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

*Prepared by*.....

*Checked by*.....

# HIGHWAY EASEMENT

Steven S. Berge and Anna Berge, his wife

*Grantor*s, *of* Olmsted County *Minnesota, for and in consideration of* Twenty-eight and 75/100 *Dollars* ($ 28.75 ) *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 west eighteen (18.0) acres of the northeast quarter of the northwest quarter (NE¼ NW¼) of section thirty-one (Sec. 31) township one hundred six north range fifteen west (T106N-R15W) which lies within a distance of fifty (50.0) feet on the south side of the following described centerline of State Aid Road number seventeen (S.A.R. #17.)

From the northeast corner of said section thirty-one (Sec. 31) west along the north boundary thereof three thousand three hundreds sixty-seven and three tenths (3,367.3) feet to a point of beginning of the line to be described: thence in a prolongation of the last described course five hundred ninety-four (594.0) feet and there terminating.

Containing twenty-three hundredths (0.23) 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 seventeen (S.A.R. #17) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the south 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 sixteen (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 S, 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 S, 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 S, 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* 15th *day of* March, 19 55

*In presence of:*

*Witness* Esther L. Schellhammer — Steven S. Berge

*Witness* Richard L Gustine — Mrs Anna Berge

**State of Minnesota,** } ss.

County of Olmsted

On this 15th day of March, 19 55, before me personally appeared

Steven S. and Anna Berge

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

Evelyn M. Peterson
Notary Public (Olmsted Co., Minn.)
My Commission Expires March 1, 1956

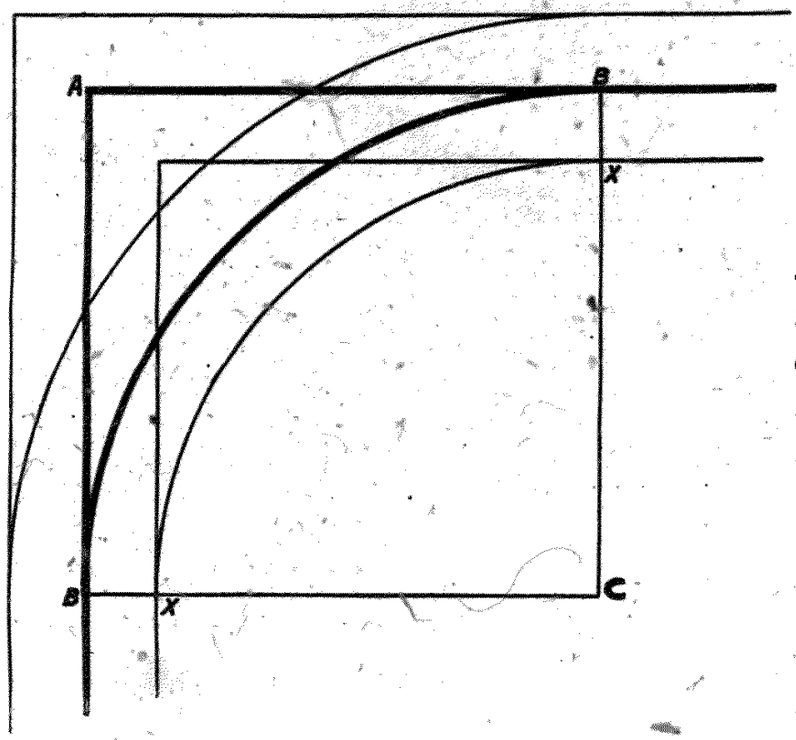
I hereby certify that the within easement will convey to the County of Olmsted

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.

July 31, 19 56

(County Attorney)
(Assistant Attorney General)




A-B — ..... Ft.

B-C — ..... Ft.

C-X — ..... Ft.

..... Degree Curve

..... Acres of land required

227143

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 1st day of August, 1956 at 9:20 o'clock A.M., and that the same was duly recorded in Book ..... of ..... on pages .....

Register of Deeds.

Deputy.

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHG.
REV. STAMP
MTG. TAX