

Receipt:# 570855

EAS \$46.00
CRV Not Required
Exempt from Tax

Return to:
E - SIMPLIFILE
4844 North 300 West
Suite 202
Provo UT 84604

4347430



Certified Filed and/or recorded on:

11/29/2021 10:17 AM

4347430

**Office of the County Recorder
Washington County, Minnesota**
*Debra Ledvina, County Recorder
Jennifer Wagenius, Auditor Treasurer*

(Reserved for recording data)

DECLARATION OF TRAIL EASEMENT

THIS DECLARATION OF TRAIL ("*Declaration*") is made by Derrick Custom Homes, Inc., a Wisconsin corporation ("*Declarant*").

RECITALS:

A. Declarant is the owner of the following described real property located in Baytown Township, Washington County, Minnesota:

Lot 4, Block 4, HILLS OF SPRING CREEK according to the recorded plat thereof

and referred to in this Declaration as *Lot 4*;

B. A common, shared trail system serves the Hills of Spring Creek subdivision and Declarant intends by this Declaration to establish perpetual easement allowing the trail to be situated on Lot 4 in the location described on Paragraph 1 herein.

NOW THEREFORE, Declarant hereby declares as follows:

1. **Easement.** An easement is hereby established as follows, the centerline of which is depicted on Exhibit A, attached hereto and incorporated herein (the "*Trail Easement*");

A trail easement over and across part of Lot 4, Block 4, HILLS OF SPRING CREEK, according to the recorded plat thereof, described as follows:

Beginning at the southwest corner of said Lot 4; thence N07°49'18"W, along the west line of said Lot 4, a distance of 88.00 feet; thence S34°48'33"E a distance of 55.09 feet; thence S07°49'18"E, along a line 25 feet distant and parallel to the west line of said lot, 38.91 feet to a point on the south line of said lot; thence S82°10'42"W, along said south line, 25.00 feet to the Point of Beginning.

Contains 1,586 square feet.

2. **Permitted Users.** The Trail Easement may be used as set forth in the recorded Declaration of Covenants, Conditions and Restrictions for Hills of Spring Creek. The owner of Lot 4 shall not erect a fence or cause any other obstruction to impede use of the trail by the Association or the permitted users.

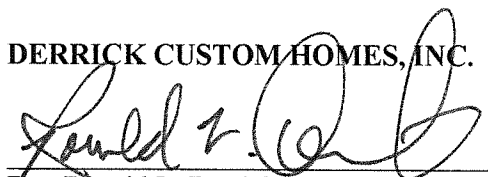
3. **Easement to Run with the Land.** This easement established herein and the terms and conditions in this Declaration shall run with Lot 4, and shall be binding upon, inure to the benefit of, and be enforceable by the Association (as defined in the Declaration). The easement granted herein is not separately assignable and may not be transferred separately from, or severed from, Lot 4 without the express written consent of the Association and owner of Lot 4.

4. **No Public Dedication.** Nothing in this instrument shall be deemed to be a gift or dedication of any portion of the easement established under this instrument or the Trail Easement to the general public or for any public purpose whatsoever.

Dated this 10th day of November, 2021.

DECLARANT:

DERRICK CUSTOM HOMES, INC.




By: Ronald L. Derrick
Title: President

ACKNOWLEDGMENT

STATE OF WISCONSIN)
)ss.
COUNTY OF ST. CROIX)

Personally came before me this 10th day of November, 2021, the above named Derrick Custom Homes, Inc., a Wisconsin corporation, by Ronald L. Derrick, President, to me known to be the person who executed the foregoing instrument and acknowledged the same.


Notary Public, State of Wisconsin
My commission expires 10-23-2024

BERNADETTE L. LALLIER
Notary Public-State of Wisconsin

This document was drafted by:

LOMMEN ABDO, P.A.
Brent R. Johnson, Esq.
Grandview Professional Building, Suite 210
400 South Second Street
Hudson, WI 54016

EXHIBIT A

TRAIL EASEMENT

SCALE: 1 INCH = 40 FEET

