X.

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

PREPARED BY ✓

CHECKED BY ✓

HIGHWAY EASEMENT

John E. Wittlief (Fee Owner)(Single)
John M. Meyer and wife, Ardeth L. (Contract Buyers)

357334

*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 s and warrant s 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 of the southwest quarter (NE¼ SW¼) of section 11, Township 108 north, range 14 west, less flowage rights conveyed to the City of Rochester;
Which lies within a distance of one hundred twenty-five (125) feet on either side of the following described centerline of County State Aid Highway No.12.
Commencing at the center of said section 10, thence proceed in an easterly direction along said centerline thereof for 1,340.27 feet, thence deflect to the right on a 2°00' curve (delta angle 15°25') for 770.85 feet, thence on tangent to said curve for 1800 feet to the point of beginning of the line to be described; thence run easterly along the last described course for 1500 feet and there terminating;
Containing 6.4 acres, more or less, in addition to the existing highways.

~~himself; his~~

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.

~~himself; his~~

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.

~~himself; his~~

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 County of Olmsted

Dated this 4th *day of* April *, 19* 74

In presence of:

Witness Clifford Coffin

Witness Dean Magnuson

John E. Wittlief

John M. Meyer

Ardeth L. Meyer

STATE OF MINNESOTA
County of Olmsted } ss.

On this 4th day of April, 1974, before me personally appeared Joseph E. Wittlief (single) John M. Meyer and Ardeth L. Meyer (husband and wife) to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Melissa L. Nolan
Notary Public Olmsted County, Rochester, Minnesota
Commission expires April 28, 1977

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.

June 27, 1974.

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

357334

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHG. none

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 27 day of June, 1974 at 3 o'clock P. M., and that the same was duly recorded in Book 3 of Misc on page 516

Laura L. Lyman
Register of Deeds.

By Lois Knutson Deputy.

PRINCESTER PRINTSHOP

Co Atty