Doc No. A- 1440968
OFFICE OF COUNTY RECORDER
OLMSTED COUNTY, MINNESOTA

I hereby certify that this document was filed in this office for record on --January 04, 2018 10:28 AM
W. MARK KRUPSKI - Co. Recorder by deputy:
Well Certificate: _____ Abstract: _____ Fee: $46.00

PWSC
1188 50TH ST SE
ATT ; DALE PRESTEGARD
ROCHESTER, MN 55904

pt SW-NE
pt SE-NE
45.05.14.034603 } 5-104-15
pt NE-SE
pt NW-SE
45.05.41.034604

HIGHWAY EASEMENT

THIS INDENTURE BETWEEN, Sylvester J. Kellner, personal representative to the estate of Mathias J. Kellner, GRANTOR (s), hereby conveys and warrants 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 South 50 feet of the Northeast Quarter (NE ¼) and the North 50 feet of the Southeast Quarter (SE ¼), all in Section 5, Township 104 North, Range 15 West, Olmsted County, Minnesota.

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. Grantee, after any work contemplated hereunder, shall restore, to the extent feasible, the impacted areas to a substantially similar condition that existed prior to the work.

Grantee, its successors and assigns, shall indemnify, defend and hold harmless Grantor(s) from all claims, costs, damages, and expenses arising from Grantee's exercise of its rights under this Highway Easement subject to the state tort limits set forth in Chapter 466 of the Minnesota Statutes. Said easement for the purpose of providing permanent public road right of way for Olmsted County State Aid Highway No. 3.

Nochg

1-4-2017
PWSC
MS

Sylvester J. Kellner PR
Sylvester J. Kellner
Personal Representative to the Estate of Mathias J. Kellner

STATE OF MINNESOTA)
) ss.
COUNTY OF MOWER)

The foregoing instrument was acknowledged before me on this 3rd day of January, 2018, by Sylvester J. Kellner, personal representative of the estate of Mathias J. Kellner, Grantor (s).

NOTARIAL STAMP OR SEAL

AMY JANINE SUND
Notary Public
State of Minnesota
My Commission Expires
January 31, 2021

Amy Janine Sund
Notary Public

Drafted by:
Jeremy Douglas
Olmsted County Public Works
1188 50th Street SE
Rochester, MN 55904