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

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

264338

Joseph E. Bird and Mildred B., his wife
~~Frederick E. Bird, deceased~~

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

One hundred twenty-six and no cents ..... *Dollars* ($ 126.00 .....)

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 following described tract:

The northwest quarter of the southwest quarter (NW¼SW¼) of Section fourteen (Sec 14) township one hundred seven north range fifteen west (T107N-R15W);

which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County State Aid Highway number four (CSAH #4);

Beginning at the west quarter corner of said Section fourteen (Sec 14) east along the north boundary of the southwest quarter (SW¼) thereof one hundred eighty-eight and seventeen hundredths (188.17) feet; thence deflect right on a one degree thirty minute (1°30') circular curve delta angle eight degrees forty-six minutes thirty seconds (8°46'30") five hundred eighty-four and forty-four hundredths (584.44) feet; thence on a tangent to said curve five hundred eighty-nine and five tenths (589.5) feet and there terminating;

Containing forty-three hundredths (0.43) 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 four (CSAH #4) shall be maintained in the above described location a backslope or embankment to approximately four to one (4:1) slope on both sides 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 ~~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 thereon.

And the said grantor....., for himself, his ~~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 himself, his ~~themselves, their~~ 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 20th *day of* February, *19*62

In presence of:

Joseph E. Bird

Witness Arthur L. Schallhamer Mildred B. Bird

Witness Donald D. Hanson

STATE OF MINNESOTA
County of Olmsted } ss.

On this 20th day of February, 19 62, before me personally appeared Joseph E. and Mildred B. Bird, husband and 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.

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.

Oct. 5, 1962

K. P. Mattson
County Attorney.
Assistant Attorney General.

1.75

PROOFED
GRANTOR
GRANTEE
TRACED
FAID
CSG
REV. STAMP
MTG TAX

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

STATE OF MINNESOTA
County of Olmsted } ss.
Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 9 day of October, 1962 at 10 o'clock A. M., and that the same was duly recorded in Book 263 of Misc on page 365

Nancy J. Evans
Register of Deeds.
By Jan Knutson
Deputy.

BOUCHER