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

PREPARED BY ✓

CHECKED BY ✓

HIGHWAY EASEMENT

3/3753

Merritt R. Tubbs
Homer E. Tubbs, Agent

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

Two hundred forty - *Dollars* ($ 240.00 *)*

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:

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

Same as 3/3752 ✓

Dated this 2nd *day of* October *, 19* 67

In presence of:

Witness Don Norman — Homer E. Tubbs — Agent for

Witness Theresa C. Sullivan — Merritt R. Tubbs Estate

that part of the following described tracts;

The east one hundred thirty-eight (E138) acres of the northeast quarter (NE¼) of Section Thirty-Three (Sec 33) township one hundred five north, range fourteen west (T105N-R14W); and beginning at the NW corner of Section 34, thence south on the west line of said section, 1890 feet to the north bank of Lake Florence, thence North 27° east 40 feet along north bank of Lake, thence North 77° east 550 feet along north bank of Lake, thence North 72°30' east 220 feet along north bank of Lake, thence North 50° east 100 feet along north bank of Lake, thence North 78°30' east 330 feet along north bank of Lake, thence North 68° east 100 feet along north bank of Lake, thence North 50° east 50 feet along north bank of Lake, thence North 50 feet, thence North 20° west 110.75 feet to the south line of the N½NW¼ Section 34 on the west shore of Lake Florence, thence east parallel to north line of Section 34 122½ feet to point in Lake of Cusson's Mill property, thence North 25°50' west on west line of Cusson's Mill property 409 feet to NW corner of Cusson's Mill property which corner is 1452 feet west of the east line of NW¼ Section 34, and 908 feet south of north line of Section 34, thence easterly parallel with north boundary of Section 34, 319 1/3 feet, thence northerly parallel to east boundary of NW¼ of Section 34 980 feet to north boundary of Section 34, thence westerly on north boundary of section 50 feet, thence southerly parallel with east boundary of NW¼ of Section 34 330 feet, thence westerly parallel with north boundary of Section 34 660 feet, thence northerly parallel with east boundary of NW¼ of Section 34, 330 feet to north boundary of Section 34, thence westerly along north boundary of Section 34 808.84 feet to NW corner of Section 34 township 105 North, Range 14 West and place of beginning, containing 49 987/1000, making in all 187 2/10 acres;

which lies within a distance of fifty (50.0) feet on the south side of the following described centerline of County State Aid Highway Number thirty-five (CSAH #35);

From the north quarter (N¼) corner of Section thirty-two (Sec 32) of said township and range, east along the north line thereof for one thousand six hundred twenty-seven and eighty-three hundredths (1627.83) feet, thence deflect left three minutes (0°03') for three thousand six hundred sixty-one and eighty-four hundredths (3661.84) feet, thence deflect left twelve minutes (0°12') for three hundred sixty-three and thirty-three hundredths (363.33) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for two thousand two hundred sixty-five and ninety-four hundredths (2265.94) feet, thence deflect right five minutes (0°05') for eight hundred eleven and six hundredths (811.06) feet and there terminating;

Containing one and two tenths (1.2) 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 thirty-five (CSAH #35) 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 twenty-five (25.0) feet from the right of way line and the use by the County shall

STATE OF MINNESOTA
County of Olmsted } ss.

On this 2nd day of October, 1967, before me personally appeared Horace E. Tubbs - agent for Merritt R. Tubbs Estate to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.



Delores L. Moline
DELORES L. MOLINE
Notary Public, Olmsted County, Minn.
My Commission Expires April 22, 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.

313753

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROOFED
GRANTOR
GRANTEE
CRACKED
PAID
CHG. NAME
REV. STAMP
PG TAX

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 11 o'clock A. M., and that the same was duly recorded in Book R-3 of Misc. on page 376

Nancy K. Evans
Register of Deeds.

By Lucille Knutson
Deputy.

PRECISION PRINTING CO.