No. 628A—Highway Easement—(Revised 1954).

HIGHWAY EASEMENT

PREPARED BY

CHECKED BY

Allen Strain and wife, Leona M.

Grantor, of County of Olmsted, *Minnesota, for and in consideration of* Twenty-eight dollars and fifty cents - - - - - *Dollars* ($28.50) *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:

Commencing at the northeast corner of the northwest quarter (NW¼) of Section twenty-two (Sec 22) township one hundred seven north, range fifteen west (T107N-R15W), running thence south along the east line of said quarter section, fifty (50.0) rods for a place of beginning, thence running west parallel with the north line of said quarter section, thirteen (13.0) rods, thence south parallel with the east line of said quarter section, thirty (30.0) rods, thence east parallel with the north line of said quarter section, thirteen (13.0) rods thence north thirty (30.0) rods to the place of beginning;

which lies within a distance of fifty (50.0) feet on the west side of the following described centerline of County State Aid Highway number three (CSAH #3);

From the south quarter (S¼) corner of said section twenty-two (Sec 22) north along the quarterline of said section, three thousand nine hundred forty-seven and ninety-three hundredths (3947.93) feet for a place of beginning of the centerline to be described, thence in a prolongation of the last described course four hundred ninety-five (495.0) feet and there terminating;

Containing nineteen hundredths (0.19) acre 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 west 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 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 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 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 26Th *day of* August, *19* 63

In presence of:

Witness Luther A. Schellhammer — Allen Strain

Witness Mansel A. Norman — Leona M. Strain

659

660

STATE OF MINNESOTA
County of Olmsted } ss.

On this 26th day of August, 19 63, before me personally appeared Allen Strain and Leona M. Strain, husband & 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.

Delores L. Moline

DELORES L. MOLINE
Notary Public, Olmsted County, Minn.
My Commission Expires April 7, 1970

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.

Dec. 16, 1963

D P Matthie
County Attorney.
Assistant Attorney General.

278253

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

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

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 20th day of December, 1963 at 10 o'clock A. M., and that the same was duly recorded in Book of on page

Mary F. Gillen
Register of Deeds.

By Deputy.

FEE $2.50