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

PREPARED BY ✓

CHECKED BY ✓

HIGHWAY EASEMENT

Albert A. Schwanke and wife, Lois M.

357808

*Grantor*s, *of* Olmsted County, *Minnesota, for and in consideration of* One dollar and other good and valuable considerations *Dollars* ($ 1.00) *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;

All that part of the E½ of the SE¼, Sec. 11 Town 108, Range 14, which lies north of the public road running through said E½ SE¼, less piece deeded to Delbert J. Jorgensen in Book 349, Page 951.

which lies within a distance of one hundred (100) feet on the northeasterly side of and also all that part which lies southwesterly of the following described centerline of C.S.A.H. #12;

Commencing at the quarter corner on the north section line of Section 13, thence proceed west along said section line for 2086.37 feet, thence deflect to the right on a 5°00' curve (delta angle 50°00') for 500 feet for a place of beginning of the centerline to be described., thence in a prolongation of the last described course for 500 feet, thence on tangent to said curve for 588.72 feet, thence, deflect to the left on a 4°00' curve (delta angle 32°47'45") for 719.9 feet and there terminating.

Containing five and one half (5.5) acres, more or less, in addition to the existing highways.

And the said grantor*s*, for themselves, their 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*s*, for themselves, their 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*s*, for themselves, their 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 Olmsted county

Dated this 5th *day of* March, *19*74

In presence of:

Witness Clifford Coffin — Albert A. Schwanke

Witness Lois M. Jorgenson — Lois M. Schwanke