

ESSENTIAL VACATION 9/6/66  
Birchcrest Addn., Lot 19, Block 1  
Clover Lane Third Addn., Outlot 1

DORSEY, OWEN, MARQUART, WINDHORST & WEST

JAMES E. DORSEY (1889-1959)  
 DAVID E. BRONSON  
 KENNETH M. OWEN  
 DONALD WEST  
 WALDO F. MARQUART  
 JOHN W. WINDHORST  
 HENRY HALLADAY  
 JULE M. HANNAFORD  
 ARTHUR B. WHITNEY  
 JOHN G. DORSEY  
 RUSSELL W. LINDQUIST  
 DAVID R. BRINK  
 HORACE E. HITCH  
 VIRGIL H. HILL  
 ROBERT V. TARBOX  
 DEFOREST SPENCER  
 ROBERT J. JOHNSON  
 MAYNARD B. HASSELOUIST  
 PETER DORSEY  
 GEORGE P. FLANNERY  
 CURTIS L. ROY  
 ARTHUR E. WEISBERG  
 DUANE E. JOSEPH  
 FREDERICK E. LANGE  
 JOHN W. JONES  
 JAMES B. VESSEY  
 WILLIAM A. WHITLOCK  
 CHARLES O. HOWARD

EDWARD J. SCHWARTZBAUER  
 THOMAS M. BROWN  
 CORNELIUS D. MAHONEY  
 THOMAS S. ERICKSON  
 MICHAEL E. BRESS  
 PAUL G. ZERBY  
 RAYMOND A. REISTER  
 JOHN J. TAYLOR  
 BERNARD G. HEINZEN  
 WILLIAM J. HEMPEL  
 JOHN S. HIBBS  
 ROBERT O. FLOTTEN  
 MORTON L. SHAPIRO  
 JAMES F. MEEKER  
 JOHN D. LEVINE  
 ROBERT J. STRUYK  
 MICHAEL A. OLSON  
 LARRY W. JOHNSON  
 ROBERT A. JENSEN  
 THOMAS S. HAY  
 CURTIS D. FORSLUND  
 G. LARRY GRIFFITH  
 CRAIG A. BECK  
 DAVID L. MCCUSKEY  
 THOMAS O. NOE  
 JAMES H. O'HAGAN  
 JOHN M. MASON

LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING

MINNEAPOLIS, MINN. 55402

TELEPHONE  
332-3351  
AREA CODE 612

OF COUNSEL  
LEAVITT R. BARKER  
LELAND W. SCOTT  
HUGH H. BARBER

CABLE ADDRESS:  
DOROW

August 9, 1966

V F

Mr. Robert Obermeyer  
Village of Edina  
4801 West 50th Street  
Edina, Minnesota

RE: Birchcrest Easements

Dear Bob:

Some time ago I talked to you about the release by the Village of Edina of certain easement rights over property now platted as "Birch-Lane". This request for release was made by the attorney for the owner of the property to release what they claim are overlapping easements. As I recall it is also your opinion that these easements can be released since there have been additional easements granted by the platting procedure which in effect gives the Village two easements over the same area. For purposes of releasing these easements by the Village, I have prepared a Release to be executed by the Village and enclose an original and two copies thereof with this letter. Will you please have the original and one copy signed by the Village and return them to me. The other copy you may retain for your records.

Very truly yours,

Thomas S. Erickson

TSE:ca  
Enclosures

*Enter on  
Resolution  
only*

*No p. 2. H. H.  
per H. H.*

R E L E A S E

WHEREAS, there has been granted to the Village of Edina, a Minnesota municipal corporation, (hereinafter called "Edina"), an easement for utilities over a portion of Lot 19, Block 1, "Birchcrest", and over a portion of Outlot Number One (1), Clover Lane Addition Third (3rd) Unit, according to the respective recorded plats thereof, and property lying Easterly thereof, as evidenced by Document dated March 7, 1955, filed March 22, 1955 in the office of the Registrar of Titles, Hennepin County, Minnesota, as Document No. 454743, which easement is hereinafter called "Easement 1"; and

WHEREAS, there has been granted to Edina a further and additional easement for utilities over portions of said Lot 19, Block 1, "Birchcrest", and said Outlot Number One (1), Clover Lane Addition Third (3rd) Unit, as evidenced by Document dated March 26, 1954, filed April 4, 1955 in the office of the Registrar of Titles, Hennepin County, Minnesota, as Document No. 455838, which easement is hereinafter called "Easement 2"; and

WHEREAS, subsequent to the granting and filing of Easement 1 and Easement 2, said Lot 19, Block 1, "Birchcrest" and the other property subject to Easement 1 and Easement 2, and also other property, was platted into "Birch-Lane" as evidenced by the plat of record and on file in the office of the Registrar of Titles, Hennepin County, Minnesota, which plat of "Birch-Lane" creates and subjects Lots 1 and 2, Block 1, of said plat of "Birch-Lane" to utility and sewer easements in substantially the same locations as said Easement 1 and Easement 2; and

WHEREAS, Edina has been requested to release its interest in and to Easement 1 and Easement 2 as granted by the above referenced documents and Edina is agreeable to so releasing its interest since said plat of "Birch-Lane" creates like easements in locations necessary and acceptable to Edina.

NOW, THEREFORE, For and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the Village of Edina does hereby release and abandon all of its

right, title and interest in and to Easement 1 and Easement 2 as created by said documents bearing document numbers 454743 and 455358, Files of the Registrar of Titles, Hennepin, and only insofar as said documents create and grant easements over or upon all or any part of said Lots 1 or 2, Block 1, "Birch-Lane" according to the map or plat thereof on file and of record in the office of the Registrar of Titles, Hennepin County, Minnesota, and this release shall effect and relate to only the easements created and granted by said documents bearing document numbers 454743 and 455358, Files of the Registrar of Titles, insofar as the easements created by said documents exist over or upon all or any part of Lots 1 or 2, Block 1, said plat of "Birch-Lane," but shall not effect or relate to, in any way, the utility and sewer easements created by said documents and existing over or upon property other than Lots 1 and 2, Block 1, said plat of "Birch-Lane," or the utility and sewer easements created by and shown on said plat of "Birch-Lane."

IN WITNESS WHEREOF, the Village of Edina has caused this instrument to be duly executed this 18th day of August, 1956.

In Presence Of:  
Samuel A. Pelt  
Doris W. Parker

VILLAGE OF EDINA  
 By Arthur C. Bradsen, Jr.  
 Its Mayor  
 And Florence B. Hallberg  
 Its Clerk

STATE OF MINNESOTA )  
 ) ss.  
 COUNTY OF HENNEPIN )

On this 18th day of August, 1956, before me, a Notary Public, within and for said County, personally appeared Arthur C. Bradsen, Jr. and Florence B. Hallberg to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and Clerk of the municipal corporation named in the foregoing instrument; that the seal affixed to said instrument is the corporate seal of said municipal corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Village Council; and said Arthur C. Bradsen, Jr. and Florence B. Hallberg acknowledged said instrument to be the free act and deed of said municipal corporation.

J. N. Dalen  
 Notary Public \_\_\_\_\_ County, Minnesota  
 My commission expires \_\_\_\_\_

(Notarial Seal)

J. N. DALEN  
 Notary Public, Hennepin County, Minn.  
 My Commission Expires July 24, 1970.

**DRAINAGE EASEMENT  
VACATIONS ABANDONED**