Form No. 689A—Highway Easement. (Revised 1954)

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Henry A. Mahlke and wife, Gertrude
Theodore J. Mahlke and wife, Leona
Ernest C. Mahlke and wife, Nina

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

One dollar and other valuable consideration *Dollars* ($ 1.00)

receipt of which is hereby acknowledged,

hereby conveyS and warrantS 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 northeast quarter (NE¼) of Section three (Sec 3) township one hundred seven north, range fourteen west (T107N-R14W);
which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County Road "Q" (Kings Park Road);
Beginning at the north quarter (N¼) corner of said section three (Sec 3) southerly along the quarterline thereof for one thousand three hundred seventy-eight and thirty-one hundredths (1378.31) feet, thence deflect to the left on a two degree thirty minute (2°30') circular curve, delta angle eighteen degrees one minute thirty seconds (18°01'30") for seven hundred twenty-one (721.0) feet, thence on a tangent to said curve for four hundred fifty-four and fifty-seven hundredths (454.57) feet and there terminating;
Containing one and twenty-six hundredths (1.26) acres more or less in addition to the existing highways;
Together with the right to construct and maintain a backslope or embankment of arproximately 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 thirty-five (35.0) feet from the right of way line and the use by the County shall be restricted to and for the purpose hereinbefore described, and shall expire six months after the construction of the new County Road "Q" is completed.

And the said grantorS , for themselves, their heirs, executors and assigns, doES 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 grantorS , for themselves, their heirs, executors and assigns doES 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 grantorS , for themselves, their heirs, executors and assigns, doES 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 18th *day of* April, , 1969

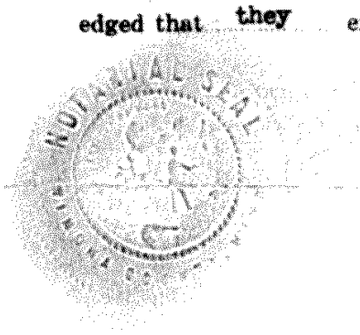
In presence of:

Witness Carol A. Kronebusch — Henry A. Mahlke, Gertrude Mahlke, Theodore J. Mahlke, Leona Mahlke

Witness Delois J. Lueck — Ernest C. Mahlke, Nina Mahlke

STATE OF MINNESOTA
County of Winona } ss.

On this 18th day of April, 1969, before me personally appeared Henry A. Mahlke, Gertrude Mahlke, Theodore J. Mahlke, Leona Mahlke, Ernest C. Mahlke and Nina Mahlke 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.



W. P. THEURER, Notary Public,
Winona, Winona County, Minnesota
My Commission Expires Feb. 8, 1974

I hereby certify that the within easement will convey to the
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.

April 17, 1970

County Attorney.
Assistant Attorney General

3223322

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

PROOFED
DRAFTOR 19
DRAFTED
TRACED
PAID
CHG. None
REV. STAMP
MTG. TAX

STATE OF MINNESOTA
County of Winona } ss.

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 20 day of April, 1970 at 1 o'clock P M., and that the same was duly recorded in Book 5-3 of Misc on page 913

Mary J. Evans
Register of Deeds.

By Mary Dayna Deputy.

FEE PAID