

Transfer Entered this 1st Day
of June 19 95.

QUITCLAIM DEED

Mason C Hill
County Auditor

THIS DEED made this eleventh day of May, 1995, by and between the UNITED STATES OF AMERICA by the SECRETARY OF AGRICULTURE acting through the Farmers Home Administration (hereafter "Grantor"), its successors and assigns, and the Kanabec County Soil and Water Conservation District, a political subdivision of the STATE OF MINNESOTA (hereafter "Grantee").

BY AUTHORITY conferred on the Grantor by Section 354 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2002) providing for the transfer, without reimbursement, of fee title or other interest therein of inventory lands to any Federal or State agency for conservation purposes; Executive Order 11990 providing for the protection of wetlands; and Executive Order 11988 providing for the management of floodplains; and,

THE GRANTOR ACKNOWLEDGES, by this instrument, the determination that the rights of all prior owners and operators of the lands described below have expired, that the land is determined to be suitable or surplus, and that it has marginal value for agricultural production, is environmentally sensitive, or has special management importance, and that this transfer and conveyance comports with and is in furtherance of said authority,

THE GRANTEE ACKNOWLEDGES, by this instrument, that the agreed upon purposes of this conveyance include the preservation and maintenance of wetland and floodplain areas existing as of the date of this conveyance, as well as protection and enhancement of plant and animal habitat and populations.

NOW THEREFORE, for and in consideration of the Congressionally mandated purposes as authorized by the above referenced authorities and other conservation benefits conferred by the transfer of these lands pursuant to federal law, the Grantor does transfer and quitclaim to the Grantee the following described lands:

The North Half Northeast Quarter (N 1/2 NE 1/4), Northeast Quarter Northwest Quarter (NE 1/4 NW 1/4), Section 17, Township 38 North, Range 23 West.

And being [part of] the same land conveyed from Dennis W. Johnson and Carol L. Johnson to James A. Whichard and Kathryn A. Whichard by deed dated October 1, 1976 and recorded in Book 71, Page 241-242, of the land records of Kanabec County, in the State of Minnesota.

The above described land shall hereafter be administered by the Kanabec County Soil and Water Conservation District, a political subdivision of the STATE OF MINNESOTA in accordance with state laws governing the conservation of fish and wildlife, and the protection of floodplains and wetlands.

SUBJECT TO the enumerated restrictive covenants and rights reserved in the Grantor, which covenants and reservations shall run with the land and constitute a servitude on it.

RESTRICTIVE COVENANTS: The property shall be managed for conservation purposes --

General Covenants:

1. The land shall not be subdivided.
2. The land shall be perpetually managed for the maintenance of fish and wildlife habitat, the conservation of soil and water, and maintenance of the natural plant species and ecology of the area.
3. The nonwetland areas of the property shall be maintained in a manner consistent with the intended conservation uses of the property as outlined in the attached conservation management plan agreed to by the grantee, the grantor, and the U. S. Fish and Wildlife Service or its successors.
4. Public use and recreation may be allowed on the area consistent with the dominant uses for fish and wildlife and the conservation of the natural environment of the area.
5. Structures and improvements shall not be placed on the property except as are consistent with the purposes of the easement and these general covenants.

Covenants Pertaining to Wetlands and Floodplains:

1. All wetlands and associated buffer areas of not less than 100 feet in average width surrounding each wetland shall have the boundary permanently mark and the described shall be protected and restored by the grantee or its successor and assigns in accordance with the attached wetland restoration and management plan agreed to by the grantee, the grantor, and the U.S. Fish and Wildlife Service or its successors.
2. Except as provided for in the wetland restoration plan in 1 above, the wetland characteristics of the land shall not be altered by draining, dredging, channeling, filling, discing, pumping, diking, impounding and related activities.
3. Dwellings, barns, outbuildings or other structures shall not be built within the 100 year floodplain of the area (except those useful or necessary to achieve conservation objectives).
4. The vegetation or hydrology of any wetland within the area shall not be altered in any way or by any means including cutting or mowing, cultivation, grazing, harvesting wood products, burning, placing of refuse and wastes, provided that manipulation of the vegetation and water levels to maintain wildlife habitat or other conservation objectives is permitted if done pursuant to the wetland restoration plan in 1 above. The plan must have as its primary purpose, the protection and restoration of the wetlands and be agreed to by FmHA or its successor, the U.S. Fish and Wildlife Service or its successor, and the grantee.
5. The following described area is a wetland/floodplain:

As outlined on the aerial photo, which is attached as Exhibit A.

RIGHTS OF ENFORCEMENT AND RIGHT OF REENTRY: The Grantor reserves the following rights of enforcement:

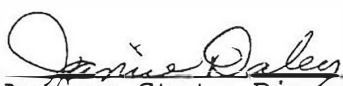
Upon breach of any enumerated restrictive covenant, the United States of America, acting through the United States Fish and Wildlife

Service or its successor, may seek legal and equitable remedies to abate the breach, restore the area to its prior condition, and secure compensation for the costs of this enforcement action, including reasonable attorney's fees.

Additionally, upon any such breach, the Fish and Wildlife Service or its successor may, at its discretion, treat such breach as an occurrence of a condition subsequent giving rise to a right of reentry. Upon a showing of any breach, the United States may reenter the property and take possession and title. In the event that the United States exercises its rights of reentry, no compensation shall be due the Grantee or its successors or assigns.

TO HAVE AND TO HOLD the herein described land to the Grantee forever. WITNESS, the signature of the authorized officer of the Grantor.

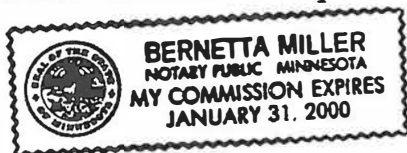
UNITED STATES OF AMERICA
THE SECRETARY OF AGRICULTURE
By:

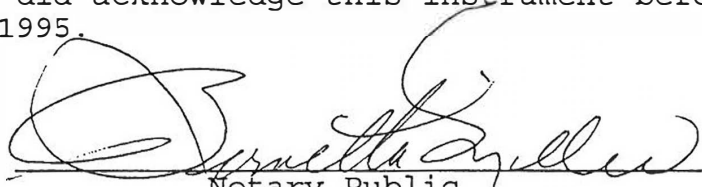


Acting State Director
Rural Economic and Community Development
(Formerly, Farmers Home Administration)

State of Minnesota
County of Ramsey, S.S.

I, Bernetta Miller, Notary Public in and for the above State and County do certify that JANICE DALEY, being duly authorized agent of the Secretary of Agriculture, did acknowledge this instrument before me this eleventh day of May, 1995.





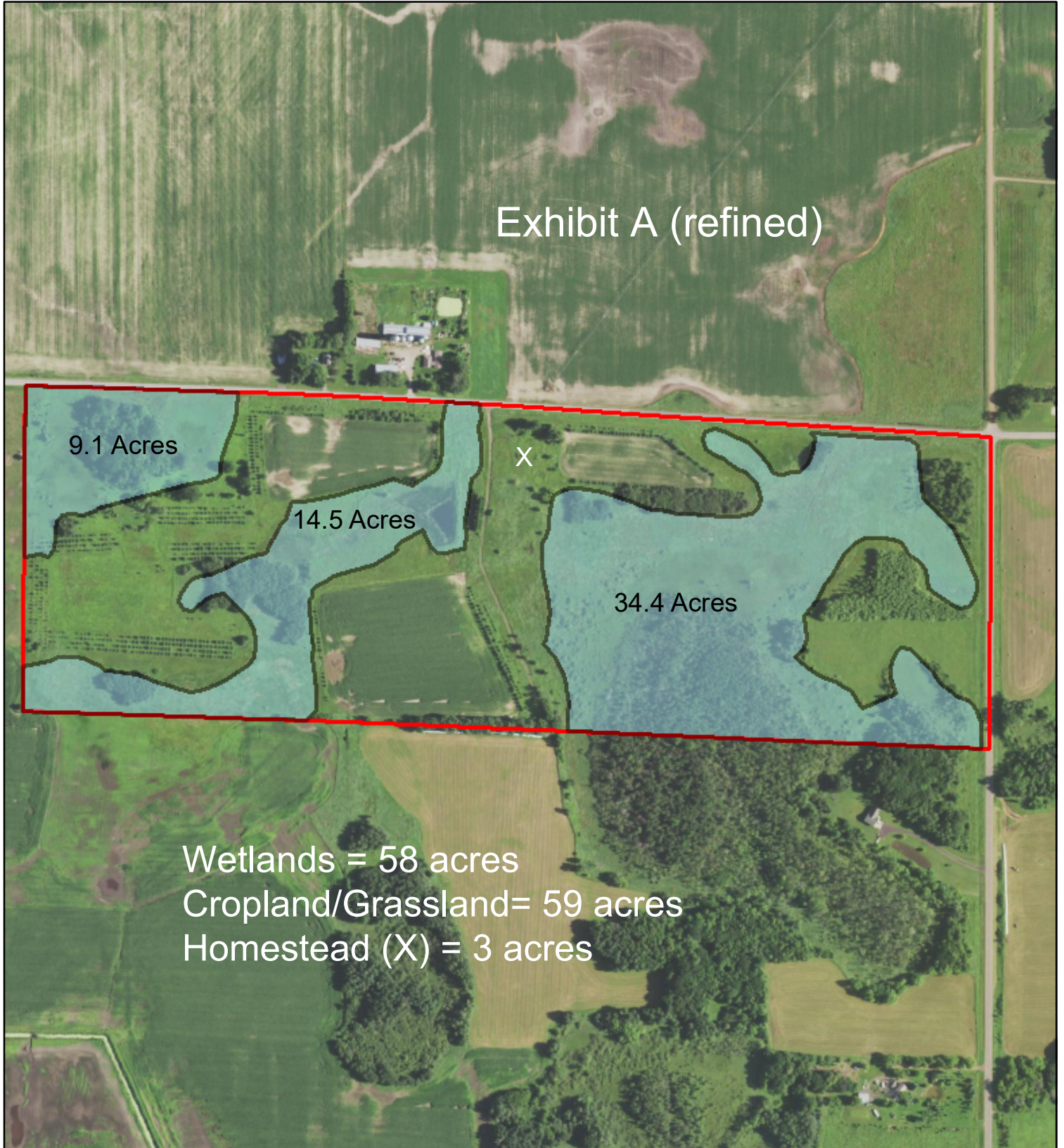
Notary Public

Acceptance by the U.S. Fish and Wildlife Service:

The transfer of land management functions by this instrument to the Secretary of the Interior is hereby accepted on behalf of the U.S. Fish and Wildlife Service this 23rd day of May, 1995.



U.S. Fish and Wildlife Service



 Wetlands
 District Land

1 inch = 552 feet 1:6,624

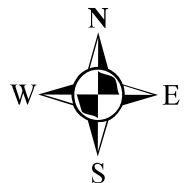
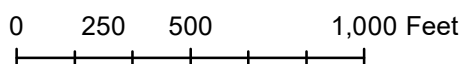
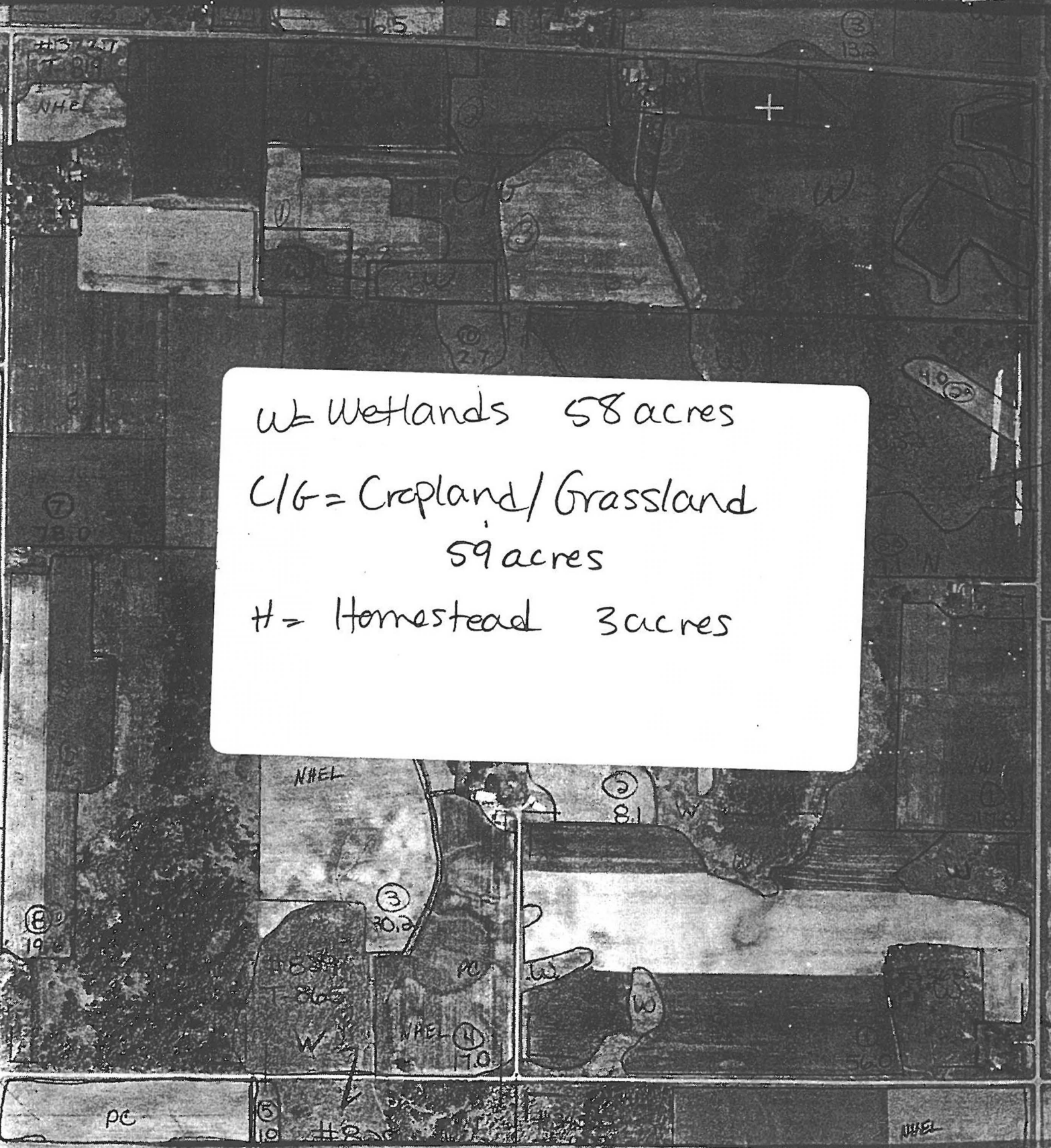


Exhibit A

T = TRACT NUMBER IMT = MULTIPLE TRACT NUMBER HEL = HIGHLY ERODIBLE LAND MW = MINIMAL EFFECT WETLAND (EXEMPT)
W = WETLAND ICW = CONVERTED WETLAND INHEL = NON-HIGHLY ERODIBLE MWC, MWH, MWR = SPECIAL COND. (SEE SPEC)
FW = FARMED WETLAND INA = NON-AGRICULTURAL PC = PRIOR CONVERTED WETLAND NC = NON-CROPLAND PHOTO NO.
NW = NON-WETLAND IAW = ARTIFICIAL WETLAND ECW = EXEMPT (COMMENCED) CONVERTED WETLAND
COUNTY INOT TO BE REPRODUCED CROP
Kanabec SCALE JUNE 1994 YR. G-13



W = Wetlands 58 acres
C/G = Cropland/Grassland
59 acres
H = Homestead 3 acres

Attachment 1 to Quitclaim Deed dated May 11, 1995, to the Kanabec Soil & Water Conservation District from the United States of America.

CONSERVATION MANAGEMENT PLAN UNITED STATES DEPARTMENT OF AGRICULTURE PROPERTY TRANSFER

This management plan was developed and agreed to by the Kanabec Soil & Water Conservation District (SWCD), U.S. Fish and Wildlife Service, and Farmers Home Administration, its successors and assigns, for the land located in T 38N, R 23W, Section 17, Kanabec County, also known as the former Whichard property, and transferred in fee title to the Kanabec SWCD.

PROPERTY OWNERS: The title to this property was transferred from the Farmers Home Administration, its successors and assigns, to the Kanabec SWCD; hereafter referred to as the SWCD. The SWCD is the property owner of the lands transferred in the deed to which this management plan is attached. Unless otherwise specified in this management plan, the SWCD shall be responsible for all management activities, associated costs, and all other responsibilities of landownership. The SWCD may select a permittee/lessor for management activities completed through this management plan.

ADMINISTRATION: The U.S. Fish and Wildlife Service, hereafter referred to as the Service, has administrative oversight responsibility for the covenants contained in the deed to which this management plan is attached, and the provisions of this management plan, itself. Through this management plan and the covenants and other conditions of the deed to which it is attached, the Service has the right of entry onto this property to monitor implementation of this management plan and the covenants and other conditions of the deed, and determine whether or not the management of this property is in accordance with the deed and this management plan.

PROPERTY MANAGEMENT: The deed transferring this property to the SWCD requires the property be "perpetually managed for the maintenance of fish and wildlife habitat, the conservation of soil and water, and maintenance of the natural plant species and ecology of the area." This shall be the dominant use of the property. Accordingly, the following general provisions shall apply:

- 1) All existing and previously existing wetlands shall be delineated, protected, restored, and managed in accordance with the conditions of the deed and this management plan. No wetlands restored, enhanced, or created on this property shall be used for mitigation credit or banking purposes.
- 2) Lands proposed to be maintained in crop production shall be evaluated and agreed by all parties as being a use compatible with the dominant use of this property, as stated above and by signing this management plan it is so agreed.
- 3) Other activities, such as haying, grazing, timber harvest, etc. may be utilized as management tools to accomplish identified management objectives, they may not be utilized as primarily revenue generating tools.
- 4) Unless otherwise prohibited by state law, all revenues generated as a result of the management of this property shall be dedicated

to the further development, management and sustainment of this property.

- 5) Public uses of the property which are compatible with the dominant use of this property, as stated above, and as determined and agreed by all parties to this management plan, shall be permitted. Hunting and trapping that conform to state and federal laws may be allowed annually, however, commercial or fee hunting is prohibited.

OVERALL GOAL: The former Whichard property will be managed and developed for use as a facility to demonstrate conservation measures which will also contribute to the profitability of the family farm.

WETLAND MANAGEMENT

Five wetlands and buffer areas totalling approximately 58 acres have been identified and delineated within this 120 acre property. These wetlands and buffer zones are identified and delineated in (Exhibit A), and made part of this agreement.

Objectives: The wetlands on this property will be managed to preserve their natural characteristics, with emphasis on protecting fish and wildlife habitat.

Considerations: Wetlands provide important habitat for many wildlife species. The palustrian systems on this site typify nesting and brooding cover for waterfowl, sandhill cranes, and many migratory birds. The scrub-shrub wetlands provide winter cover and browse for deer and upland game. The native tamarack found in the wetlands represents a fragile and significant system which has experienced rapid decline throughout the state.

Future Management: The Service would work with the Kanabec SWCD in managing the buffer zones around the wetlands. These buffers will enhance the wildlife production of the wetlands and serve to demonstrate alternative conservation methods. Possible suggestions might include native grass plantings, warm season alfalfa varieties, small food plots, or a model wildlife planting.

The service will manage the wetlands to preserve and protect their natural characteristics.

UPLAND MANAGEMENT

Cropland/Grassland Management:

Objectives: Cropland will be managed to demonstrate current agricultural practices. Special emphasis will be placed on conservation measures which encourage the sustainable and wise use of farm resources, which contribute to the profitability of the family farm.

Historically, there were 22 acres of grassland and pasture on this property. Because the farm has not been operated for many years, the 37 acres of cropland has also become re-established to grasses. Because of the poor condition of these lands in total, all 59 acres will need to be

cropped for two years. At the end of that time approximately 30 acres will be utilized as demonstration fields.

Considerations: Approximately 30 acres will be utilized as demonstration fields for agricultural conservation practices (e.g. no-till, hybrid poplar plantings, and other conservation/farming practices). Approximately 29 acres will be established to, but not limited to, shelterbelts, windbreaks, and native grass seedings.

The specific locations of these areas will be identified and agreed to at the end of the two years.

Future Management: The cropland/grassland will be managed to demonstrate state of the art conservation farming practices. The standards and specifications found in the SWCD Field Office Technical Guide will serve as a reference when implementing this management plan.

Public Use Management:


Objectives: The area will be managed to provide education for all residents throughout the county and region.

Considerations: Tours, demonstration plots, etc. will be provided to the public as information becomes available to the SWCD.

Future Management: The conservation plantings along with waterfowl nesting structures, bat houses, owl boxes or song bird houses may be erected and maintained by local conservation groups or schools to demonstrate wildlife conservation practices. The SWCD will retain the right to be as flexible as needed and retain the ability to respond to the public needs by not limiting themselves in this management plan.

APPROVALS:

This management plan will be effective when signed by all parties and will continue in effect until modified by the SWCD and Service. This management plan may be modified by either party with the consent of the other party. Notification of modifications must be made to the other party in writing.




Kanabec Soil & Water Conservation District

6/1/95
Date



U.S. Fish and Wildlife Service

5/23/95
Date



Farmers Home Administration,
its successors and assigns

5/11/95
Date