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

257470

PREPARED BY ____

CHECKED BY ____

HIGHWAY EASEMENT

First National Bank of Minneapolis, a national banking association, formerly First National Bank and Trust Company of Minneapolis, as Trustee

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

Three Hundred Nine and No/100 - - - - - - - - - - - - - - - *Dollars* ($ 309.00)

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 thirteen (Sec 13) lying south of the Chicago and Northwestern Railroad, containing one hundred thirty-four (134.0) acres, more or less, also the north half of the northeast quarter (N½NE¼) of section twenty-four (Sec 24) township one hundred six north, range twelve west (T106N-R12W) containing eighty (80.0) acres, more or less ; which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County Aid Road "O" (CAR "O").

From the north quarter corner of section twenty-three (Sec 23) township one hundred six north, range twelve west (T106N-R12W) east along the north boundary of said section two thousand six hundred forty and eight tenths (2640.8) feet; thence deflect left sixteen minutes (0°16') two thousand three hundred ninety and seven tenths (2390.7) feet; thence deflect right on a one degree (1°00) circular curve, delta angle five degrees and twenty-one minutes (5°21') two hundred forty-four and six tenths (244.6) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course two hundred ninety and four tenths (290.4) feet, thence on a tangent to said curve two thousand three hundred forty-two and three tenths (2342.3) feet and there terminating.

Containing two and six hundredths (2.06) acres more or less in addition to the existing highways.

Together with the right to construct and maintain so long as County Aid Road "O" (CAR "O") 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 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....., for ~~himself, his~~ Their successors ~~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 ~~himself, his~~ their successors ~~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 ~~himself, his heirs, executors~~ their successors 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 19th *day of* July *, 19* 60

In presence of:

Witness Lucille Rust

Witness John Burmaster

FIRST NATIONAL BANK OF MINNEAPOLIS

By W M Powell

Assistant Vice President

Attest: John E. Hunsicker

Assistant Secretary

as Trustee

~~STATE OF MINNESOTA~~
~~County of~~ } ss.

On this ~~day of~~ , 19 , before me personally appeared

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

STATE OF MINNESOTA,)
)ss.
County of Hennepin)

On this 19th day of July, 1960, before me, a Notary Public within and for said County, personally appeared M. H. Powell and John F. Hunziker to me personally known, who, being each by me duly sworn each did say that they are respectively the Assistant Vice President and the Assistant Secretary of the corporation named in the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said M. H. Powell and John F. Hunziker acknowledged said instrument to be the free act and deed of said corporation, as Trustee.

John Burmaster

JOHN BURMASTER,
Notary Public, Hennepin County, Minn.
My Commission Expires March

I hereby certify that the within easement will convey to the Said County of Anoka 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.

Dec 27 1960

D. P. Mattson
County Attorney.
Assistant Attorney General.

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

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

STATE OF MINNESOTA } ss.
County of Anoka

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 30 day of December, 19 60 at 5 o'clock P. M., and that the same was duly recorded in Book 437 of Misc on page 457

Harry A. Lagano
Register of Deeds.

By Lois Knutson
Deputy.

FEE $1.00
RECORDER

257470

By O.