



CAMPBELL KNUTSON

Professional Association

March 9, 2016

VIA ELECTRONIC TRANSMISSION

Thomas J. Campbell
Roger H. Knutson
Thomas M. Scott
Elliott A. Karsch
Joel J. Jannik
Andrea McDowell Pochler
Soren M. Mattick
John F. Kelly
Henry A. Schaeffer, III
Alina Schwartz
Shana M. Conkle
Amy B. Schutt
James J. Monge, III
David H. Schuler
Eust S. Fischer

Mr. Jeremy Barnhart
Community Development Director
City of Orono
2750 Kelley Parkway
Orono, Minnesota 55356

Re: City of Orono – Jacob J. Barkley and Maureen L. Barkley

Dear Mr. Barnhart:

Pursuant to our telephone conversation, enclosed herewith are the following documents for the closing scheduled with the Barkleys on Thursday, March 10, 2016 at 4:00 p.m. at Minnetonka Title, Inc.:

1. Limited Warranty Deed from the City to Jacob and Maureen Barkley for the City Land. Please have the Mayor and City Administrator sign where indicated and have their signature notarized.
2. Seller's Affidavit. Please have the City Administrator sign this Affidavit and have her signature notarized.
3. Affidavit Regarding Purchaser. Please have the City Administrator sign this Affidavit and have her signature notarized.
4. Non-Foreign Affidavit, also known as FIRPTA. Please have the City Administrator sign this Affidavit and have her signature notarized.
5. Two Settlement Statements. Please have the City Administrator sign both Settlement Statements where indicated.


All documents must be the originals, no photocopies. Once these documents have been signed and notarized, please contact me at 651-234-6228 and I will arrange for a messenger service to pick up the documents.

Thank you for your cooperation in this matter.

Very truly yours,

Campbell Knutson
Professional Association

By:


Carole J. Hoeft
Legal Assistant

Grand Oak Office Center I
240 Blue Gentian Road
Suite 200, Eagan, MN 55121
651-452-5000
Fax 651-234-4237
www.ck-na.com

cjh
Enclosure

186073v1

(Reserved for Recording Data)

LIMITED WARRANTY DEED

STATE DEED TAX DUE HEREON: \$ _____

Dated: _____, 2016

FOR VALUABLE CONSIDERATION, CITY OF ORONO, a Minnesota municipal corporation, Grantor, hereby conveys and quitclaims to JACOB J. BARKLEY AND MAUREEN L. BARKLEY, husband and wife, Grantees, real property in Hennepin County, Minnesota, described as follows:

Lot 2, Block 3, "Bay View Park", Hennepin County, Minnesota,

together with all hereditaments and appurtenances belonging thereto.

This Deed conveys after-acquired title. Grantor warrants that Grantor has not done or suffered anything to encumber the property, EXCEPT:

- (a) Building and zoning laws, ordinances, state and federal regulations or other governmental regulations; and
- (b) Reservation of any minerals or mineral rights in the State of Minnesota.

Check box if applicable:

☒ The Grantor certifies that the Grantor does not know of any wells on the described real property.

☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____).

☐ We are familiar with the property described in this instrument and we certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Check here if all or part of the described real property is Registered (Torrens) ☒

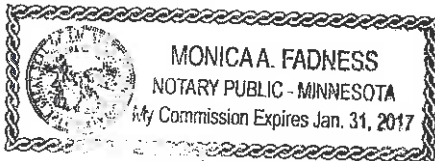
CITY OF ORONO

By: Lili Tod McMillan
Lili Tod McMillan, Mayor

By: Jessica Loftus
Jessica Loftus, City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 10th day of March, 2016, by Lili Tod McMillan and by Jessica Loftus, the Mayor and City Administrator of the City of Orono, a Minnesota municipal corporation, on behalf of said corporation and pursuant to the authority granted by its City Council.



Monica A. Fadness
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
Telephone 651-452-5000
AMP/cjh

**Tax Statements for the real property
described in this instrument should be
sent to:**
Jacob J. Barkley and Maureen L. Barkley
3640 Bayside Road
Long Lake, Minnesota 55356

STATE OF MINNESOTA

)

)ss.

AFFIDAVIT REGARDING PURCHASER

COUNTY OF HENNEPIN

)

JESSICA LOFTUS, being first duly sworn, on oath says that:

1. She is the City Administrator for the City of Orono, a Minnesota municipal corporation ("City"), named as Grantee in the Limited Warranty Deed dated _____, 2016, and filed for record in the office of the Hennepin County Registrar of Titles on _____, 2016, as Torrens Document No. _____.

2. The City is a Minnesota municipal corporation with its place of business at:

City of Orono
2750 Kelley Parkway
Orono, Minnesota 55356

3. There have been no:

- a. Bankruptcy or dissolution proceedings involving the City during the time the City has had any interest in the premises described in the above document ("Premises");
- b. Unsatisfied judgments of record against the City nor any actions pending in any courts, which affect the Premises;
- c. Tax liens against the City, except as herein stated: None.

4. Any bankruptcy or dissolution proceedings of record against parties with the same or similar names, during the time period in which the City has had any interest in the Premises, are not against the City.

5. Any judgments, or tax liens of record against parties with the same or similar names are not against the City.

6. There has been no labor or materials furnished to the Premises for which payment has not been made.

7. There are no unrecorded contracts, leases, easements, or other agreements or interests relating to the Premises except as stated herein: None.

8. There are no persons in possession of any portion of the Premises other than pursuant to a recorded document except as stated herein: None.


9. There are no encroachments or boundary line questions affecting the Premises of which Affiant has knowledge.

Affiant knows the matters herein stated are true and makes this Affidavit for the purpose of inducing the acceptance of title to the Premises.



Jessica Loftus

Subscribed and sworn to before me
this 10th day of March, 2016.



Notary Public



THIS INSTRUMENT WAS DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
Telephone: 651-452-5000
AMP/cjh

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

SELLER'S AFFIDAVIT

JESSICA LOFTUS, being first duly sworn, on oath says that:

1. She is the City Administrator for the City of Orono, a Minnesota municipal corporation, named as Grantor in that certain Limited Warranty Deed dated _____, 2016, and filed for record _____, 2016, as Document No. _____, in the Office of the Registrar of Titles for Hennepin County, Minnesota.

2. That said City's principal place of business is at:

City of Orono
2750 Kelley Parkway
Orono, Minnesota 55356

3. There have been no:

- a. Bankruptcy or dissolution proceedings involving the City of Orono during the time the City of Orono has had any interest in the premises described in the above document ("Premises");
- b. Unsatisfied judgments of record against the City of Orono nor any actions pending in any courts, which affect the Premises;
- c. Tax liens against the City of Orono.

4. Any bankruptcy or dissolution proceedings of record against companies with the same or similar names, during the time period in which the City of Orono has had any interest in the Premises, are not against the City of Orono.

5. Any judgments, or tax liens of record against company with the same or similar names are not against the City of Orono.

6. There has been no labor or materials furnished to the Premises for which payment has not been made.

7. There are no unrecorded contracts, leases, easements, or other agreements or interests relating to the Premises.

8. There are no persons in possession of any portion of the Premises other than pursuant to a recorded document.

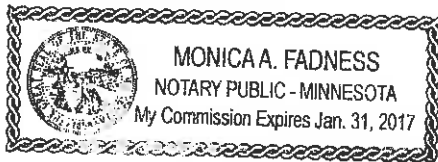
9. There are no encroachments or boundary line questions affecting the Premises of which Affiant has knowledge.

Affiant knows the matters herein stated are true and makes this Affidavit for the purpose of inducing the passing of title to the Premises.

Jessica Loftus
Jessica Loftus

Subscribed and sworn to before me
this 10th day of March, 2016.

Monica A. Fadness
Notary Public



DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
Telephone: 651-452-5000
AMP/cjh

**NON-FOREIGN AFFIDAVIT PURSUANT TO SECTION 1445
OF THE INTERNAL REVENUE CODE BY THE CITY OF
ORONO, AS SELLER, UNDER THAT CERTAIN LAND EXCHANGE
AGREEMENT DATED _____, 2016,
WITH JACOB J. BARKLEY AND MAUREEN L. BARKLEY,
HUSBAND AND WIFE, AS BUYERS**

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

JESSICA LOFTUS, being first duly sworn, on oath, says that:

1. I am the City Administrator for the City of Orono, a Minnesota municipal corporation ("Transferor").
2. Section 1445 of the Internal Revenue Code provides that a transferee of a U. S. real property interest must hold withholding tax if the transferor is a foreign person. To inform the transferee that withholding of tax is not required upon the disposition of a U.S. real property interest by Transferor, I make the following statements:
 - (a) The Transferor is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);
 - (b) The Transferor's Federal Tax Identification Number is 41-6008585.
 - (c) The Transferor's principal business address is 2750 Kelley Parkway, Crystal Bay, Minnesota 55323.
3. I understand that this Affidavit may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine or imprisonment, or both.

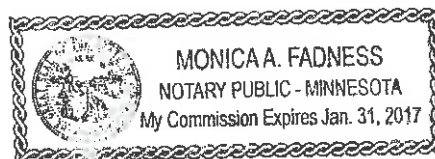
FURTHER YOUR AFFIANT SAYETH NOT.



Jessica Loftus

Subscribed and sworn to before me
this 10th day of March, 2016

Monica A. Fadness
Notary Public



Minnetonka Title Inc.
ALTA Universal ID 1045917
15550 Wayzata Blvd., Ste. 100
Wayzata, MN 55391-1939

File No./Escrow No.: MT159337B
Print Date & Time: March 8, 2016 at 03:48 PM
Officer/Escrow Officer: Jane Lynn
Settlement Location: 15550 Wayzata Blvd, Wayzata, MN 55391
Property Address: 3640 Bay View
Orono, MN 55356
Borrower: City of Orono
Seller: Jacob J. Barkley and Maureen L. Barkley
Lender:
Settlement Date: March 10, 2016
Disbursement Date: March 10, 2016

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
Financial				
Prorations/Adjustments				
\$ 134.88		County Taxes 01/01/16 to 03/10/16		\$ 134.88
Loan Charges to				
Other Loan Charges				
Impounds				
Title Charges & Escrow / Settlement Charges				
\$ 200.00		Title - document drafting/disbursement to Minnetonka Title Inc.		
		Title - Abstracting Service to Minnetonka Title Inc.	\$ 200.00	
		Title - Exam Fee to Minnetonka Title Inc.	\$ 75.00	
		Title - Special Assessment to Minnetonka Title Inc.	\$ 35.00	
\$ 30.00		Title - recording service fee to Minnetonka Title Inc.		
		Title - Recording Service to Minnetonka Title Inc.	\$ 30.00	
Government Recording and Transfer Charges				
\$ 46.00		Recording Fees to Minnetonka Title	\$ 46.00	

ALTA Settlement Statement Combined - Continued

Seller		Borrower/Buyer	
Debit	Credit	Debit	Credit
			Inc.
			Deed:\$46.00 Mortgage:\$0.00 Release:\$46.00
\$ 5.00			Conservation Fee to Minnetonka Title
			Inc.
\$ 1.70			State Deed Tax to Hennepin County
Payoffs			
Miscellaneous			
\$ 60.00			Payoff Processing Fee to Minnetonka Title
			Inc.
\$ 477.58	\$ 0.00	\$ 386.00	\$ 134.88
	\$ 477.58		\$ 251.12
\$ 477.58	\$ 477.58	\$ 386.00	\$ 386.00
			Subtotals
			Balance Due FROM
			TOTALS

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Minnetonka Title Inc. to cause the funds to be disbursed in accordance with this statement.

City of Orono

BY:

Jessica Loftus
 Jessica Loftus
 City Administrator

Jacob J. Barkley

Maureen L. Barkley

Jane Lynn, Escrow Officer

Minnetonka Title Inc.
ALTA Universal ID 1045917
15550 Wayzata Blvd., Ste. 100
Wayzata, MN 55391-1939

File No./Escrow No.: MT159337A
Print Date & Time: March 8, 2016 at 03:52:PM
Officer/Escrow Officer: Jane Lynn
Settlement Location: 15550 Wayzata Blvd, Wayzata, MN 55391
Property Address: 3640 Bayside Rd
Orono, MN 55356
Borrower: Jacob J. Barkley and Maureen L. Barkley
Seller: City of Orono
Lender:
Settlement Date: March 10, 2016
Disbursement Date: March 10, 2016

Seller		Description	Borrower / Buyer	
Debit	Credit		Debit	Credit
Financial				
	\$ 25,000.00	Sale Price of Property	\$ 25,000.00	
Prorations/Adjustments				
Loan Charges to				
Other Loan Charges				
Impounds				
Title Charges & Escrow / Settlement Charges				
		Title - Owner's Title Insurance (optional) to Minnetonka Title Inc. Coverage: \$ 25,000.00 Premium: \$ 100.00	\$ 100.00	
\$ 155.00		Title - Settlement Closing Fee to Minnetonka Title Inc.	\$ 155.00	
		Title - Abstracting Service Fee to Minnetonka Title Inc.	\$ 200.00	
		Title - Exam Fee to Minnetonka Title Inc.	\$ 75.00	
		Title - Plat Service Fee to Minnetonka Title Inc.	\$ 60.00	
		Title - Recording Service Fee to Minnetonka Title Inc.	\$ 90.00	
Government Recording and Transfer Charges				

$\frac{1}{2} \times 10^{-10}$

Miscellaneous

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Minnetonka Title Inc. to cause the funds to be disbursed in accordance with this statement.

Jane Lynn, Escrow Officer