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

Prepared by

Checked by

HIGHWAY EASEMENT

Ernest G. Weins and Nelda L. Weins, his wife
Route #2
Rochester, Minnesota

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

Three hundred seventeen and no/100----------*Dollars* ($ **317.00**)

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 southeast quarter (SE¼) of section 35 which lies east of U.S. Highway #63 and the south one-half of the south one-half (S½ S½) of section 36 all in township 106 north range 14 west; which lies within a distance of 50 feet on either side of the following described centerline of State Aid Road number 1.

Beginning at a point on the south line of section 26 township 106 north range 14 west; distant 19.2 feet west of the southeast corner thereof; thence run southwesterly at an angle of 90°25' with said south section line 2,631.0 feet for a point of beginning of the centerline to be described. Thence in a prolongation of the last described course a distance of 2,631.0 feet and there terminating.

Containing 1.57 acres more or less in addition to the existing highways.

Together with the right to construct and maintain so long as State Aid Road number 1 shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on either 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 16.0 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 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 grantor, 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 grantor, 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 11th *day of* May , 195[illegible].

In presence of:

Witness [illegible] Ernest G. Weins

Witness [illegible] Nelda L. Weins

State of Minnesota, } ss.
County of Olmsted

On this 11th day of May, 19 50, before me personally appeared

Ernest G. Weins and Helda L., 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.

EVELYN N. KRUGER
Notary Public, Olmsted County, Minnesota
My Commission Expires Nov. 18, 1956

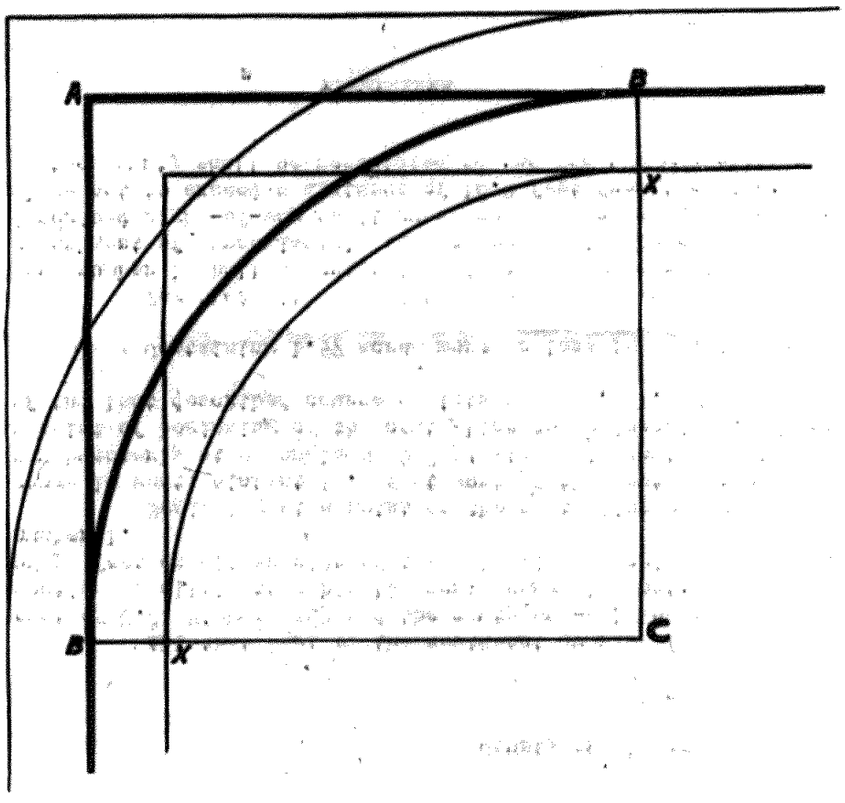
Evelyn N. Kruger

I hereby certify that the within easement will convey to the County of Olmsted with attached partial release of mortgage 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.

June 12, 1950

Thomas Scanlan
(County Attorney)
(Assistant Attorney General)



A-B — ..... Ft.

B-C — ..... Ft.

C-X — ..... Ft.

..... Degree Curve

..... Acres of land required

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 13 day of June, 1950, at 8½ o'clock A. M., and that the same was duly recorded in Book ..... of ..... on pages .....

W. H. Little
Register of Deeds.

By E. R. Moore
Deputy.

190851

PROOF
SIGNATURE
ABSTRACT
TRACING
PAID
CHG.
REV. STAMP
MIG. TAX