

SUMMONS

STATE OF MINNESOTA

COUNTY OF CARVER

DISTRICT COURT

FIRST JUDICIAL DISTRICT

Case Type: Other Civil – Quiet Title Action

Court File No. 10-CV-18-1151

Elmer Redford,

Plaintiff,

v.

Diedrich J. Lenzen; Jeanette E. Lenzen; Gregg C. Witt; Meg A. Witt;

Wells Fargo Bank, N.A.; James Fletcher; Catherine N. Swanson;

the unknown heirs of Bruce W. Swanson; U.S. Bank, National Association N.D.; State of Minnesota;

Carl G. Friberg a/k/a Carley George Friberg; Glen R. Henry;

Heide Henry; Mortgage Electronic Registration Systems, Inc., a Delaware corporation; U.S. Bank, National Association;

Jon Thomas Heil; Theodore Lorch; Ione Lorch; Freedom Mortgage Corporation, a New Jersey corporation;

Steve C. Wiebe; Susan K. Wiebe f/k/a Susan K. Bizek; US Federal Credit Union n/k/a Firefly Credit Union;

Frandsen Bank & Trust; Rochelle Larson; Nicholas Listul; TIAA, FSB; Home Point Financial Corporation, a New Jersey corporation;

Shauna L. Lundquist; Kieran Monaghan; Nicole Monaghan; Tina A. Hebner;

Michael A. Hebner; City-County Federal Credit Union n/k/a Wings Financial Credit Union;

James A. Anderson; Debra A. Anderson;

Thomas Hal Devereux; Michelle M. Devereux; Matthew Ronald Jones;

Wells Fargo Home Mortgage, a division of Wells Fargo Bank, NA;

Deidre Marie Moynagh; James Patrick Moynagh; Larry MacNabb;

Vera MacNabb; Jesse C. Mechtel; Kelli Ann Mechtel; CACH, LLC, a Colorado limited liability company;

Centex Homes; Albert De Leon; Susana De Leon; Pingora Loan Servicing, LLC, a Delaware limited liability company;

Stephanie Kellner; Kyle Kellner; Arvest Central Mortgage Company, an Arkansas corporation;

Joseph F. Beckman; Jessica J. Beckman; LoanCare, LLC, a Virginia limited liability company;

Brad Delger; PNC Retail Lending Services, a division of PNC Bank, National Association;

Stephanie L. Larson; Kranthi Gottemukkula; Harika Kalidindi; American Investors Bank and Mortgage;

Lynn O. Flitter; Wanda J. Flitter; JP Morgan Chase Bank NA; Judd Grier;

Erin Grier; City of Carver; Soo Line Corporation, a Minnesota corporation;

and all other persons unknown claiming any right, title, estate, interest, or lien in the real estate described in the Complaint herein;

Defendants.

1. YOU ARE BEING SUED.

The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no Court file number on this Summons.

2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.

You must give or mail to the person who signed this Summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Olson, Lucas, Redford & Wahlberg, P.A., 7401 Metro Blvd, Suite 575, Edina, MN 55439.

3. YOU MUST RESPOND TO EACH CLAIM.

The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.

If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A Default Judgment can then be entered against you for the relief requested in the Complaint.

5. LEGAL ASSISTANCE.

You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.

6. ALTERNATIVE DISPUTE RESOLUTION.

The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

7. THIS ACTION AFFECTS REAL PROPERTY located in Carver County, Minnesota, legally described as follows:

SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTIONS

Lots 11 and 12, Block 77, City of Carver, according to the map or plat thereof on file and of record in the Office of the County Recorder, Carver County, Minnesota, together with any and all vacated adjacent streets or alleys, Carver County, Minnesota. ("Parcel A")

Lots 13 through 26 and Lots 53 through 57, together with the adjoining 1/2 of vacated Prospect Street, all in Block 66, Village (now City) of Carver according to the plat thereof on file and of record in the Office of the Carver County Recorder, Carver County, Minnesota. ("Parcel B")

Lot 30, except southwesterly 25 feet, Lots 31,1,2,3,4, all located in Block 67, City of Carver, according to the plat thereof on file and of record in the office of the County recorder, Carver County, Minnesota. TOGETHER with the Vacated Eagle Street adjoining Lot 1&4 and together with that part of vacated Jorgenson Street lying adjacent to said Lots 1, 2, 3, and Lots 53, 54, 55, 56, Block 66 lying northwesterly of a line beginning at a point on the southwesterly line of Block 66, 163.03 feet northwesterly of the most southerly corner of Lot 59, said Block 66, thence southerly to the most northerly corner of Lot 32, Block 67, said line there ending.

Excepting therefrom the following that part of Lots 4, 5, 27, 28, and 29, Block 67 Townsite of Carver County, Minnesota described as follows:

Commencing at the southwest corner of the Southeast Quarter of Section 18, Township 115, Range 23, Carver County, Minnesota; thence on an assumed bearing of North 00 degrees 38 minutes 33 seconds East, along the west line of said Southeast Quarter, a distance of 1.74 feet, thence North 77 degrees 15 minutes 45 seconds East, a distance of 92.36 feet; thence North 51 degrees 06 minutes 03 seconds East, a distance of 569.62 feet, thence North 38 degrees 53 minutes 59 seconds West, a distance of 151.67 feet; thence North 52 degrees 03 minutes 18 seconds East, a distance of 331.88 feet to the point of beginning; thence continue North 52 degrees 03 minutes 18 seconds East, a distance of 37.50 feet; thence South 55 degrees 24 minutes 09 seconds East, a distance of 18.18 feet; thence North 51 degrees 12 minutes 56 seconds East, a distance of 43.06 feet; thence South 38 degrees 35 minutes 29 seconds East, a distance of 128.00 feet, to the south line of said Block 67; thence South 51 degrees 06 minutes 03 seconds West along said south line a distance of 84.12 feet to the intersection of line which bears South 39 degrees 15 minutes 19 seconds East from the point of beginning; thence North 39 degrees 15 minutes 19 seconds West along said line a distance of 146.15 feet to the point of beginning.

("Parcels C & D")

That part of Lot 5, Block 67, Townsite of Carver, contained within the following:

That part of Lots 4, 5, 27, 28, and 29, Block 67 Townsite of Carver, Carver County, Minnesota, described as follows:

Commencing at the southwest corner of the Southeast Quarter of Section 18, Township 115, Range 23, Carver County, Minnesota; thence on an assumed bearing of North 00 degrees 38 minutes 33 seconds East, along the west line of said Southeast Quarter, a distance of 1.74 feet; thence North 77 degrees 15 minutes 45 seconds East, a distance of 92.36 feet; thence North 51 degrees 06 minutes 03 seconds East, a distance of 569.62 feet; thence North 38 degrees 53 minutes 59 seconds West, a distance of 151.67 feet; thence North 52 degrees 03 minutes 18 seconds East, a distance of 331.88 feet to the point of beginning; thence continue North 52 degrees 03 minutes 18 seconds East, a distance of 37.50 feet; thence South 55 degrees 24 minutes 09 seconds East, a distance of 18.18 feet; thence North 51 degrees 12 minutes 56 seconds East, a distance of 43.06 feet; thence South 38 degrees 35 minutes 29 seconds East, a distance of 128.00 feet, to the south line of said Block 67; thence South 51 degrees 06 minutes 03 seconds West along said south line a distance of 84.12 feet to the intersection of a line which bears South 39 degrees 15 minutes 19 seconds East from the point of beginning; thence North 39 degrees 15 minutes 19 seconds West along said line a distance of 146.15 feet to the point of beginning.

("Parcel E")

Parcel 1: That part of Block 67, Townsite of Carver, Carver County, Minnesota, described as follows: Commencing at the southwest corner of the Southeast Quarter of Section 18, Township 115, Range 23, Carver County, Minnesota; thence on an assumed bearing of North 00 degrees 38 minutes 33 seconds East, along the west line of said Southeast Quarter, a distance of 1.74 feet; thence North 77 degrees 15 minutes 45 seconds East, a distance of 92.36 feet; thence North 51 degrees 06 minutes 03 seconds East, a distance of 569.62 feet; thence North 38 degrees 53 minutes 59 seconds West, a distance of 151.67 feet; thence North 52 degrees 03 minutes 18 seconds East, a distance of 266.91 feet to the point of beginning; thence continue North 52 degrees 03 minutes 18 seconds East, a distance of 64.97 feet; thence South 39 degrees 15 minutes 19 seconds East, a distance of 146.15 feet to the south line of said Block 67, Townsite of Carver; thence South 51 degrees 06 minutes 03 seconds West, along said south line of Block 67, a distance of 66.73 feet to the intersection of a line which bears South 38 degrees 33 minutes 37 seconds East, from the point of beginning; thence North 38 degrees 33 minutes 37 seconds West, along said line a distance of 147.23 feet to the point of beginning.

Parcel 2: That part of Block 67, TOWNSITE OF CARVER, Carver County, Minnesota, described as follows:

Commencing at the southwest corner of the Southeast Quarter of Section 18, Township 115, Range 23, Carver County, Minnesota; thence on an assumed bearing of North 00 degrees 38 minutes 33 seconds East, along the west line of said Southeast Quarter, a distance of 1.74 feet; thence North 77 degrees 15 minutes 45 seconds East, a distance of 92.36 feet; thence North 51 degrees 06 minutes 03 seconds East, a distance of 569.62 feet; thence North 38 degrees 53 minutes 59 seconds West, a distance of 151.67 feet; thence North 52 degrees 03 minutes 18 seconds East, a distance of 166.91 feet to the point of beginning; thence continue North 52 degrees 03 minutes 18 seconds East a distance of 100.00 feet; thence South 38 degrees 33 minutes 37 seconds East, a distance of 147.23 feet to the south line of said Block 67, Townsite of Carver; thence South 51 degrees 06 minutes 03 seconds West, along said South line of Block 67, a distance of 100.00 feet to line which bears South 38 degrees 33 minutes 37 seconds East, from the point of beginning; thence North 38 degrees 33 minutes 27 seconds West, a distance of 148.89 feet to the point of beginning, Carver County, Minnesota.

Parcel 3: Lot 23, and the West 12 feet of Lot 24, Block 67, Town of Carver, Carver County, Minnesota. ("Parcels F, G & H")

Lots 21 and 22, Block 67, City of Carver, Carver County, Minnesota. ("Parcel I")

Lot 4, Block 2, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel J")

Lot 3, Block 2, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel K")

Lot 2, Block 2, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel L")

Lot 1, Block 2, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel M")

Lot 18, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel N")

Lot 17, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel O")

Lot 16, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel P")

Lot 15, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel Q")

Lot 14, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel R")

Lot 13, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel S")

Lot 12, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel T")

Lot 11, Block 1, HILLTOP ESTATES 2ND ADDITION, according to the recorded plat thereof, Carver County, Minnesota. ("Parcel U")

Outlot A, GLEN AT SPRING CREEK, Carver County, Minnesota. ("Parcel V")

Lot 2, Block 4, GLEN AT SPRING CREEK THIRD ADDITION, Carver County, Minnesota. ("Parcel W")

Lot 3, Block 3, GLEN AT SPRING CREEK THIRD ADDITION, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel X")

Lot 2, Block 3, GLEN AT SPRING CREEK THIRD ADDITION, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel Y")

Lot 1, Block 3, GLEN AT SPRING CREEK THIRD ADDITION, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel Z")

Lot 29, Block 1, GLEN AT SPRING CREEK, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel AA")

Lot 28, Block 1, GLEN AT SPRING CREEK, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel BB")

Lot 27, Block 1, GLEN AT SPRING CREEK, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel CC")

Lot 26, Block 1, GLEN AT SPRING CREEK, Carver County, Minnesota, according to the recorded plat thereof. ("Parcel DD")

Outlot A, Spring Creek Second Addition, Carver County, Minnesota. ("Parcel EE")

December 21, 2018

OLSON, LUCAS, REDFORD & WAHLBERG, P.A.

Shawn D. Redford, #390127

One Lincoln Center

7401 Metro Blvd, Suite 575

Edina, MN 55439

(952) 224-3644

shawnr@olw-law.com

Attorneys for Plaintiff

Published in the

Star Tribune & News

Journal, January 17, 24, 2019

897694