

120 Acres +/- of Farmland in Kimball Twp, Jackson Co., MN

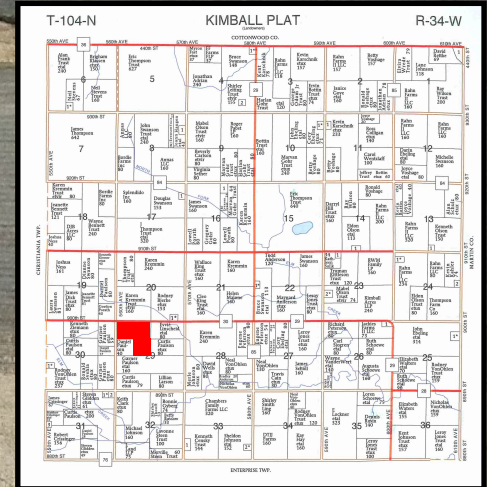
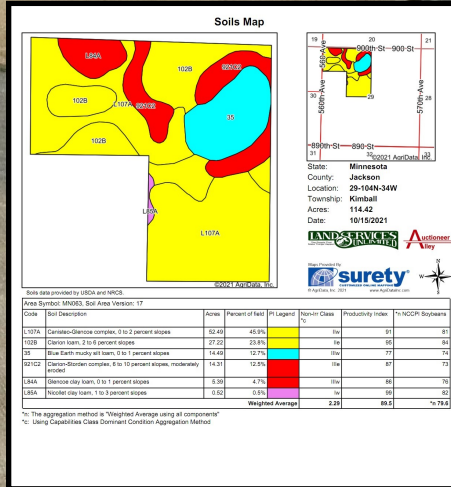
FARMLAND AUCTION

Friday, November 19, 2021 @ 10:00 AM

SALE LOCATION: Auction will be held at the Windom Community Center at 1750 Cottonwood Lake Dr, Windom

PROPERTY LOCATION: From Bergen, MN 2 miles East on County Road 30 (900th St)

PROPERTY LEGAL DESCRIPTION: 120 Deeded Acres located in the E 1/2 of the NW 1/4 & NW 1/4 of the NW 1/4 Section 29, Township 104 North, Range 34 W, Jackson County, Minnesota.



AUCTION SALE TERMS: The Johnson farm will be offered for sale as one parcel. Please review farm booklet for specific details. All bidders must register for a bidding number prior to bidding. The successful buyer at the conclusion of the auction will enter into a purchase agreement & make a 20% earnest money down payment the day of the auction. The unpaid balance shall be due and payable in full on or before December 29th, 2021 when clear title will be furnished. This sale is NOT CONTINGENT ON BUYER FINANCING and 20% down payment is NON-REFUNDABLE. There will be a 2% buyers premium added onto the final sales price at the conclusion of the auction. The property is being sold AS IS-WHERE IS. Property is being sold subject to any and all zoning, environmental, state, federal laws or any easements including road, drainage, utility, or other easements or agreements of record. Seller will pay all of 2021 real estate taxes. Buyer will be responsible for 2022 real estate taxes and thereafter. Seller will keep all of the 2021 farm rent. Any new assessments of record after the signing of the purchase agreement will be the responsibility of the buyer's. Any appraisal or loan fees are buyer's obligation. It is the interested bidder's obligation to inspect the property prior to their purchase of it. For those that can't attend sale day and would like to bid by phone please make arrangements with sales staff 24 hours ahead of the auction. Any statements made at the auction may take precedence over any printed information. This sale is subject to the sellers approval. Auctioneer Alley, Land Services Unlimited+ & Sales Staff represent the sellers in this transaction.

AUCTIONEERS NOTE: We are honored to have the opportunity to work for the Johnson Family as this is a great opportunity to buy some good farmland in Jackson County! This nice 120 acres comes with 2 windmills adding an extra revenue stream for the new buyer! This farm is located only 2 miles East of Bergen, MN on a hard surface road. This farm would make an excellent addition to your investment portfolio, whether you are a farmer or an investor! This information provided by the sellers & their agents is believed to be correct, but is not guaranteed. Any lines on maps are for informational purposes only and are not guaranteed to be actual boundary lines of the property. The buyers shall make themselves familiar with the property and verify all information & data for themselves. This auction is open to the public and we look forward to seeing you there! Respectfully, Dustyn Hartung and Sales Staff.

Owners: Maurice & Gjetrud Johnson Estate

www.auctioneeralley.com



105 S State Street, Fairmont, MN 56031-507-238-4318



WADE WACHOLZ, LEGAL COUNSEL & CLOSING ATTORNEY

AUCTIONEERS AND SALES STAFF

DUSTYN HARTUNG 507-236-7629

LEAH HARTUNG 507-236-8786

KEVIN, ALLEN, RYAN KAHLER, DOUG WEDEL, DAN PIKE, CHRIS KAHLER & SCOTT CHRISTOPHER

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Fairmont, MN 56031
507-238-4318

JOHNSON PROPERTY INFORMATION

SALE METHOD: The farm will be offered as one parcel on sale day. 120 Deeded Acres x the bid.

LEGAL DESCRIPTION: 120 Deeded Acres located in the E ½ of the NW ¼ & the N ¼ of the NW ¼ in Section 29 of Kimball Township, Jackson County, MN T104N, R34W.

TAX PARCEL ID #: 100290100

BUILDINGS: Bare Farmland

REAL ESTATE TAXES: 2021 Non (HSTD) Ag Taxes = \$4,259.75

FSA INFO:

Total Acres	=	120.00 +/- acres
FSA Tillable Acres	=	113.48 +/- acres
Corn Base Acres	=	56.95 +/- acres
Corn PLC Yield	=	131.00 +/- bushels
Soybean Base Acres	=	55.45 +/- acres
Soybean PLC Yield	=	40.00 +/- bushels
Total Base Acres	=	112.40 +/- acres

PREDOMINANT SOILS: Canisteo Glencoe Complex, Clarion Loam

CPI: Crop Productivity Index 89.5 *Good
* See Soils Map

TOPOGRAPHY: Level to Rolling
*See Topography Map

DRAINAGE: Farm is part of County Ditch 13 which outlets to the SW. The farm also has some private tile.
*See Tile Maps

NRCS CLASSIFICATIONS: NHEL (Non-Highly Erodible)

WETLAND STATUS: This farm has not had a wetland determination completed.

LEASE STATUS: The 2021 crop has been removed by the current tenant. The new buyer may enter the farm for 2021 fall tillage upon the execution of the purchase agreement following the auction. The new buyer will have possession of the farm upon a successful closing.

AUCTIONS – REAL ESTATE - APPRAISALS



REAL ESTATE SALES STAFF

DUSTYN HARTUNG 507-236-7629

LEAH HARTUNG MN Broker

#40416719

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WINDMILLS:

The Johnson farm is part of the Elm Creek Wind Farm and Kimball Wind Farm. It has (2) turbines located on the subject property. For more information on this please call.



If there are any questions prior to the sale please call and thank for looking!

AUCTIONS – REAL ESTATE - APPRAISALS



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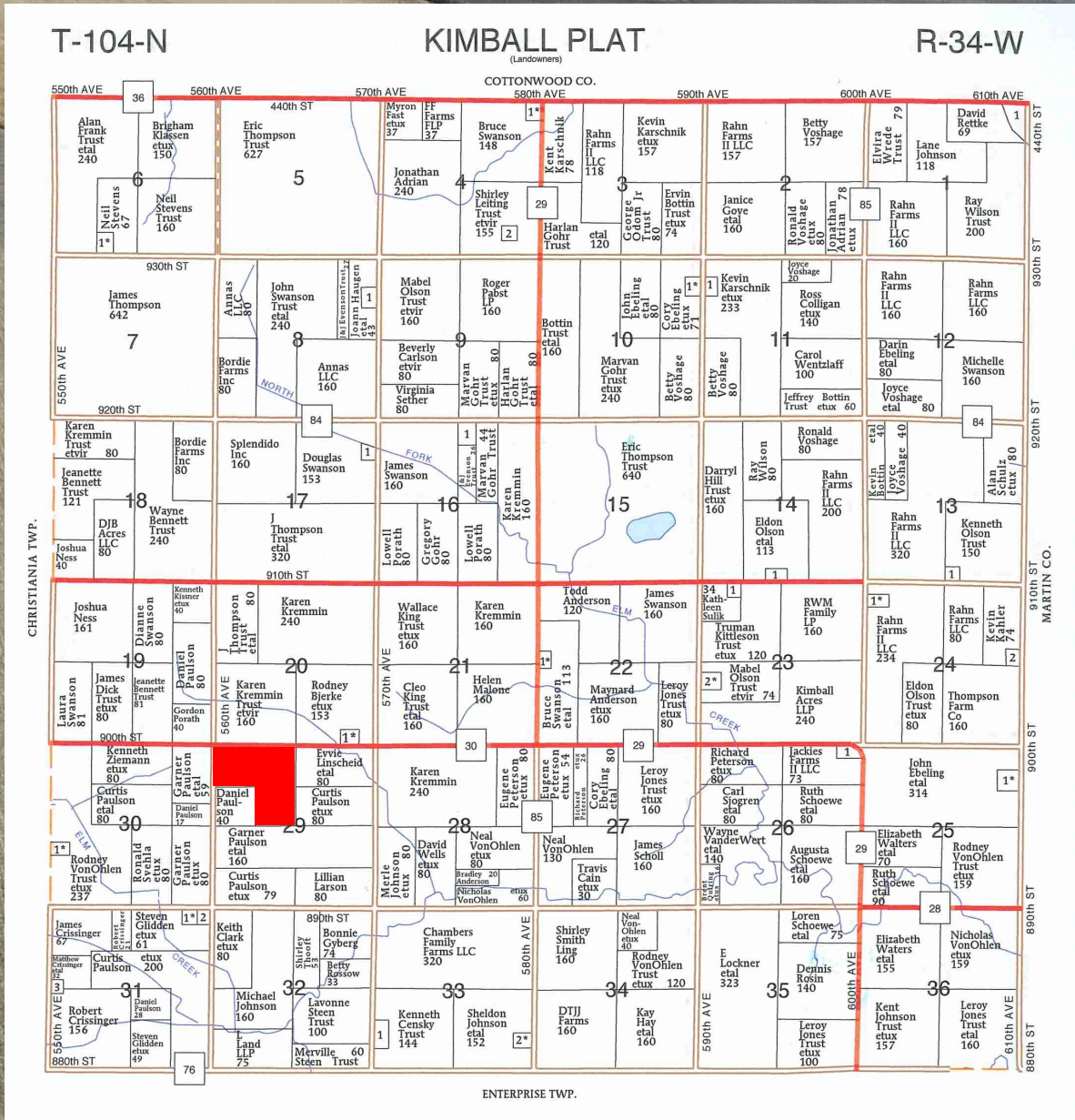
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Auctioneer Alley

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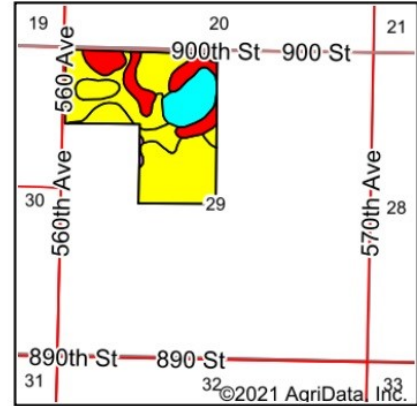
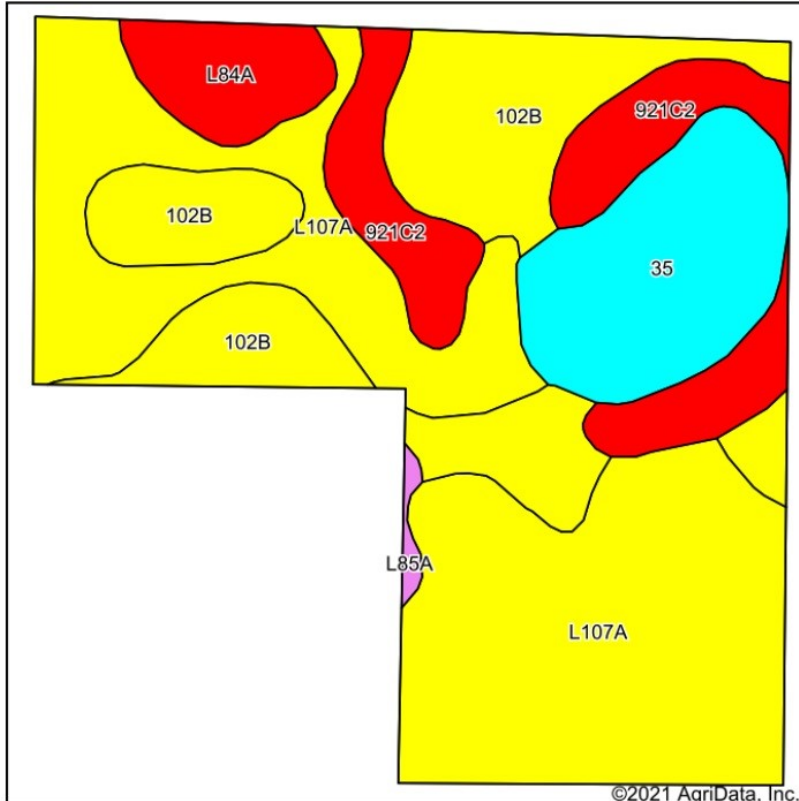
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Soils Map



State: **Minnesota**
 County: **Jackson**
 Location: **29-104N-34W**
 Township: **Kimball**
 Acres: **114.42**
 Date: **10/15/2021**



Soils data provided by USDA and NRCS.

Area Symbol: MN063, Soil Area Version: 17

Code	Soil Description	Acres	Percent of field	PI Legend	Non-Irr Class *c	Productivity Index	*n NCCPI Soybeans
L107A	Canisteo-Glencoe complex, 0 to 2 percent slopes	52.49	45.9%		IIw	91	81
102B	Clarion loam, 2 to 6 percent slopes	27.22	23.8%		IIe	95	84
35	Blue Earth mucky silt loam, 0 to 1 percent slopes	14.49	12.7%		IIIw	77	74
921C2	Clarion-Storden complex, 6 to 10 percent slopes, moderately eroded	14.31	12.5%		IIIe	87	73
L84A	Glencoe clay loam, 0 to 1 percent slopes	5.39	4.7%		IIIw	86	76
L85A	Nicollet clay loam, 1 to 3 percent slopes	0.52	0.5%		Iw	99	82
Weighted Average					2.29	89.5	*n 79.6

*n: The aggregation method is "Weighted Average using all components"

*c: Using Capabilities Class Dominant Condition Aggregation Method



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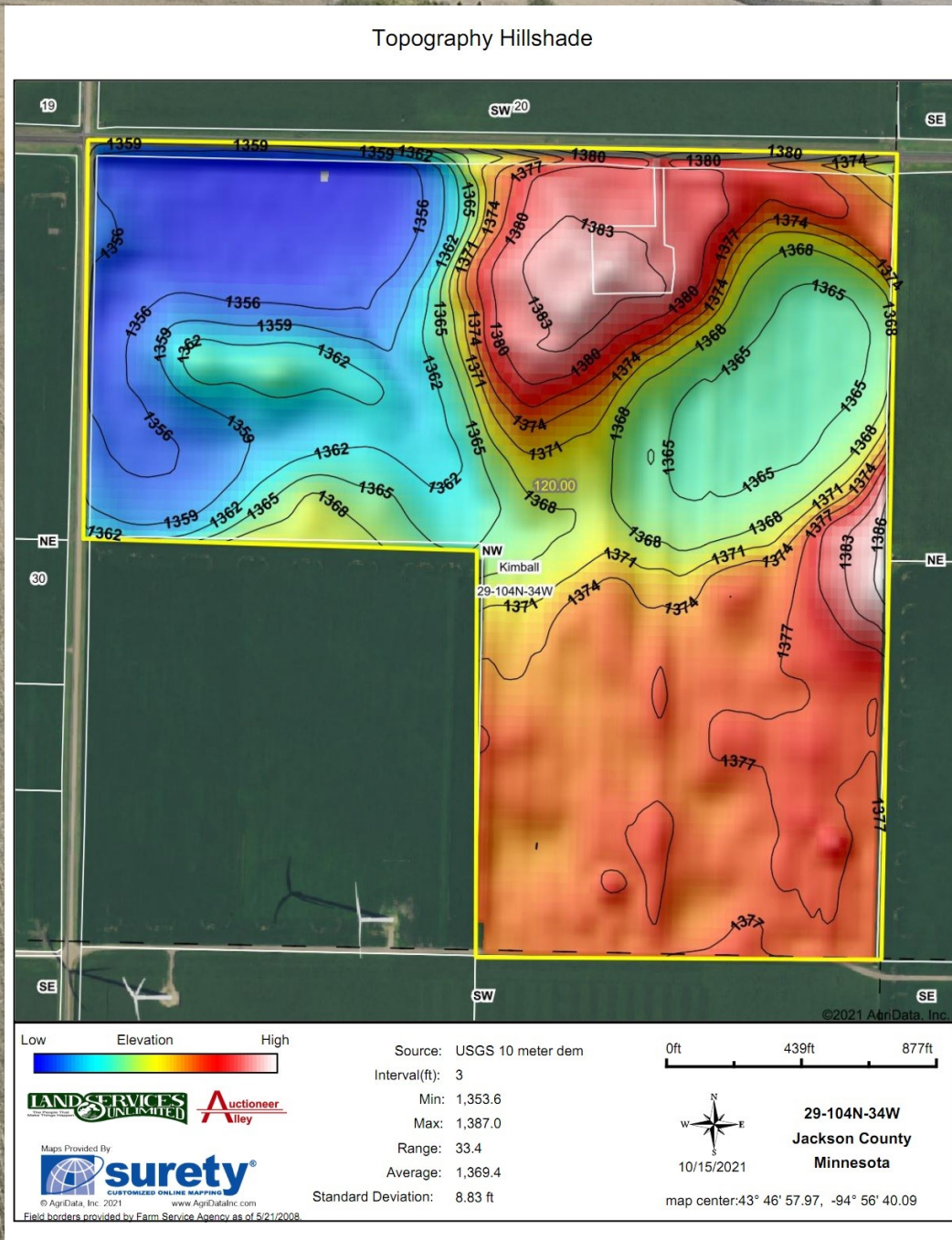
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Minnesota	U.S. Department of Agriculture	FARM: 7272
Jackson	Farm Service Agency	Prepared: 10/19/21 10:33 AM
Report ID: FSA-156EZ	Abbreviated 156 Farm Record	Crop Year: 2021
DISCLAIMER: This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.		Page: 1 of 2

Operator Name	Farm Identifier	Recon Number
	S1097/7271,7272	2012 - 41

Farms Associated with Operator:

ARC/PLC G//F Eligibility: Eligible

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP	EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
114.42	113.48	113.48	0.0	0.0	0.0	0.0	0.0	Active	1

State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP	Native Sod
0.0	0.0	113.48	0.0	0.0	0.0

ARC/PLC					
PLC	ARC-CO	ARC-IC	PLC-Default	ARC-CO-Default	ARC-IC-Default
NONE	CORN , SOYBN	NONE	NONE	NONE	NONE

Crop	Base Acreage	PLC Yield	CCC-505 CRP Reduction
CORN	56.95	131	0.00
SOYBEANS	55.45	40	0.00
Total Base Acres:	112.4		

Tract Number: 738 Description: NWNW,E2NW 29-104-34-KIMB

FSA Physical Location : Jackson, MN ANSI Physical Location: Jackson, MN

BIA Range Unit Number:

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Tract does not contain a wetland

WL Violations: None

Farmland	Cropland	DCP Cropland	WBP	WRP	EWP	CRP Cropland	GRP
114.42	113.48	113.48	0.0	0.0	0.0	0.0	0.0

State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP	Native Sod
0.0	0.0	113.48	0.0	0.0	0.0

Crop	Base Acreage	PLC Yield	CCC-505 CRP Reduction
CORN	56.95	131	0.00
SOYBEANS	55.45	40	0.00
Total Base Acres:	112.4		

Owners: WACHOLZ, PAMELA J



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United States
Department of
Agriculture

Jackson County, Minnesota



Farm 7272

Tract 738

2019 Program Year

Map Created April 17, 2019

0 175 350 700
Feet

Unless otherwise noted:
Shares are 100% operator
Crops are non-irrigated
Corn = yellow for grain
Soybeans = common soybeans for grain
Wheat = HRS, HRW = Grain
Sunflower = Oil, Non-Oil = Grain
Oats and Barley = Spring for grain
Rye = for grain
Peas = process
Alfalfa, Mixed Forage AGM, GMA, IGS = for forage
Beans = Dry Edible
NAG = for GZ
Canola = Spring for seed

Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 113.48 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS). This map displays the 2017 NAIP imagery.



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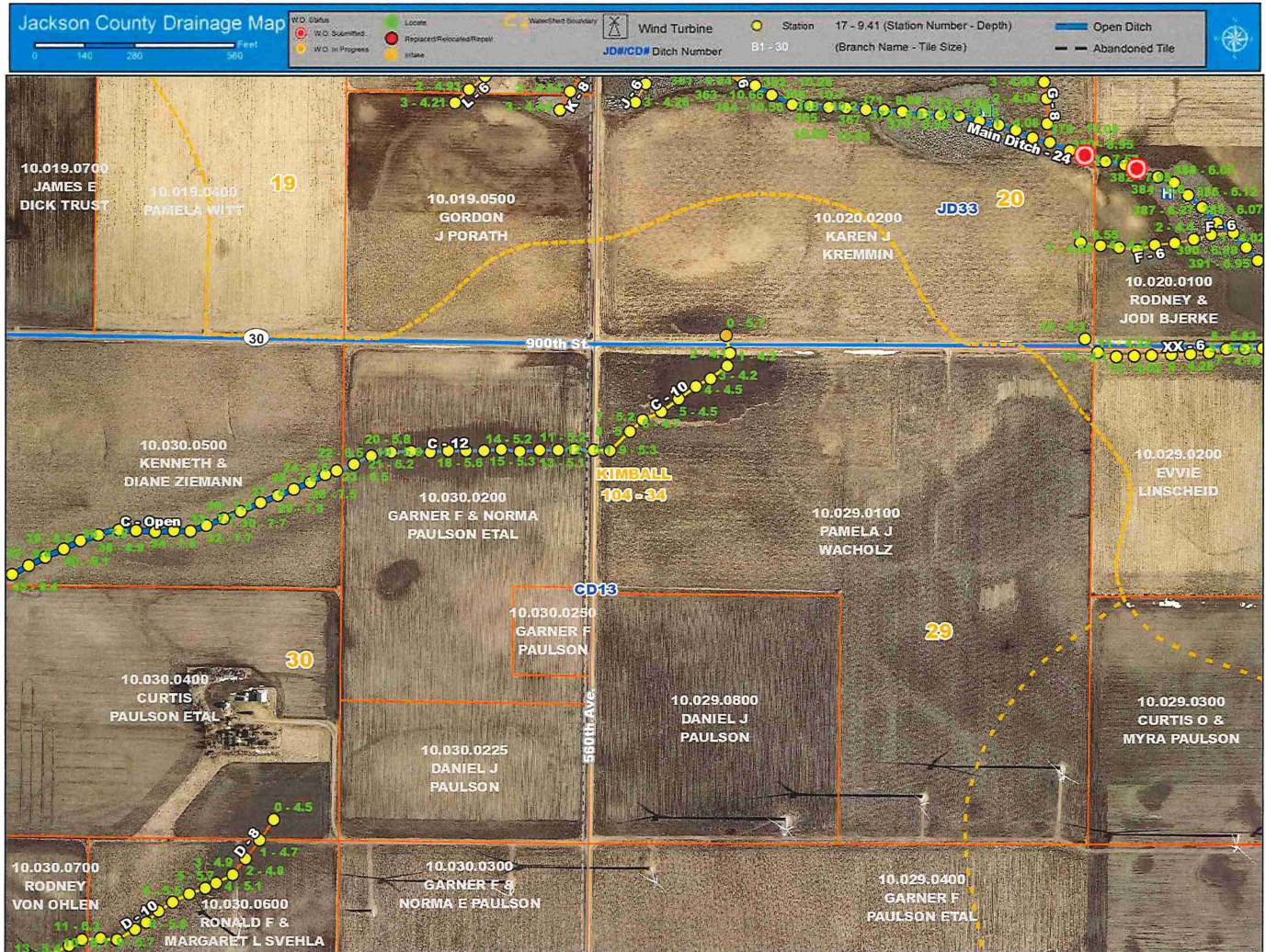
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FORM MN 501 (Rev)
Mar. 1961

TILE INSTALLATION RECORD
Location Plan

U.S. Department of Agriculture
Soil Conservation Service

Scale 1 Inch = 440 Feet

-Legend-		Job Name <u>Maurice Johnson</u>
Farm Boundary	---	Sec. <u>29</u> Township <u>Kimball</u>
Permanent Fence	---x---	County <u>Jackson</u> State <u>Minnesota</u>
Existing Tile Line	---o---	ACP No. _____
New Tile Installed	---o---	Design By _____
Existing Deep Ditch	===	Date Installed <u>Nov 10 - 11 1965</u>
Existing Shallow Ditch	---o---	Contractor <u>Neal Harty</u>

-Amount of Tile Installed-		Date Installed <u>Nov 10 - 11 1965</u>
<u>1200</u> Feet of	<u>6</u> inch tile	Contractor <u>Neal Harty</u>
Feet of	inch tile	Type of Machine <u>Pneumatic</u>
Feet of	inch tile	Tile Manufacturer(s) <u>isudom - Sogge</u>
Feet of	inch tile	Staked By _____

I certify that the information given above is correct and that all tile installed meet the specifications given on the reverse side and applicable specifications in Minnesota Specifications for Conservation Practices No. 207, except as is noted on the drawing or on reverse side under remarks.

By: Neal Harty 12-11-65
(Signature of Contractor & date)

(Over)



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LEAH HARTUNG MN Broker

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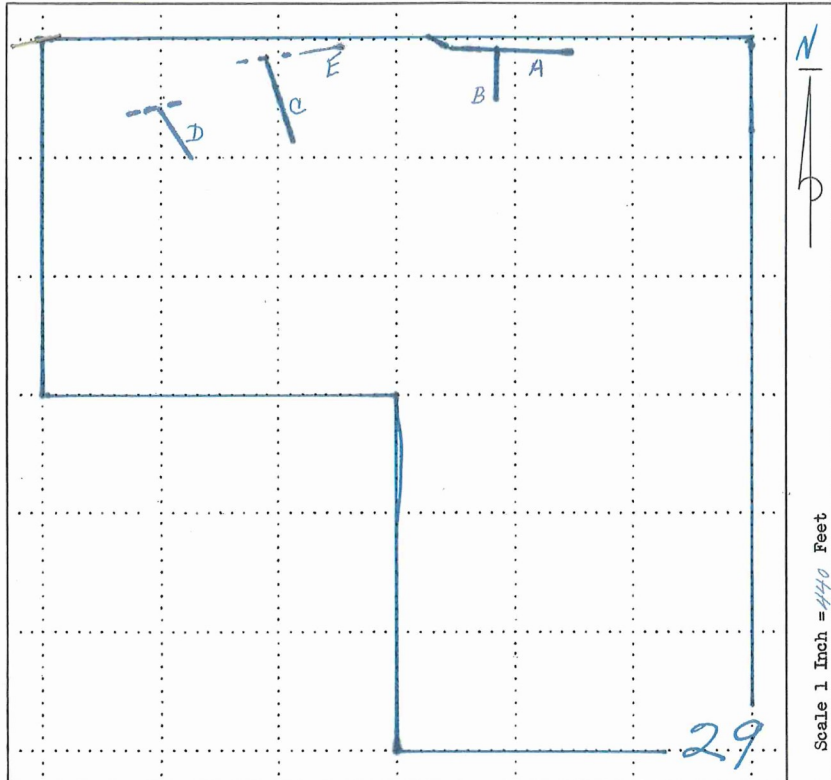
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FORM MN 501(Rev)
Mar. 1961

TILE INSTALLATION RECORD Location Plan

U.S. Department of Agriculture
Soil Conservation Service



-Legend-

Farm Boundary ---
Permanent Fence --- x ---
Existing Tile Line --- o ---
New Tile Installed --- o ---
Existing Deep Ditch --- = ---
Existing Shallow Ditch --- < ---

-Amount of Tile Installed-

Feet of _____ inch tile
1250 Feet of 5 inch tile
Feet of _____ inch tile
Feet of _____ inch tile

Job Name Maurice Johnson
Sec. 29 Township R. Kimball
County Jackson State Minn.
ACP No. _____
Design By Nils Hauge
Date Installed 4-1973
Contractor Dave Paulsen
Type of Machine Personal
Tile Manufacturer(s) windom-plastic
Staked By _____

I certify that the information given above is correct and that all tile installed meet the specifications given on the reverse side and applicable specifications in Minnesota Specifications for Conservation Practices No. 207, except as is noted on the drawing or on reverse side under remarks.

By: _____
(Signature of Contractor & date) (Over)



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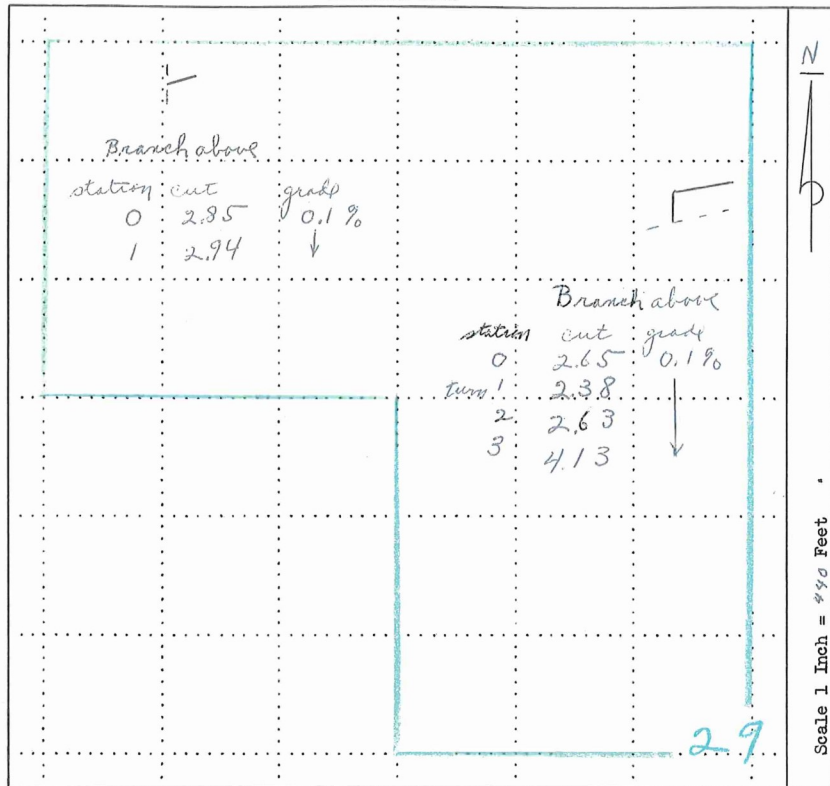
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TILE INSTALLATION RECORD Location Plan

U.S. Department of Agriculture
Soil Conservation Service



-Legend-

Farm Boundary ———
Permanent Fence — x — x —
Existing Tile Line — o — o —
New Tile Installed — — — —
Existing Deep Ditch — — — —
Existing Shallow Ditch — — — —

-Amount of Tile Installed-

Feet of ——— inch tile
400 Feet of 6 inch tile
Feet of ——— inch tile
Feet of ——— inch tile

Job Name Maurice Johnson
Sec. 29 Township H Kimball
County Jackson State Minnesota
ACP No. 1
Design By
Date Installed May 1967
Contractor Davis Paulson
Type of Machine Parsons
Tile Manufacturer(s) Willitt
Staked By Wils Hauge

I certify that the information given above is correct and that all tile installed meet the specifications given on the reverse side and applicable specifications in Minnesota Specifications for Conservation Practices No. 207, except as is noted on the drawing or on reverse side under remarks.

By: _____
(Signature of Contractor & date) (Over)



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Summary

Parcel ID 100290100
Property Address
Sec/Twp/Rng 29-104-034
Brief Tax Description Sect-29 Twp-104 Range-034 120.00 AC E 1/2 NW 1/4 & NW 1/4 NW 1/4
(Note: Not to be used on legal documents)
Deeded Acres 120.00
Class 101 - (NON-HSTD) AGRICULTURAL; 928 - (NON-HSTD) WIND ENERGY CONV SYS
District (1002) KIMBALL/177
School District 0177
Creation Date 07/10/1989

Owners

Primary Taxpayer
Pamela J Wacholz
2153 Peregrine Ln
N Mankato, MN 56003

Valuation

	2021 Assessment	2020 Assessment	2019 Assessment	2018 Assessment	2017 Assessment
+ Estimated Building Value	\$0	\$0	\$0	\$0	\$0
+ Estimated Land Value	\$716,900	\$716,900	\$716,900	\$763,700	\$824,800
+ Estimated Machinery Value	\$0	\$0	\$0	\$0	\$0
= Estimated Market Value	\$716,900	\$716,900	\$716,900	\$763,700	\$824,800

Value Notice

[2021 Valuation Notice \(PDF\)](#)
[2020 Valuation Notice \(PDF\)](#)
[2019 Valuation Notice \(PDF\)](#)

Taxation

	2021 Payable	2020 Payable	2019 Payable	2018 Payable	2017 Payable
Estimated Market Value	\$716,900	\$716,900	\$763,700	\$824,800	\$850,400
- Excluded Value	\$0	\$0	\$0	\$0	\$0
- Homestead Exclusion	\$0	\$0	\$0	\$0	\$0
= Taxable Market Value	\$716,900	\$716,900	\$763,700	\$824,800	\$850,400
Net Taxes Due	\$4,259.75	\$4,325.75	\$4,561.75	\$4,227.75	\$4,567.75
+ Special Assessments	\$416.25	\$416.25	\$416.25	\$416.25	\$416.25
= Total Taxes Due	\$4,676.00	\$4,742.00	\$4,978.00	\$4,644.00	\$4,984.00

IF YOU OWE BACK TAXES, PENALTIES, OR INTEREST, PLEASE CALL THE AUDITOR/TREASURERS OFFICE FOR A PAYMENT AMOUNT.

Tax Statements

[2021 Tax Statement \(PDF\)](#)
[2020 Tax Statement \(PDF\)](#)
[2019 Tax Statement \(PDF\)](#)

Taxes Unpaid

	2021 Payable
Unpaid Tax	\$2,129.87
+ Unpaid Spec Asmt	\$208.13
+ Unpaid Fees	\$0.00
+ Unpaid Penalty	\$0.00
+ Unpaid Interest	\$0.00
= Unpaid Total	\$2,338.00



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Document Number A 249525
Certified, Filed and or Recorded on
APR. 09, 2007 AT 12:00PM

Signed: Becky McCann
Becky McCann - County Recorder
Jackson County
State of Minnesota

Fee Amount: \$46.00

MEMORANDUM OF LAND LEASE AND WIND EASEMENT

THIS MEMORANDUM OF LAND LEASE AND WIND EASEMENT ("Memorandum of Lease") is entered into this 28th day of March, 2007 by and between Myron J. Johnson and Sharon L. Johnson, husband and wife, Dean M. Johnson, a single person and Carol M. Ihrke, a single person ("Landlord"), and Kimball Wind, LLC a Minnesota limited liability company ("Tenant").

RECITALS:

A. Landlord and Tenant have entered into a certain Land Lease Agreement and Wind Easement dated March 28, 2007 (the "Lease Agreement"), whereby Landlord has agreed to lease to Tenant certain real property, together access easement rights and a wind easement across said premises in the County of Jackson, State of Minnesota, and being more particularly described in Exhibit A attached hereto and made a part hereof (the "Premises").

B. The parties wish to give notice of the existence of such Lease Agreement.

IN CONSIDERATION of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Landlord and Tenant have entered into the Lease Agreement dated March 28, 2007 (the "Effective Date") to lease and demise the Premises for wind energy purposes and to grant access and wind easements. Pursuant to the Lease Agreement, Tenant has the exclusive right to use the Premises for wind energy purposes, together with certain related wind, access and other easement rights and other rights related to the Premises, all as more fully described in the Lease Agreement. Wind energy purposes means converting wind energy into electrical energy and collecting and transmitting the electrical energy so converted, together with any and all activities related thereto.

2. The initial term of the Lease Agreement is for a period of three (3) years, commencing on the Effective Date and ending on the 28th day of March, 2010 (the "Development Period"). Tenant has the option to renew the term of the Development Period, for

#3160139v2
182000-36

1

ABSTRACT EXHIBIT "A"

Myron J. Johnson & Sharon L. Johnson



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an additional two (2) years. The Lease Agreement shall automatically be extended for an Extended Term, as defined below, upon the earlier of (i) the date when construction of wind facilities on the Premises commences ("Construction Date"); or (ii) date when Landlord receives written notice from Tenant of Tenant's election to extend the term of the Lease Agreement for the extended term ("Extended Term Notice Date"). The Extended Term of the Lease Agreement ("Extended Term") is twenty (20) years from the earlier of either of the Construction Date or the Extended Term Notice Date unless sooner terminated in accordance with the terms of the Lease Agreement. In addition, Tenant has a right to extend the Extended Term for two (2) additional periods of ten (10) years upon written notice to Landlord.

3. Landlord shall have no ownership and other interest in any windpower facilities installed on the Premises by Tenant and Tenant may remove any or all windpower facilities at any time.


4. The Lease Agreement and the easement and rights granted Tenant therein shall burden the Premises and shall run with the land. The Lease Agreement shall inure to the benefit of and be binding upon and Tenant and, to the extent provided in any assignment or other transfer under the Lease Agreement, any assignee or tenant, and their respective heirs, transferees, successors and assigns, and all persons claiming under them.

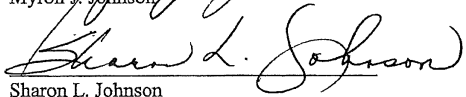
5. This Memorandum of Lease has been executed and delivered by the parties for the purpose of recording and giving notice of the lease and easement rights in accordance with the terms, covenants and conditions of the Lease Agreement.

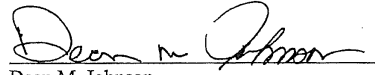
6. The terms and conditions of the Lease Agreement are incorporated by reference into this Memorandum of Lease as if set forth fully herein at length. In the event of any conflict between the terms and provisions of the Lease Agreement and this Memorandum of Lease, the Lease Agreement shall control.

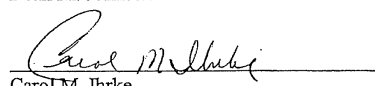
IN WITNESS WHEREOF, each of the parties hereto has caused this Memorandum of Lease to be duly executed as of the day and year first above written.

LANDLORD:


Myron J. Johnson


Sharon L. Johnson


Dean M. Johnson


Carol M. Ihrke

#3160139v2
182000-36

2



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LEAH HARTUNG MN Broker

#40416719

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120 Acres +/- of Farmland in Kimball Twp, Jackson Co., MN

FARMLAND AUCTION

Friday, November 19, 2021 @ 10:00 AM

SALE LOCATION: Auction will be held at the Windom Community Center at 1750 Cottonwood Lake Dr, Windom

TENANT:

KIMBALL WIND, LLC

By: [Signature]

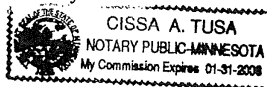
Its: Chief Manager

STATE OF MINNESOTA)
COUNTY OF JACKSON) ss.

The foregoing instrument was acknowledged before me this 28th day of March, 2007 by [Signature], the Manager of Kimball Wind, LLC, a limited liability company under the laws of Minnesota, on behalf of the company.

Cissa A. Tusa

Notary Public



STATE OF MINNESOTA)
COUNTY OF Watonwan) ss.

The foregoing instrument was acknowledged before me this 26th day of March, 2007 by Myron J. Johnson and Sharon L. Johnson, husband and wife.

Tamara Mickelson

Notary Public



STATE OF SOUTH DAKOTA)
COUNTY OF Minnehaha) ss.

The foregoing instrument was acknowledged before me this 16th day of March, 2007 by Dean M. Johnson, a single person.

Kathy L. Dickinson

Notary Public

Expires: 6/2/2009

#3160139v2
182000-36

3



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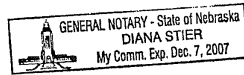
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STATE OF NEBRASKA)
COUNTY OF Washington ss.

The foregoing instrument was acknowledged before me this 6 day of March, 2007 by Carol M. Ihrke, a single person.



Diana Stier
Notary Public

This instrument was drafted by:
Fredrikson & Byron, P.A. (SCB)
200 South Sixth Street – Suite 4000
Minneapolis, Minnesota 55402-1425

#3160139v2
182000-36

4



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EXHIBIT A

Legal Description of Premises

The East Half of the Northwest Quarter (E ½ of NW ¼) and the Northwest Quarter of the Northwest Quarter (NW ¼ of NW ¼) of Section Twenty-nine (29), in Township One Hundred Four (104) North, of Range Thirty-four (34) West of the Fifth Principal Meridian, in Jackson County, Minnesota. 10.029.0100 5-148

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FARMLAND AUCTION

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Document Number A 249525
Certified, Filed and or Recorded on
APR. 09, 2007 AT 12:00PM

Signed: *Becky McCann*
Becky McCann - County Recorder
Jackson County
State of Minnesota

Fee Amount: \$46.00

MEMORANDUM OF LAND LEASE AND WIND EASEMENT

THIS MEMORANDUM OF LAND LEASE AND WIND EASEMENT ("Memorandum of Lease") is entered into this 28th day of March, 2007 by and between Myron J. Johnson and Sharon L. Johnson, husband and wife, Dean M. Johnson, a single person and Carol M. Ihrke, a single person ("Landlord"), and Kimball Wind, LLC a Minnesota limited liability company ("Tenant").

RECITALS:

A. Landlord and Tenant have entered into a certain Land Lease Agreement and Wind Easement dated March 28, 2007 (the "Lease Agreement"), whereby Landlord has agreed to lease to Tenant certain real property, together access easement rights and a wind easement across said premises in the County of Jackson, State of Minnesota, and being more particularly described in Exhibit A attached hereto and made a part hereof (the "Premises").

B. The parties wish to give notice of the existence of such Lease Agreement.

IN CONSIDERATION of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Landlord and Tenant have entered into the Lease Agreement dated March 28, 2007 (the "Effective Date") to lease and demise the Premises for wind energy purposes and to grant access and wind easements. Pursuant to the Lease Agreement, Tenant has the exclusive right to use the Premises for wind energy purposes, together with certain related wind, access and other easement rights and other rights related to the Premises, all as more fully described in the Lease Agreement. Wind energy purposes means converting wind energy into electrical energy and collecting and transmitting the electrical energy so converted, together with any and all activities related thereto.

2. The initial term of the Lease Agreement is for a period of three (3) years, commencing on the Effective Date and ending on the 28th day of March, 2010 (the "Development Period"). Tenant has the option to renew the term of the Development Period, for

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Frederickson & Byron



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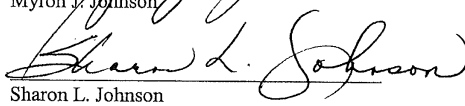
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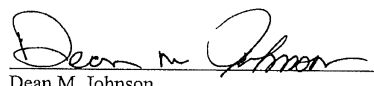
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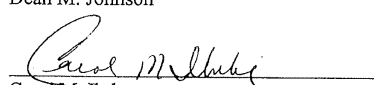
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Sharon L. Johnson


Dean M. Johnson


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KIMBALL WIND, LLC

By: [Signature]

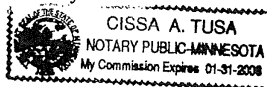
Its: Chief Manager

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COUNTY OF JACKSON) ss.

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Cissa A. Tusa

Notary Public



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Tamara Mickelson

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Kathy L. Dickinson

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Expires: 6/2/2009

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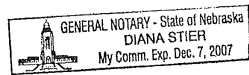
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