



OFFICE OF COUNTY RECORDER  
Olmsted County, Minnesota

I hereby certify that this document was filed in this office  
on 1/27/2006 at 2:00:00 PM and was duly  
recorded as document number A-1090402  
DANIEL J. HALL - County Recorder, by \_\_\_\_\_ Deputy.

Well Certificate:  Received  Not Required  
Abstr. - yes  no   
Fees:

Total \$46.00

*Outlot A'  
Lts. 1-5, B1,  
Lts. 1, B2, Boulder Creek 2nd*

Received from/return to:  
BOULDER CREEK DEVELOPMENT

264 RIVER BLUFF LN NW  
ROCHESTER, MN 55901

TRAILWAY EASEMENT DECLARATION

This Declaration is made this 27<sup>th</sup> day of January, 2006 by Boulder Creek LLC, a Minnesota Limited Liability Company (hereinafter referred to as "Owner").

WHEREAS, Owner is the owner in fee of real property described as Lot 2 and Lot 3, Block 1, and Outlot A, Boulder Creek Second, Olmsted County, Minnesota, and

WHEREAS, the Boulder Creek development has a park (open space) located on Outlot "C", Boulder Creek Second, and

WHEREAS, Owner desires to establish a pedestrian trail on the above described Outlot A and Lots 2 and 3, Block 1, Boulder Creek Second, for the benefit of the owners of the Lots 1, 2, 3, 4 and 5, Block 1, and Lot 1, Block 2, located in Boulder Creek Second subject to the terms and conditions hereinafter contained.

NOW THEREFORE, in consideration of the premises and the mutual covenants hereinafter contained, it is hereby declared as follows:

1. Owner hereby grants bargains and conveys to the owners of said lots located in the recorded Plat of Boulder Creek Second, Olmsted County, Minnesota, and their successors and assigns, a non-exclusive, perpetual easement and right-of-

*306  
1-27-06  
Boulder Creek Develop.*

*wv*



**PRIVATE WALKWAY EASEMENT**

That part of Lots 2 and 3, Block 1, Boulder Creek Second lying within 10 feet on either side of the property line shared by and running between said Lots 2 and 3, Block 1, Boulder Creek Second.