

CONDEMNATION

STATE OF MINNESOTA  
COUNTY OF SIBLEY

IN DISTRICT COURT  
FIRST JUDICIAL DISTRICT

State of Minnesota,

WAIVER OF SERVICE  
FOR PETITION AND  
NOTICE OF HEARING

by its Commissioner of Transportation,

Petitioner,

vs.

David C. Chevalier

Respondents.

IN THE MATTER OF THE CONDEMNATION OF  
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES

NOTICE

To: State of Minnesota, Lessard-Sams Outdoor Heritage Council, 100 Rev. Dr. Martin Luther King, Jr. Blvd.,  
Saint Paul, Minnesota 55110  
Parcel(s): 7212-901-0068

The enclosed Petition, Notice of Hearing on Petition, and Notice to Vacate is served pursuant to Rule 4.05 of the Minnesota Rules of Civil Procedure.

You must complete the Waiver portion of this form **and return one copy of the completed form in the prepaid envelope to the sender within 30 days** to Minnesota Department of Transportation, 395 John Ireland Blvd., MS 632, St. Paul, MN 55155.

**Signing this Waiver is only an acknowledgement that you have received the Petition, Notice of Hearing on Petition, Notice to Vacate\*, two copies of this document, and a means to return the signed document at no cost to you. You will retain all defenses or objections to the Petition or to the Jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.**

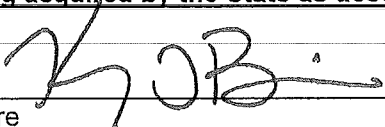
You must sign and date the Waiver. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

**If you do not complete and return the form to the sender within 30 days, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a Notice of hearing on petition in any other manner permitted by law. [See Reverse Side]**

I declare, under penalty of perjury, that this Notice of Hearing and Waiver of Service of the enclosed Petition was mailed on July 26, 2023.

**\*PLEASE NOTE: You need only vacate the area being acquired by the State as described in the Petition attached hereto.**

Signature



July 26, 2023  
Date of Signature

WAIVER OF SERVICE FOR THE NOTICE OF HEARING ON PETITION

I declare, under penalty of perjury, that I received a copy of the Petition and Notice of Hearing on Petition, in the above captioned matter and waive service of the Petition and Notice of Hearing.

Signature



Executive Director, L.S.O.H.C.  
Relationship to Entity/Authority to Receive Service of Process

July 31, 2023  
Date of Signature

**DUTY TO AVOID UNNECESSARY COSTS OF SERVICE OF SUMMONS** Rule 4 of the Minnesota Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver. It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property.

A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought. A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.