01/11 **STATE OF MINNESOTA**

 **BOARD OF WATER AND SOIL RESOURCES**

 **MORTGAGEE'S CONSENT TO CONSERVATION EASEMENT**

**Governmental Body**

WHEREAS,

 is/are the fee owner(s) of the following lands:

**See attached legal description of the conservation easement area.**

AND WHEREAS, the undersigned       ,

 (Name of Governmental Body)

is the mortgagee of a certain mortgage dated       , and recorded in Book       of       , Page       , as document number       in the Office of the County Recorder/Registrar of Titles for       County, Minnesota, on the       day of       ,       , which mortgage covers all or part of the lands described above.

AND WHEREAS, fee owner(s) intend to convey to the State of Minnesota, acting through its Board of Water and Soil Resources, a conservation easement pursuant to Minnesota Statutes Section 103F.501 et seq., or Section 103F.516 et seq. upon all or part of the lands described above.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the above named mortgagee, hereby consents to the conveyance of said conservation easement and agrees that the lien of the above described mortgage shall be subject to and subordinate in lien priority to the conservation easement to be conveyed to the State of Minnesota by the fee owner(s) and agrees that any foreclosure of said mortgage or other sale of the property subject to said mortgage under judicial proceedings shall be subject to the conservation easement.

IN TESTIMONY THEREOF, the undersigned Governmental Body has caused this instrument to be executed in its name

by , its (insert title)

on this day of , 20 .

(Name of Governmental Body)

By

Its

***ACKNOWLEDGMENT***

STATE OF MINNESOTA )

 )SS

COUNTY OF )

The foregoing instrument was acknowledged before me this day of , 20 ,

by       for

(Name of Officer and Title)

 United States Department of Agriculture , a federal agency

 (Name of Governmental Body)

under the laws of the United States , on behalf of the agency

(Notary Stamp or Seal)

 Notary Signature

 My Commission expires on

*This instrument was drafted by:*

State of Minnesota

Board of Water and Soil Resources

520 Lafayette Rd.

St. Paul, MN 55155