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

PREPARED BY
CHECKED BY ✓

HIGHWAY EASEMENT

3137 41

F. Merrill Daniels and wife, Elizabeth M.

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

Five hundred fifty-five - - - - - - - - - - - - *Dollars* ($ 555.00)

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 tracts;

The south thirty (S30) acres of the west forty-five (W45) acres of the north half of the southwest quarter ($N\frac{1}{2}SW\frac{1}{4}$) and the southwest quarter of the southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$), less land lying east of the road; and the west five (W5) acres of the southeast quarter of the southwest quarter ($SE\frac{1}{4}SW\frac{1}{4}$) all being in Section thirteen (Sec 13) township one hundred five north, range thirteen west (T105N-R13W);

which lies within a distance of sixty (60.0) feet on either side of the following described centerline of County State Aid Highway Number nineteen (CSAH #19);

From a point on the north and south quarterline of Section twenty-four (Sec 24) township one hundred five north, range thirteen west (T105N-R13W) distant eight hundred one and one tenth (801.1) feet south of the north quarter ($N\frac{1}{4}$) corner thereof, thence deflect in a northerly and westerly direction at an angle of fifty-three degrees forty-two minutes ($53^{\circ}42'$) to the said quarterline for nine hundred twenty-eight and sixty-three hundredths (928.63) feet, thence deflect to the right on a five degree ($5^{\circ}00'$) circular curve, delta angle forty-one degrees twenty-two minutes ($41^{\circ}22'$) for five hundred fifty-two and seventy-seven hundredths (552.77) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for two hundred seventy-four and fifty-six hundredths (274.56) feet, thence on tangent to said curve for one thousand eight hundred fifteen and forty-four hundredths (1815.44) feet and there terminating;

Also all lands lying east of the above described centerline;

Containing three and seven tenths (3.7) 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 Nineteen (CSAH #19) 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 fifteen (15.0) 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~~ 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 ~~themselves, their~~ 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 ~~themselves, their~~ 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 7th *day of* April, 19 67

In presence of:

Witness Lloyd A. Broadwater — J. Merrill Daniels

Witness Dean Mansen — Elizabeth M. Daniels

STATE OF MINNESOTA
County of Olmsted } ss.

On this 7th day of April, 1967, before me personally appeared F. Merrill Daniels and Elizabeth M. Daniels 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 21, 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. 13, 1968

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

313747

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHG. None
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 13 day of December, 1968 at 1 o'clock P M., and that the same was duly recorded in Book P-3 of Misc. on page 370.

Nancy J. Evans
Register of Deeds.
By Jane Finstuen
Deputy.

RECORDER