

# NOTICE OF SHERIFF'S SALE UNDER JUDGMENT AND DECREE – REAL PROPERTY

STATE OF MINNESOTA

COUNTY OF CARVER

DISTRICT COURT

FIRST JUDICIAL DISTRICT

Case Type: Contract

Kenwood Finance, LLC, a Minnesota limited liability company,  
Plaintiffs,

vs.  
First Choice Marine, LLC, a Minnesota limited liability company, Paul Bergquist, Nesvold Farms, LLC, a Minnesota limited liability company, and Neo Holdings, LLC, a Minnesota limited liability company,  
Defendants.

NOTICE IS HEREBY GIVEN, that under and by virtue of a Judgment made and Entered in the above entitled action on the 18th day of September, 2018, by the District Court of Carver, Minnesota, First Judicial District, a certified copy of which has been delivered to me directing the sale of the premises hereinafter described, to satisfy the amount found adjudged due Plaintiff in the above entitled action from Defendant First Choice Marine, LLC and Defendant Paul Bergquist as prescribed in the Judgment, the undersigned Sheriff of Carver County will sell at public auction, to the highest bidder, for cash, on 24th day of January, 2019 at 10 a.m. in the office of the Carver County Sheriff, 606 East Fourth Street, Chaska, Minnesota 55318-2102, the premises and real estate, lying and being in the County of Carver, State of Minnesota described in said Judgment, to wit:

That part of the Southwest Quarter of Section 21, Township 117, Range 25, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence on as assumed bearing of South 1 degree 03 minutes 24 seconds West along the west line of said Southwest Quarter a distance of 1080.41 feet to the point of beginning of the tract to be described; thence North 89 degrees 42 minutes 00 seconds East a distance of 150.00 feet; thence South 0 degrees 00 minutes 00 seconds East a distance of 57.64 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 519.33 feet to the east line of the west 670.26 feet of said Southwest Quarter; thence South 1 degrees 03 minutes 24 seconds West, along said east line, a distance of 321.14 feet; thence South 90 degrees 00 minutes 00 seconds West a distance of 670.38 feet to the west line of said Southwest Quarter; thence North 1 degrees 03 minutes 24 seconds West, along said west line a distance of 378.00 feet to the point of beginning and there terminating.

PID #: 10.0210102

(hereinafter the "Premises") together with (i) all buildings and improvements now or hereafter located on the Premises (the "Improvements"), (ii) all of the estate, right, title, claim, or demand of any nature whatsoever of Defendants First Choice Marine, LLC and Paul Bergquist ("Defendants") either in law or in equity, in possession or expectancy, in and to the Property (as defined below) or any part thereof; (iii) all easements, rights-of-way, gores of land, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights and powers, and all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments, and appurtenances of any nature whatsoever, in any way belonging, relating or pertaining to the Property (including, without limitation, any and all development rights, air rights or similar or comparable rights of any nature whatsoever now or hereafter appurtenant to the Premises or now or hereafter transferred to the Premises) and all land lying in the bed of any street, road or avenue, opened or proposed, in front of or adjoining the Premises to the center line thereof; (iv) all machinery, apparatus, equipment, fittings, fixtures and other property of every kind and nature whatsoever owned by the Defendant, or in which the Defendant has or shall have an interest, now or hereafter located upon the Property, or appurtenances thereto, or useable in connection with the present or future operation and occupancy of the Property and all building equipment, materials and supplies of any nature whatsoever owned by the Borrower, or in which the Borrower has or shall have an interest, now or hereafter located upon the Property (hereinafter collectively referred to as the "Equipment"), and the right, title, and interest of the Defendant in and to any of the Equipment which may be subject to any security agreements (as defined in the Uniform Commercial Code of the State in which the Premises are located), superior in lien to the lien of this mechanic's lien; (v) all awards or payments, including interest thereon, and the right to receive the same, which may be made with respect to the Property, whether from the exercise of the right of eminent domain (including any transfer made in lieu of the exercise of said right), or for any other injury to or decrease in the value of the Property; (vi) all leases and other agreements affecting the use or occupancy of the Property now or hereafter entered into (hereafter referred to as the "Leases") and the right to receive and apply the rents, issues and profits of the Property (hereinafter referred to as the "Rents") to the payment of the Obligations; (vii) all proceeds of and any unearned premiums on any insurance policies (collectively, hereinafter referred to as the "Policies") covering the Property, including, without limitation, the right to receive and apply the proceeds of any insurance, judgments or settlements made in lieu thereof, for damage for the Property; (viii) the right, in the name and on behalf of the Borrower, to appear in and defend any action or proceeding brought with respect to the Property and to commence any action or proceeding to protect the interest of Plaintiff in the Mortgaged Property; and (ix) all proceeds of each of the foregoing (all of the foregoing, together with the Premises, the "Property").

Property Address: 4365 Quaas Ave., Watertown, Minnesota 55388

Dated: November 14, 2018

Jim Olson

Sheriff of Carver County, Minnesota

By: /s/ Scot Tatge

Deputy Sheriff

CHESTNUT CAMBRONNE PA

By: /s/ Jeffrey C. O'Brien

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