No. 2618—Highway Easement—(Revised 1939) SAP 4104 Miller-Davis Co., Minneapolis, Minn.

Prepared by.....

Checked by.....

HIGHWAY EASEMENT

Nels L. Nelson and wife, Carrie Nelson
Route No. 4
Rochester, Minnesota

*Grantor*s, *of* Olmsted County, *Minnesota, for and in consideration of* Eight and no/100 *Dollars* ($ 8.00) *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:

And the said grantors, for 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 hereon.

And the said grantors, for 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 grantors, for themselves, their heirs, executors and assigns, do further covenant 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 14th *day of* March, 19 41

In presence of:

Witness W. J. Murphy

Witness Lillian Miller

Nels L. Nelson

Carrie Nelson

A strip of land lying over and across that part of the Northwest quarter ($NW\frac{1}{4}$) of Section five (Sec. 5) Township one hundred seven North-Range thirteen West (T107N-R13W) lying South of the road.

Said strip being all that part of the above described tract which lies within a distance of thirty-three (33.0) feet on each side of the centerline of State Aid Road No. 14 as the same passes over and across said tract, said centerline being described as follows:

Commencing at a point on the East line of the Northwest quarter ($NW\frac{1}{4}$) of Section five (Sec. 5) Township one hundred seven North-Range thirteen West (T107N-R13W), which point is distant one hundred thirty and five-tenths (130.5) feet South of the Northeast corner thereof; thence West sixteen degrees fifty-four minutes South ($W16^{\circ}-54'S$) for a distance of one thousand four hundred thirty-nine and seven-tenths (1439.7) feet; thence on a transition curve to the right whose coordinates are Xc one hundred ninety-nine and seventy-eight hundredths (199.78) feet and Yc six and ninety-eight (6.98) feet for a distance of two hundred (200.0) feet; thence on a six (6) degree curve, central angle fifty-one degrees thirty-six minutes ($51^{\circ}-36'$), for a distance of six hundred sixty (660.0) feet; thence on a transition curve to the right whose coordinates are Xc one hundred ninety-nine and seventy-eight hundredths (199.78) feet and Yc six and ninety-eight hundredths (6.98) feet for a distance of two hundred (200.0) feet; thence West thirty-four degrees forty-two minutes North ($W34^{\circ}-42'N$), on a tangent to said curve for a distance of one hundred seventy-six and seven-tenths (176.7) feet; thence on a transition curve to the left whose coordinates are Xc one hundred ninety-nine and nine-tenths (199.9) feet and Yc four and sixty-five hundredths (4.65) feet for a distance of one hundred thirty-six and five-tenths (136.5) feet to a point on the East line of the Northwest quarter ($NW\frac{1}{4}$) of Section five (Sec. 5) Township one hundred seven North-Range thirteen West (T107N-R13W) which point is distant two hundred thirty-four and six-tenths (234.6) feet South of the Northwest corner thereof and there terminating.

Excluding therefrom right of way of existing highways.

Comprising six hundredths (0.06) acres more or less.

The transition curves described above are curves in which the degree of curve (arc definition) varies as the distance from the beginning of the transition, Xc is the distance along the subtangent from the beginning to the end of the transition, Yc is the offset distance from the subtangent to the end of the transition.

Together with the right to construct and maintain, so long as State Aid Road No. 14 shall be maintained in its present location, a backslope or embankment of approximately three to one (3 to 1) slope on both sides of the above described strips. Said slopes not to exceed more than sixty-six (66.0) feet from said centerline. The use however, by the County, of all land which lies more than thirty-three (33.0) feet from said centerline shall be restricted to and for the purpose herein described.

State of Minnesota, }ss.
County of Olmsted }

On this 14th day of March, 1941, before me personally appeared Nels L. Nelson and Carrie Nelson his wife to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

LILLIAN MILLER
NOTARY PUBLIC, OLMSTED COUNTY, MINN.
MY COMMISSION EXPIRES AUG. 31, 1946

Lillian Miller

I hereby certify that the within easement will convey to the .....

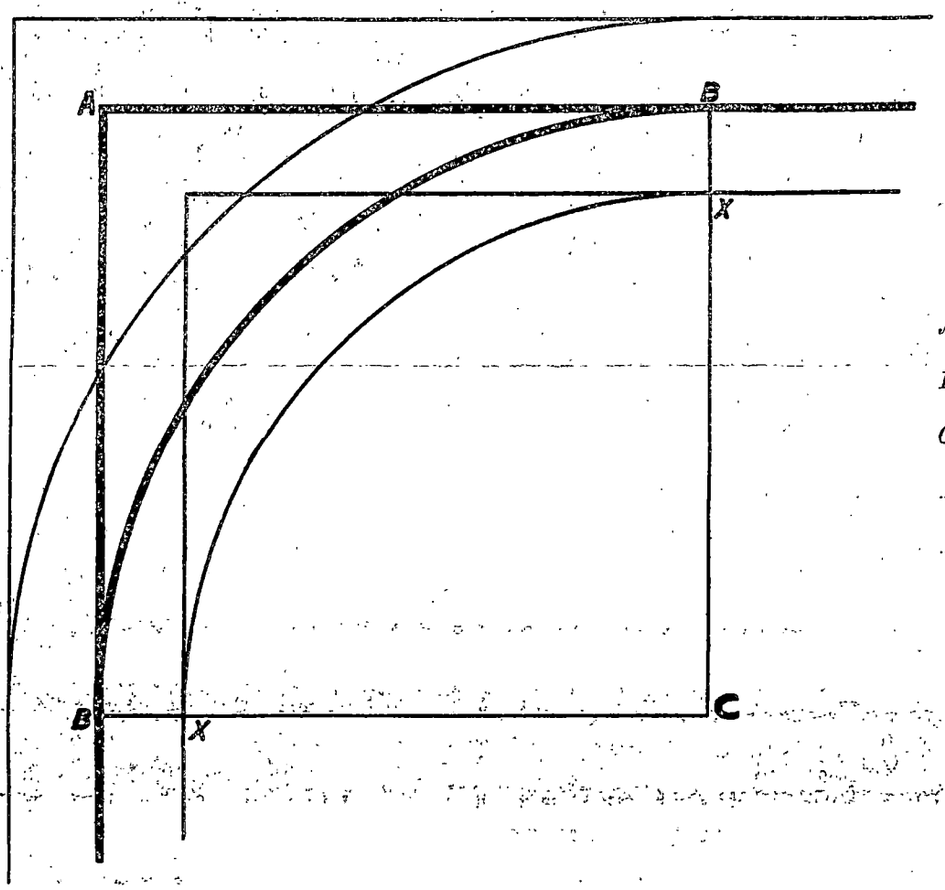
.....

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)



A-B = ...Ft.

B-C = ...Ft.

C-X = ...Ft.

.....Degree Curve

.....Acres of land required

145916

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

State of Minnesota, }ss.
County of Olmsted }

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 2 day of May, 1941, at 2 o'clock P M., and that the same was duly recorded in Book 179 of Deeds on pages 321

Register of Deeds.

By .....

PROOFED
GRANTOR
Deputy.
GRANTEE

PAID
SM&R.
REV. STAMP
MTG. TAX