Document No. **A1576214**
OFFICE OF THE COUNTY RECORDER
OLMSTED COUNTY, MN
I hereby certify that this document was filed
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MARY BLAIR-HOEFT - DIR. PROPERTY RECORDS/LICENSING
Fee Amount: $46.00 Pages: 4

HIGHWAY EASEMENT-BYRNE

"COVER SHEET ADDED BY OLMSTED COUNTY PROPERTY RECORDS OFFICE FOR RECORDING PURPOSES."

Pt NW-NW 5-104-15
Pt SW-NW
45.05.22.034602

COVER SHEET

10/27/2022

DOCUMENT TYPE: HIGHWAY EASEMENT

NAME: OLMSTED COUNTY PUBLIC WORKS

RETURN TO: Jeremy Douglas

LEGAL DESCRIPTION:

CSAH 3

All that part of the following described tract:

The Northwest Quarter (NW ¼) of Section Five (Sec 5) Township One Hundred Four North, Fifteen West (T104N-R15W);

(Full Legal – See Attached)

Cover sheet added by Public Works for Recording Purposes

No chg

PWSC
10-28-22
MS

No. 639A—Highway Easement—(Revised 1954). BOUCHER FORMS FOLIO

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

John Byrne and Ellen Byrne, his Daughter
George A. Leist and Gladys Leist, his wife Contract for Deed

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

One hundred fifty-four and fifty cents - - - - *Dollars* ($154.50) *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 tract:
The northwest quarter (NW¼) of Section five (Sec 5) township one hundred four north, range fifteen west (T104N-R15W);
which lies within a distance of fifty (50.0) feet on the north side of the following described centerline of County State Aid Highway Number three (CSAH #3);
From the southwest corner of said Section five (Sec 5) north along the west line thereof for two thousand six hundred fifty-four and three tenths (2654.3) feet for a place of beginning of the centerline to be described. Thence deflect right eighty-nine degrees twenty-one minutes thirty seconds (89°21'30") for two thousand six hundred forty-four and fifteen hundredths (2644.15) feet and there terminating;
Containing one and three hundredths (1.03) acres more or less in addition to the existing highways;
Together with the right to construct and maintain so long as County State Aid 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 north 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 ~~themselves, their~~ himself, his 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 ~~themselves, their~~ himself, his 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 ~~themselves, their~~ himself, his 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 31st *day of* March, *19*64

In presence of:

Witness Cecilia L. Schellhammer — John Byrne
Ellen Byrne

Witness Donald D. Noreen — George A. Leist
Gladys Leist

STATE OF MINNESOTA)
County of Olmsted) ss.

On this 31st day of March, 19 64, before me personally appeared

John Byrne, Ellen Byrne, George A. Leist and Gladys Leist
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.

Delores L. Moline

DELORES L. MOLINE
Notary Public, Olmsted County, Minn.
My Commission Expires April 22, 1970

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)
County of .....) ss.

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 was duly recorded in Book ..... of .....
on page .....

Register of Deeds.

By ..... Deputy.

DOUSHER PRINTMASTER