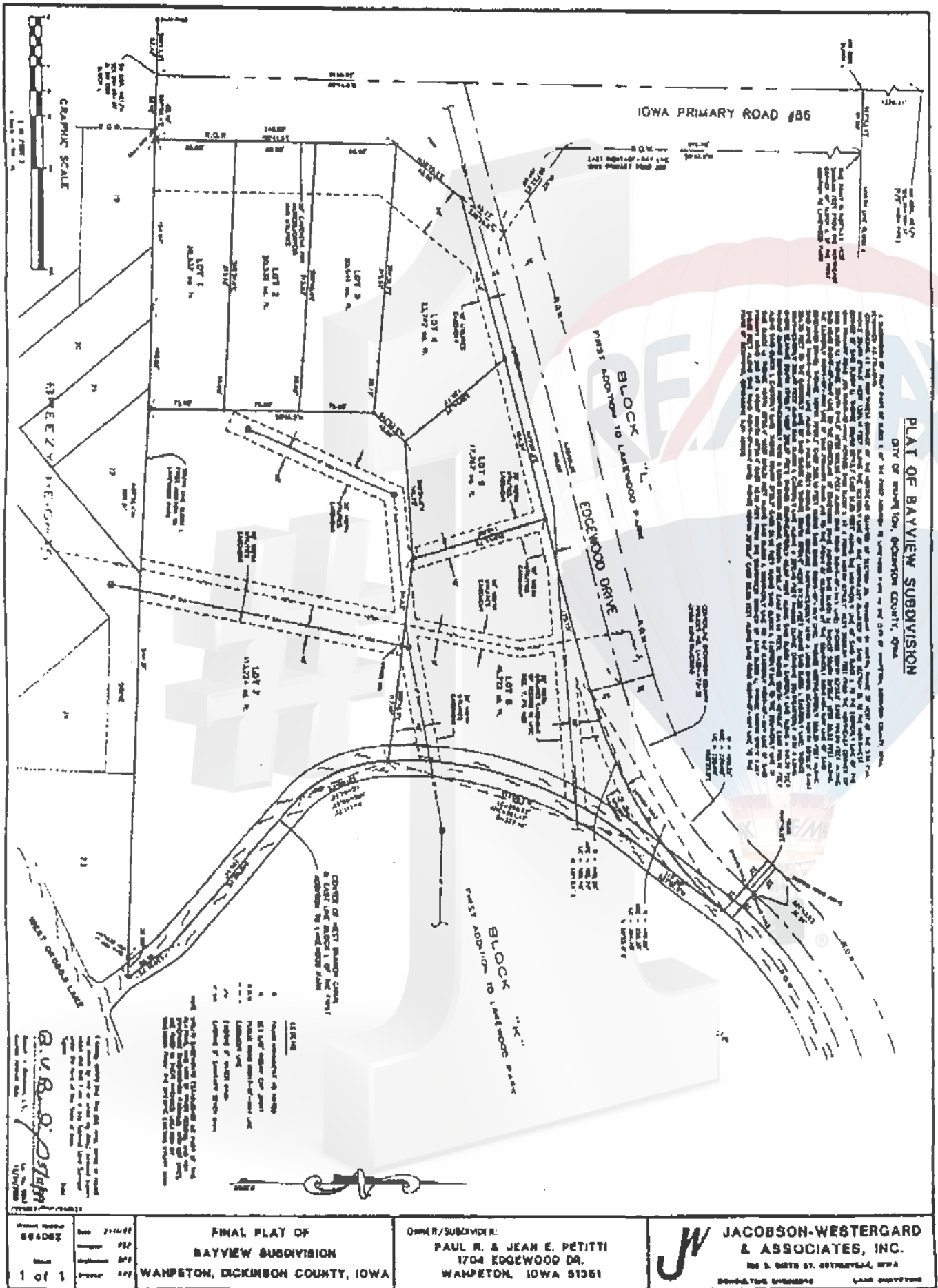
PLAT OF BAYVIEW SUBDIVISION
Wahpeton, Dickinson County, Iowa

CERTIFICATE OF FILING

The undersigned hereby confirms and acknowledges that on the 16 day of June, 1999, the documents comprising the Plat of Bayview Subdivision to the City of Wahpeton, Dickinson County, Iowa, were filed in the office of the Dickinson County Assessor.

Patricia Dodds
Patricia Dodds, Dickinson County Assessor





13 223

June 15, 1999

Page 2

said Block L; thence North $87^{\circ}56.4'$ West 829.31 feet along said Block L southerly line to the easterly right-of-way line of said Primary Road #86 at a point South $87^{\circ}56.4'$ East 62.12 feet from the southwest corner of said Block L; thence North $0^{\circ}41.9'$ East 240.82 feet along said road right-of-way line; thence North $38^{\circ}25.6'$ East 82.85 feet along said road right-of-way line to the point of beginning, containing 6.04 acres,

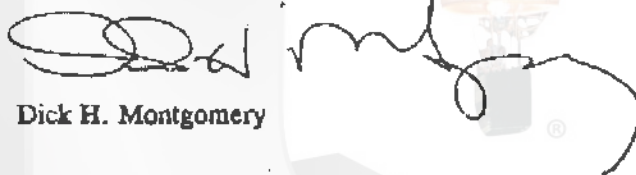
as disclosed by abstract of title last certified by Cornell Abstract Company, ~~RE/MAX~~
+D June 16, 1999 at 10:04 p.m.

Said examination discloses good and merchantable title to be in Paul R. Petitti and Jean E. Petitti, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common.

As shown Entry No.20, the property is subject to the Zoning Ordinance of the City of Wahpeton.

Please note real estate taxes for the fiscal year 1997-98 are paid, as are prior years' taxes. Please also note my Title Guaranty Program Enrollment Number is 2693.

Very truly yours,



Dick H. Montgomery

DHM:mmc

to:\Bayview.cer