# AZTEC ESTATES

BK 44 of Abst. Pg. 21 City of Andover County of Anoka Section 29, T32, R24

KNOW ALL MEN BY THESE PRESENTS: That Harstad Hills, Inc., a Minnesota corporation, owner of the following described property situated in the State of Minnesota, County of Anoka, to wit:

That part of the Southeast Quarter of the Southwest Quarter of Section 29, Township 32 North, Range 24 West, Anoka County, Minnesota, lying westerly of the west line of ROSELLA'S ADDITION, according to the recorded plat thereof, and northerly of the following described line:

Beginning at a point on the west line of said Southeast Quarter of the Southwest Quarter distant 214.00 feet southerly of the northwest corner of said Southeast Quarter of the Southwest Quarter; thence easterly parallel with the north line of said Southeast Quarter of the Southwest Quarter to the westerly line of said ROSELLA'S ADDITION and said line there

EXCEPT the East 178.75 feet of the North 100.00 feet thereof.

That part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 32, Range 24, Anoka County, Minnesota described as beginning at a point on the south line of said Southwest Quarter of the Southwest Quarter distant 550.00 feet westerly from the Southeast corner thereof; thence northerly parallel with the east line of said Southwest Quarter of the Southwest Quarter 500.00 feet; thence northeasterly to a point on said east line 214.00 feet southerly from the Northeast corner of said Southwest Quarter of the Southwest Quarter; thence on an assumed bearing of North 0 degrees 21 minutes 34 seconds East along said east line 164.00 feet; thence South 62 degrees 07 minutes 13 seconds West 141.00 feet; thence South 48 degrees 48 minutes 21 seconds West 261.00 feet; thence North 90 degrees 00 minutes 00 seconds West 187.50 feet; thence South 54 degrees 02 minutes 41 seconds West 668.44 feet; thence South 0 degrees 00 minutes 00 seconds West 242.61 feet; thence South 55 degrees 35 minutes 42 seconds West 282.90 feet to the northeasterly line of Anoka County Highway Right-of-Way Plat No. 22; thence southeasterly along said northeasterly right of way line to the south line of said Southwest Quarter of the Southwest Quarter; thence easterly along said south line to the point of beginning.

That part of the Southwest Quarter of the Southwest Quarter of the Section 29, Township 32, Range 24, Anoka County, Minnesota, described as beginning at a point on the west line of said Southwest Quarter of the Southwest Quarter distant 519.19 feet southerly from the Northwest corner thereof; thence on an assumed bearing of South 0 degrees 43 minutes 10 seconds West along said west line 314.64 feet; thence North 53 degrees 30 minutes 01 seconds East 309.15 feet; thence North 0 degrees 00 minutes 00 seconds East 130.73 feet; thence North 90 degrees 00 minutes 00 seconds West 244.56 feet to the point of beginning.

That Rosella B. Sonsteby, a single person, owner of the following described property situated in the State of Minnesota, County of Anoka, to wit:

The Southwest Quarter of the Southwest Quarter of Section 29, Township 32 North, Range 24 West, Anoka County, Minnesota, EXCEPT the four following described parcels:

- 1) Beginning at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 29; thence westerly along the south line thereof 550.00 feet; thence northerly parallel with the east line of the Southwest Quarter of the Southwest Quarter 500.00 feet; thence northeasterly to a point on said east line 214.00 feet southerly of the Northeast corner of the Southwest Quarter of the Southwest Quarter; thence southerly along said east line to the point of beginning.
- 2) That part of the Southwest Quarter of the Southwest Quarter of said Section 29 lying southwesterly of the northeasterly line of Anoka County Highway Right-of-Way Plat
- 3) That part of the Southwest Quarter of the Southwest Quarter of said Section 29 described as beginning at a point on the south line of said Southwest Quarter of the Southwest Quarter distant 550.00 feet westerly from the Southeast corner thereof; thence northerly parallel with the east line of said Southwest Quarter of the Southwest Quarter 500.00 feet; thence northeasterly to a point on said east line 214.00 feet southerly from the Northeast corner of said Southwest Quarter of the Southwest Quarter; thence on an assumed bearing of North 0 degrees 21 minutes 34 seconds East along said east line 164.00 feet; thence South 62 degrees 07 minutes 13 seconds West 141.00 feet; thence South 48 degrees 48 minutes 21 seconds West 261.00 feet; thence North 90 degrees 00 minutes 00 seconds West 187.50 feet; thence South 54 degrees 02 minutes 41 seconds West 668.44 feet; thence South 0 degrees 00 minutes 00 seconds West 242.61 feet; thence South 55 degrees 35 minutes 42 seconds West 282.90 feet to the northeasterly line of Anoka County Highway Right-of-Way Plat No. 22; thence southeasterly along said northeasterly right—of—way line to the south line of said Southwest Quarter of the Southwest Quarter; thence easterly along said south line to the point of beginning.
- 4) That part of the Southwest Quarter of the Southwest Quarter of said Section 29 described as beginning at a point on the west line of said Southwest Quarter of the Southwest Quarter distant 519.19 feet southerly from the Northwest corner thereof; thence on an assumed bearing of South 0 degrees 43 minutes 10 seconds West along said west line 314.64 feet; thence North 53 degrees 30 minutes 01 seconds East 309.15 feet; thence North 0 degrees 00 minutes 00 seconds East 130.73 feet; thence North 90 degrees 00 minutes 00 seconds West 244.56 feet to the point of beginning.

Have caused the same to be surveyed and platted as AZTEC ESTATES and do hereby donate and dedicate to the public for public use forever the street and drainage and utility easements as shown on this plat. Also dedicating to the County of Anoka the right of access onto County State Aid Highway Number 116 as shown on this plat.

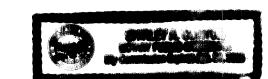
In witness whereof said Harstad Hills, Inc., a Minnesota corporation, has caused these presents to be signed by its proper officer this 27th day of DECEMBER. 2002.

Harstad Hills, Inc. Martin N. Harstad, as President

STATE OF MINNESOTA COUNTY OF Route

The foregoing instrument was acknowledged before me this 27th day of Merember, 2002, by Martin N. Harstad, as President of Harstad Hills, Inc., a Minnesota corporation on behalf of the corporation.

Notary Public, \_\_\_\_\_County, Minnesota My Commission Expires Qan 34, 20 05



In witness whereof said Rosella B. Sonsteby, as trustee of the Rosella B. Sonsteby Revocable Trust Agreement, has caused these presence to be signed on her behalf by Harstad Hills, Inc., pursuant to Findings of Fact, Conclusions of Law and Order for Judgement dated December 18th, 2001, of Judge Daniel M. Kammeyer this 27th day of DECENDER, 2002.

Harstad Hills, Inc. Martin N. Harstad, as Presiden

STATE OF MINNESOTA COUNTY OF anna

The foregoing instrument was acknowledged before me this 27 day of Alexander, 2002, by Martin N. Harstad, as President of Harstad Hills, Inc., a Minnesota corporation, on behalf of Rosella B. Sonsteby, as Trustee of the Rosella B. Sonsteby Revocable Trust Agreement, pursuant to Findings of Fact, Conclusions of Law and Order for Judgement dated December 18, 2001, of Judge Daniel M. Kammeyer.

Notary Public, <u>knoke</u> County, Minnesota My Commission Expires Qan 31, 2005

I hereby certify that I have surveyed and platted the property described on this plat as AZTEC ESTATES; that this plat is a correct representation of said survey, that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments will be correctly placed in the ground as shown; that the outside boundary lines are correctly designated on said plat and that there are no wet lands as defined in Minnesota Statutes, Sec. 505.02 Subd. 1 or public highways to be designated other than as shown on said plat.

Jason E. Rud, Land Surveyor Minnesota Registration No. 41578.

STATE OF MINNESOTA

COUNTY OF ANOKA The foregoing Surveyor's Certificate was acknowledged before me this  $\frac{\sqrt{q^{4k}}}{k}$ 2002, by Jason E. Rud, Land Surveyor.

When R. Bruns Notary Public, Anoka County, Minnesota My Commission Expires January 31, 2005

This plat of AZTEC ESTATES was approved by the City Council of Andover, Minnesota at a regular meeting thereof held this 1971 day of Normale. 2002, and if applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.

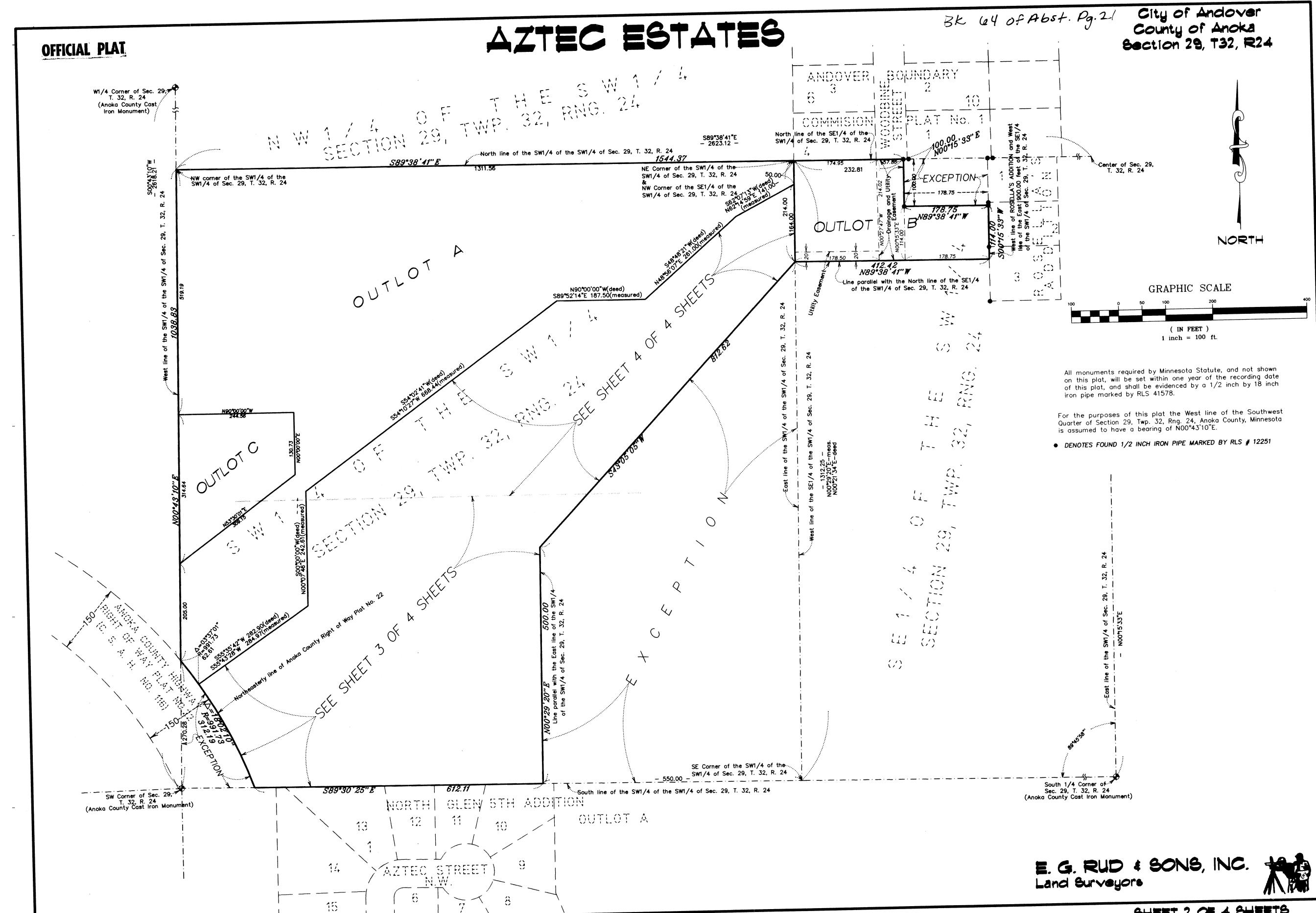
Anoka County Surveyor

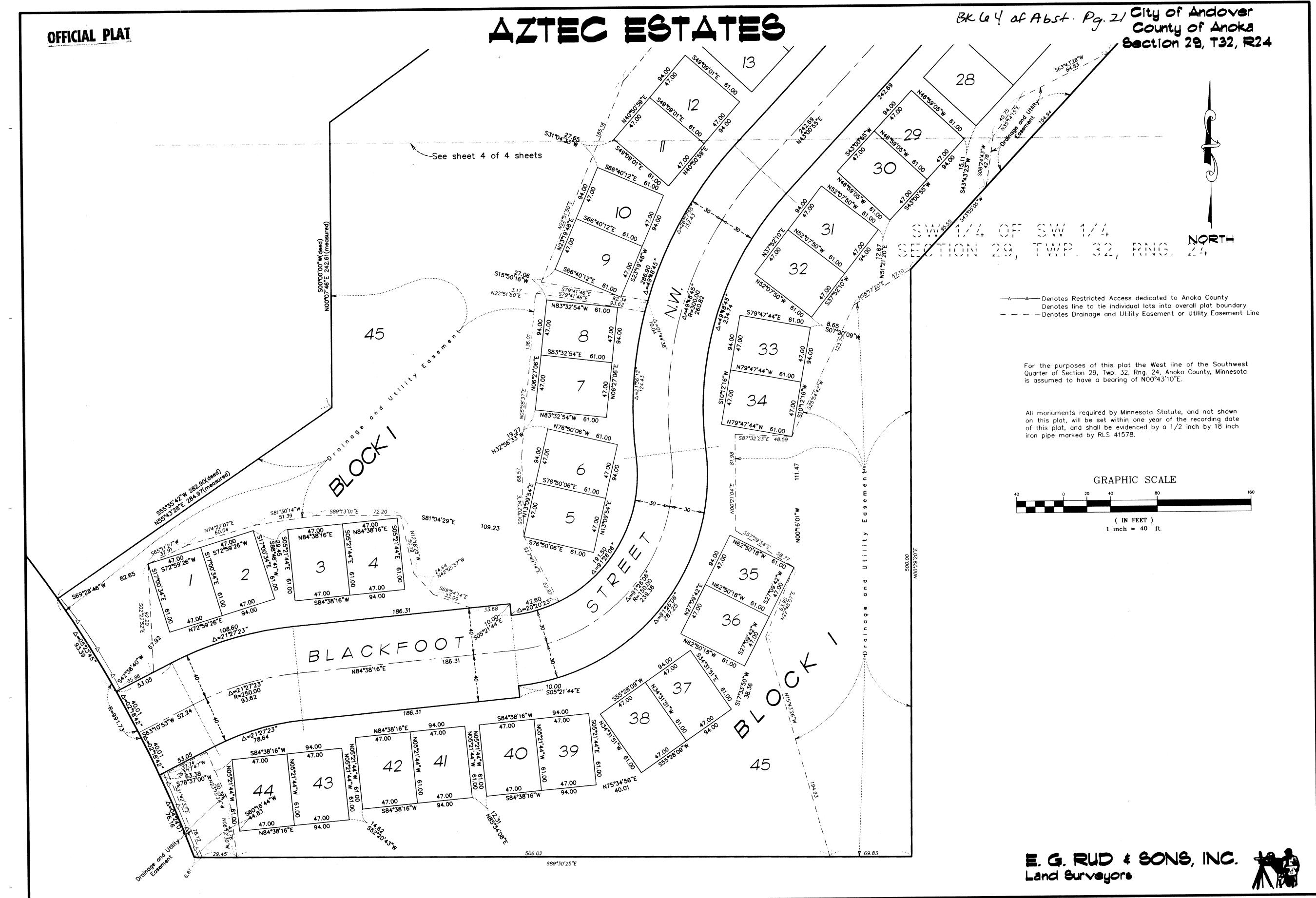
E. G. RUD & SONS, INC. Land Surveyors

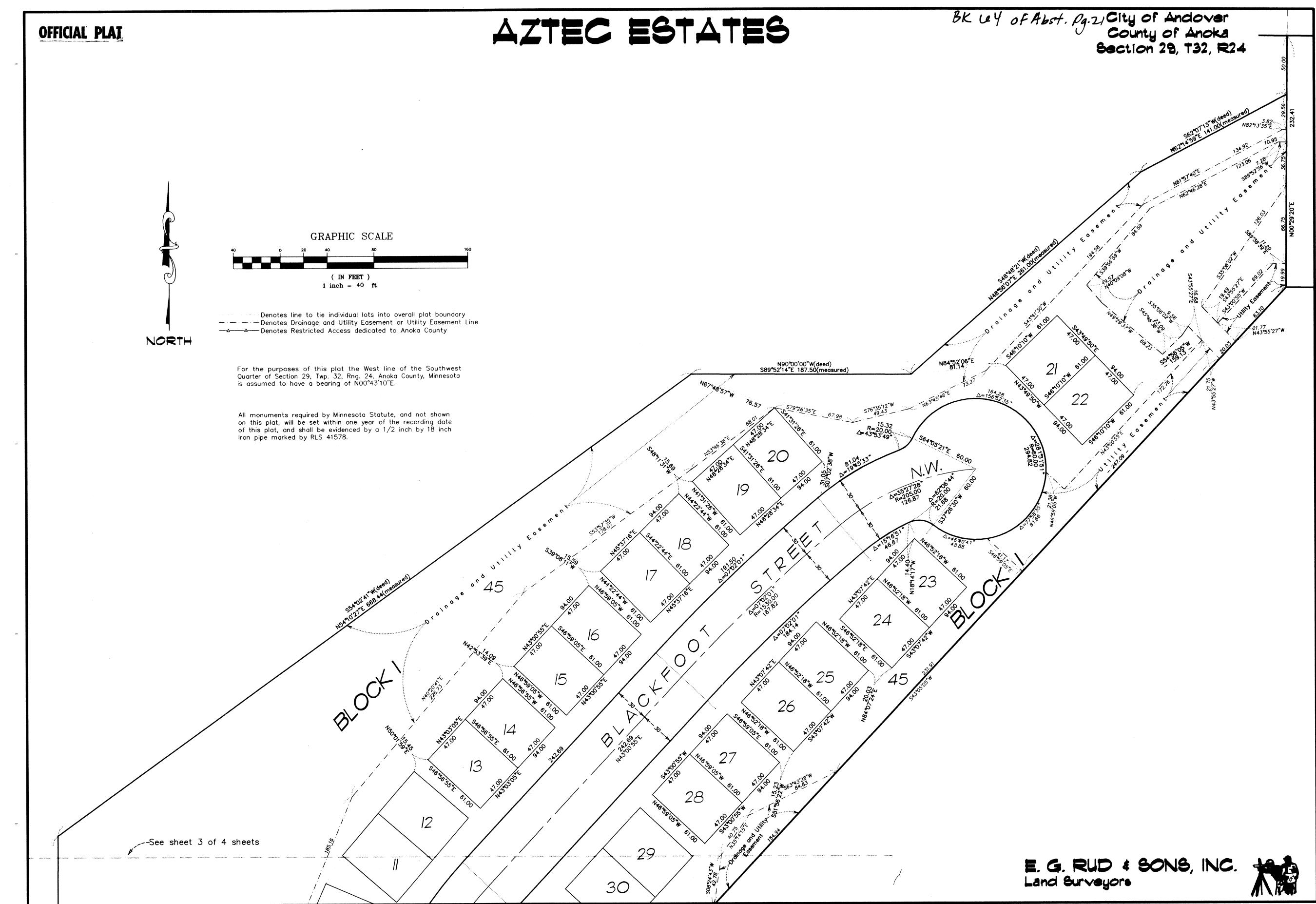
1755404 OFFICE OF COUNTY RECORDER STATE OF MINNESOTA, COUNTY OF ANOKA I hereby certify that the within instrument was filed in this office for record on the 22 Jan A.D., 2003 in book 64 page 21

HEREBY CERTIFY THAT THE CURRENT / HD DELINQUENT VAXES ON THE LANDS DESCRIBE

2003008511/#1535.00







# THIS DOCUMENT NUMBER REPRESENTS A PLAT

1755404

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Missing Attachment

■ No Legal Description

Part(s) Illegible

Non-existent Legal Description

☐ New legal Description

□ Deferred Specials

☐ No Change

☐ GAC

DOCUMENT NO.

# ANOKA COUNTY MINNESOTA

ANOKA COUNTY MINNESOTA
I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED IN THIS OFFICE
FOR RECORD ON JAN 22 2003 AND WAS DULY RECORDED. FEES AND TAXES IN THE AMOUNT OF \$1535.00 PAID.
RECEIPT NO. 2003008511
MAUREEN J. DEVINE ANOKA COUNTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES
RY RMT
DEPUTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES



# 1991418.001

(Above Space Reserved for Recording Data)

# **COMMON INTEREST COMMUNITY NO. 158**

Planned Community

#### **AZTEC ESTATES**

#### SEVENTH SUPPLEMENTAL DECLARATION

This Seventh Supplemental Declaration (the "Supplemental Declaration") is made this day of <u>February</u>, 2007, by Regal Townhomes, Inc., a Minnesota corporation (the "Declarant"), pursuant to the provisions of Minnesota Statutes, Chapter 515B, known as the Minnesota Common Interest Ownership Act (the "Act"), and specifically pursuant to Section 515B.2-111 of the Act.

WHEREAS, the Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1893931, the First Amendment to Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1932223; the Second Amendment to Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1956839; the Third Amendment to Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1958263; the Fourth Amendment to Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1973675,006; the Fifth Amendment to Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1976504,004; and the Sixth Supplemental Declaration of Aztec Estates was recorded in the office of the Anoka County Recorder as Document No. 1982378,001 (collectively the "Declaration"), and

WHEREAS, the Declaration provides for the addition to Aztec Estates of Additional Real Estate as defined in the Declaration, and grants to Declarant the unilateral authority to add said property, all in accordance with the Act, and

WHEREAS, Declarant desires to add and incorporate into Aztec Estates the Additional Real Estate legally described in Exhibit D attached hereto which Additional Real Estate includes 6 additional Units as described herein.

WHEREAS, the Declarant Control Period, as defined in the Declaration, has terminated as of the date of this Supplemental Declaration and attached hereto as Exhibit E is evidence of service showing that notice of this Supplemental Declaration has been given to Aztec Estates Townhomes Association in compliance with Section 515B.2-111(b) of the Act.

WHEREAS, neither the Property nor the above-referenced Additional Real Estate (i) are subject to an ordinance referred to in Section 515B.1-106 of the Act, governing conversions to common interest ownership; (ii) are subject to a master association as defined in the Act; or (iii) include any shoreland as defined in Minnesota Statutes Section 103F.205.

NOW, THEREFORE, the undersigned hereby enacts this Supplemental Declaration, in accordance with the requirements of the Declaration and the Act, for the purpose of subjecting the Additional Real Estate described above to the Act as a part of Aztec Estates, and hereby declares that said Additional Real Estate shall be held, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens provided for in the Declaration and this Supplemental Declaration, all of which shall be binding upon all persons having or hereafter acquiring any right, title or interest therein, including their heirs, personal representatives, grantees, successors and assigns. Unless otherwise specifically set forth herein, all words and terms used in this Supplemental Declaration shall have the same meaning set forth in the Declaration.

#### A. IDENTIFICATION OF UNITS

Section 2.1 of the Declaration shall be amended to read as follows:

2.1. <u>Units</u>. There are 44 Units. All Units are restricted exclusively to residential use. Each Unit constitutes a separate parcel of real estate. No additional Units may be created by the subdivision or conversion of Units pursuant to Section 515B.2-112 of the Act. The Unit identifiers and locations of the Units are as shown on the Plat, which is incorporated herein by reference. The Unit identifier for a Unit is its lot and block numbers and the subdivision name.

# B. REALLOCATION OF VOTING RIGHTS AND COMMON EXPENSE OBLIGATIONS

Voting rights and Common Expense obligations are reallocated among all Units created by the Declaration and this Supplemental Declaration effective as of the date of recording of this Supplemental Declaration. Subject to Sections 6.4 and 6.7, each Unit shall be allocated an equal share of the voting rights and Common Expense obligations in accordance with Section 4.2. The Unit identifier of each Unit is set forth on Exhibit A attached hereto.

# C. DESCRIPTION OF LIMITED COMMON ELEMENTS

Any Limited Common Elements created in the Additional Real Estate added by this Supplemental Declaration include those items contained in said Additional Real Estate which fall within the descriptions of Limited Common Elements contained in Section 3 of the Declaration

or the Act. Said Limited Common Elements are allocated among the Units created in said Additional Real Estate pursuant to the allocation provisions contained in Section 3.2 of the Declaration.

#### D. LEGAL DESCRIPTION OF PROPERTY AND ADDITIONAL REAL ESTATE

Exhibit A to the Declaration containing the legal description of the Property shall be amended and replaced by Exhibit A attached hereto. All references to Exhibit A in the Declaration shall refer to Exhibit A attached hereto.

Exhibit C to the Declaration containing the legal description of the remaining Additional Real Estate shall be deleted in its entirety as all Additional Real Estate that will be added to the Property is hereby or has previously been added to the common interest community.

#### E. APPLICABILITY AND BINDING EFFECT

Except as specifically modified by this Supplemental Declaration, the Declaration, as amended or supplemented, shall remain in full force and effect, and all of the rights, benefits, restrictions and obligations conferred by the Declaration, as amended or supplemented, shall apply to the Additional Real Estate added hereby and all Units created therein.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first set forth above.

REGAL TOWNHOMES, INC.,
a Minnesota corporation

Ry:

Its: VicePresident

COUNTY OF Hernepin

The foregoing instrument was acknowledged before me this the day of the house of Regal Townhomes, Inc., a Minnesota corporation, on behalf of said entity.

JACQUELYN A. BALCER
Notary Public
Minnesote
My Commission Expires January 31, 2009

THIS INSTRUMENT WAS DRAFTED BY:

Mark S. Radke, Esq. FELHABER, LARSON, FENLON & VOGT, P.A. 220 South Seventh Street, Suite 2200 Minneapolis, MN 55402 (612) 373-8409

## **AZTEC ESTATES**

# EXHIBIT A TO SEVENTH SUPPLEMENTAL DECLARATION

## LEGAL DESCRIPTION OF PROPERTY

Lots 1 through 45, Block 1, Aztec Estates, Anoka County, Minnesota.

Note: Each platted Lot constitutes a Unit except Lot 45, Block 1 which is Common Element.

# **AZTEC ESTATES**

# EXHIBIT D TO SEVENTH SUPPLEMENTAL DECLARATION

# LEGAL DESCRIPTION OF ADDITIONAL REAL ESTATE ADDED BY THIS SUPPLEMENTAL DECLARATION

Lots 15 through 18, 21 and 22, Block 1; Aztec Estates, Anoka County, Minnesota.

## **AZTEC ESTATES**

# EXHIBIT E TO SEVENTH SUPPLEMENTAL DECLARATION

# AFFIDAVIT OF SERVICE ON ASSOCIATION

STATE OF MINNESOTA )
COUNTY OF Herrepin)
of Lewis . State of Minnesota, being duly sworn on oath, says: (1) that the declarant control period as defined in the Minnesota Common Interest Ownership Act (the "Act") has expired, and (2) that on the
Subscribed and sworn to before me this day of Tebrucy, 2007.
MCR. WHIS MIGARCIA
Notary Public 11, 2010

MICHELE MARIE KNOWLTON GARCIA Notary Public Minnesota My Commission Expires January 31, 2010

#### **AZTEC ESTATES**

#### CONSENT AND JOINDER BY MORTGAGEE

The undersigned (the "Mortgagee") is a mortgagee of portions of real property described in the Declaration of Aztec Estates (the "Declaration"). Mortgagee hereby consents to and joins in this Seventh Supplemental Declaration (the "Supplemental Declaration"); provided, that by consenting to and joining in this Supplemental Declaration, (i) the Mortgagee does not in any manner constitute itself or obligate itself as a Declarant as defined in the Supplemental Declaration, and (ii) such mortgage shall remain as a lien on the property described therein, prior to any Assessment liens or other liens imposed under the Declaration, until released or satisfied.

IN WITNESS WHEREOF, the Mortgagee has caused this Consent and Joinder to be executed on the day of bloway, 2007.

BUILDERS DEVELOPMENT & FINANCE, INC., Minnesota corporation

By:	Will 1 Dog	
Its:	F251061	

STATE OF MINNESOTA ) ss COUNTY OF Levele )

The foregoing instrument was acknowledged before me this the day of Jelsthan 2007, by William I. Kaeran W., the Wrest of Builders Development & Finance, Inc., a Minnesota corporation.



NotaryPublic

THIS INSTRUMENT WAS DRAFTED BY: Mark S. Radke, Esq. FELHABER, LARSON, FENLON & VOGT, P.A. Attorneys at Law 220 South Seventh Street, Suite 2200 Minneapolis, Minnesota 55402 (612) 373-8409

## **AZTEC ESTATES**

## CONSENT AND JOINDER BY OWNER

The undersigned, the owner of Lot 22, Block 1; Aztec Estates, Anoka County, Minnesota, hereby consents to and joins in this Seventh Supplemental Declaration (the "Supplemental Declaration"); provided, that by consenting to and joining in this Supplemental Declaration, the undersigned does not in any manner constitute itself or obligate itself as a Declarant as defined in the Supplemental Declaration.

IN WITNESS WHEREOF, the undersigned have caused this Consent and Joinder to be
executed on the 28 day of February, 2007.
Dary Schledentry
Dim Kareding
STATE OF MINNESOTA )
, ss.
COUNTY OF Arcké )
The foregoing instrument was acknowledged before me this 28 day of February 2007, by Cary Schedelwitz, and Junice Schedelwitz.
Notary Public

THIS INSTRUMENT WAS DRAFTED BY: FELHABER, LARSON, FENLON & VOGT, P.A. (MSR) 220 South Sixth Street, Suite 2200 Minneapolis, MN 55402 (612) 373-8409



#### **AZTEC ESTATES**

## NOTICE OF INTENTION TO ADD ADDITIONAL REAL ESTATE

Aztec Estates Townhomes Association is hereby given notice that, pursuant to Minnesota Statutes Section 515B.2-111(b), and Section 18 of the Declaration of Aztec Estates recorded in the office of the Anoka County Recorder (the "Declaration"), Regal Townhomes, Inc., a Minnesota corporation, the Declarant under the Declaration, intends to add the following described Additional Real Estate situated in Anoka County, Minnesota, to Aztec Estates:

# Lots 15 through 18, 21 and 22, Block 1; Aztec Estates, Anoka County, Minnesota.

The Seventh Supplemental Declaration adding said Additional Real Estate will add 6 Units to Aztec Estates and will be recorded in accordance with the applicable provisions of Minnesota Statutes Chapter 515B, not less than fifteen days following the service of this Notice. Attached to this Notice is a copy of the proposed form of Seventh Supplemental Declaration.

Dated: 2-8-07

REGAL TOWNHOMES, INC.,
a Minnesota corporation.

Its: Vice President

ANOKA COUNTY MINNESOTA

1.

Document No.: 1991418.001 ABSTRACT

I hereby certify that the within instrument was filed in this

office for record on: 03/05/2007 9:25:00 AM

Fees/Taxes In the Amount of: \$46.00

MAUREEN J. DEVINE

Anoka County Property Tax

Administrator/Recorder/Registrar of Titles

EIC, Deputy

Record ID: 1795061

TCT Master file - Aztec Estates