OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 8/3/2012 at 2:45 PM and was duly recorded as document number **A- 1295503**

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Fees: $46.00

Received from/return to:
OLMSTED COUNTY PUBLIC WORKS
2122 CAMPUS DR SE
ROCHESTER MN 55904

pt SE-SW → 34-107-15
15.34.34.035344

HIGHWAY EASEMENT

FOR VALUABLE CONSIDERATION Robert M. Nickel and Janet M. Nickel, as husband and wife, GRANTOR (s), hereby convey(s) and warrant(s) to the County of Olmsted, a political subdivision of the State of Minnesota, Grantee, its successors and assigns, a perpetual easement for the location, grading, construction, inspection, maintenance, repair, and use of a public highway and highway right-of-way, and uses and restrictions incident thereto, together with the unrestricted right to improve the same, in, under, over, and upon real property in Olmsted County, Minnesota, described as follows:

The East 50.00 feet of the following described tract:

That north half of the south half of the Southwest Quarter of Section 34, Township 107 North, Range 15 West.

Easement is for the purpose of providing public road right of way for County State Aid Highway Number 3.

Grantor(s) do(es) hereby grant and convey to Grantee all grasses, shrubs, trees, and other natural growth now existing on the real property described above or that may hereafter be planted or grown thereon, and the right to use and remove all earth and other materials lying within the above described real property.

Grantor(s) do(es) hereby release Grantee, its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the highway easement hereby conveyed is located by reason of the location, grading, construction, inspection, maintenance, repair, improvement and use of a public highway and highway right-of-way, and uses and restrictions incident thereto, and the removal of natural growth and materials from the premises hereby conveyed.

8/3/12

County PW

Robert M. Nickel

Janet M. Nickel

STATE OF MINNESOTA)
)ss.
COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 30 day of July 2012, by Robert M. and Janet M. Nickel, as husband and wife, Grantor (s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

DALE PRESTEGARD
Notary Public
Minnesota
My Commission Expires January 31, 2015

Signature of Person Taking Acknowledgment

Document drafted by:
Dale Prestegard
Olmsted County Public Works
2122 Campus Drive SE Suite 200
Rochester, MN 55904-4744

No. 539A—Highway Easement—(Revised 1954). BOUCHER MINNEAPOLIS

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Merlin F. Nickel and wife, Helene M.
Myrtle A. Nickel
F.M. Williams

Grantor....., of County of Olmsted *....., Minnesota, for and in consideration of*

Fifteen - *Dollars ($*15.00*)*

receipt of which is hereby acknowledged,

hereby convey.....and warrant.....to the County of Olmsted grantee, for highway purposes, together with the unrestricted right to improve the same, free and clear of all incumbrances, the following described real estate in the County of Olmsted in the State of Minnesota:

All that part of the following described tracts:
The north half of the south half of the southwest quarter ($N\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}$) and the south quarter of the north half of the southwest quarter ($S\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}$) of Sectio thirty-four (Sec 34) township one hundred seven north, range fifteen west (T107N-R15W);
which lies within a distance of fifty (50.0) feet on the west side of the following described centerline of County State Aid Highway number three (CSAH #3)
From the north quarter ($N\frac{1}{4}$) corner of Section twenty-seven (Sec 27) township one hundred seven north, range fifteen west (T107N-R15W) south along the quarterline of said section, five thousand two hundred seventy-five and six tenths (5275.6) feet, thence deflect left nine minutes (9.0) for two thousan six hundred twenty-six and forty-seven hundredths (2626.47) feet; thence deflect left two degrees eighteen minutes ($2^{o}18'$) for one hundred ninety-nin and nine tenths (199.9) feet, thence deflect right on a twenty minute ($0^{o}20'$ circular curve, delta angle two degrees fifty minutes thirty seconds ($2^{o}50'30$ for eight hundred fifty-two and six hundredths (852.06) feet, thence on a tangent to said curve five hundred seventy-four and nine tenths (574.9) feet thence deflect right thirty minutes fifty seconds ($0^{o}30'50"$) for three huhdred fifty-four (354.0) feet for a place of beginning of the centerline t be described. Thence in a prolongation of the last described course six hundred forty-six (646.0) feet and there terminating;
Containing one tenth (0.1) acre more or less in addition to the existing highways
Together with the right to construct and maintain so long as County State Ai Highway number three (CSAH #3) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the west side of the above described right of way as it runs over and across the above described tract. Said slope not to exceed a distance of twenty-five (25.0) feet from the right of way line and the use by the County shall be restricted to and for the purpose hereinbefore described.

And the said grantor....., for himself, his ~~themselves, their~~ heirs, executors and assigns, do..... covenant never to cut, damage, destroy or remove any tree or shrub or other natural growth upon the hereinbefore described premises for the continuance of this easement, and does hereby grant and convey to the County of Olmsted all grasses, shrubs, trees and natural growth now existing on said lands or that may be hereafter planted or grown thereon.

And the said grantor....., for himself, his ~~themselves, their~~ heirs, executors and assigns do..... hereby release the County of Olmsted its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the parcel of land hereby conveyed is located by reason of the location, grading, construction, maintenance, and use of a public highway over and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the County of Olmsted shall have the right to use and remove all earth and other materials lying within the parcel of land hereby conveyed and the right to construct and maintain, upon the lands adjoining the parcel hereby conveyed, such portable snow fences during such months as weather conditions make necessary.

And the said grantor....., for himself, his ~~themselves, their~~ heirs, executors and assigns, do..... further convenant never to construct, erect, or maintain or allow or suffer any other person to construct, erect or maintain any sign or bill board or other advertising device upon the lands adjoining the parcel hereby conveyed, closer than one hundred (100) feet from the said premises unless a permit therefor in writing shall have first been obtained from the County of Olmsted

Dated this 27Th *day of* August *, 19*63

In presence of:

Merlin F. Nickel

Witness.....

Witness Donald R Norman

STATE OF MINNESOTA
County of.....} ss.

On this.....day of.....19....., before me personally appeared

to me known to be the person.....described in and who executed the foregoing instrument, and acknowledged that.....executed the same as.....free act and deed.

.....

I hereby certify that the within easement will convey to the.....
for highway purposes a good title to the land therein described, free and clear of all incumbrances.

I further approve said easement as to form and execution.

....., 19.....

.....
County Attorney.
Assistant Attorney General.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

.....
to
.....

STATE OF MINNESOTA } ss.
County of.....

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the .....day of.....19.....
at.....o'clock.....M., and that the same is duly recorded in Book.....of.....
on page.....

.....
Register of Deeds.

By.....
Deputy.

ROUCHLEB
FARMERFORM