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

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

323 872

Martin J. Scanlan and wife, Marion G.

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

Thirty-eight - *Dollars* ($38.00)

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;

A parcel in the east half of the northwest quarter ($E\frac{1}{2}NW\frac{1}{4}$) of Section twelve (Sec. 12) township one hundred five north, range thirteen west (T105N-R13W) described as follows: Commencing at a point sixty-four and six tenths (64.6) rods west and thirty (30) rods south of the quarter post on the north line of said Section twelve (Sec.12) running thence south parallel with the Section line one hundred thirty (130) rods to the quarterline, thence east six and six tenths (6.6) rods, thence north one hundred thirty (130) rods parallel with said west line, thence west six and six-tenths (6.6) rods to the place of beginning, less land owned by Fischer;

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 northline of said Section twelve (Sec.12) distant five hundred forty (540.0) feet east of the northwest corner thereof, thence in a southerly and easterly direction at an angle of forty-four degrees forty-seven minutes thirty seconds (44°47'30") to the said north line for one thousand three hundred eighty (1380.0) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for two hundred thirty-six and eighty-nine hundredths (236.89) feet, thence deflect to the right on a six degree (6°00') circular curve, delta angle forty-one degrees thirty-six minutes (41°36') for fifty (50) 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 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 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 ~~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 26th *day of* April, 1968

In presence of:

Witness Neal M. Hoffstad — Martin J. Scanlan

Witness Irene W. Pagelkopf — Marion G. Scanlan

STATE OF MINNESOTA
County of Olmsted } ss.

On this 26th day of April, 19 68, before me personally appeared Martin J. Scanlan and Marion G. Scanlan, his wife to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Tarsilla Mulhern

TARSILLA MULHERN
Notary Public
Stewartville, Olmsted County, Minn.
My Commission Expires March 27, 1975

Parcel 10.922

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 as to fractional interest of said Grantor.

I further approve said easement as to form and execution.

December 10, 1969

Eldon J. Hausman
County Attorney.
Assistant Attorney General.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROOFED
GRANTOR
GRANTEE
TRACED
PAID
CHG.
REV. STATE
MTG. LAN

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 July, 1970 at 3 o'clock P M., and that the same was duly recorded in Book T-3 of Misc on page 196

Mary M. Gittens
Register of Deeds.

By ..... Deputy.

323895

B. Daly