38345

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Anna I. Loos, a single person
Arnold Windecker and wife, Geraldine
Leo J. Windecker and wife, Fairfax M.
Anita Windecker, a single person
Roland Windecker and wife, Sara Louise
Grantors, of Olmsted County, *Minnesota, for and in consideration of*

One dollar and other good and valuable consideration *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 west half of the southwest quarter ($W\frac{1}{2}$ $SW\frac{1}{4}$) of section 4, township 108 north, range 14 west;

which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County State Aid Highway #27:

Beginning at the west quarter corner of section 9, township 108 north, range 14 west, thence run N0°00'47"E for 1765.28 feet; thence deflect to the right on a 5°00' curve (delta angle 47°00') for 940.0 feet; thence on tangent to said curve for 104.75 feet; thence deflect to the left on a 2°00' curve (delta angle 12°40') for 633.33 feet; thence tangent to said curve for 523.25 feet; thence deflect to the left on a 4°30' curve (delta angle 33°44') for 749.63 feet; thence on tangent to said curve for 303.86 feet; thence deflect to the left on a 1°20' curve (delta angle 8°20') for 626.57 feet and there terminating.

Containing 1.7 acres, more or less, in addition to the existing highways.

And the said grantors, 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 grantors, 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 grantors, 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 17th *day of* February, 19 76

In presence of:

Witness Clifford Coffin

Witness Deb Marden

Anna I. Loos
Arnold Windecker, Geraldine Windecker
Leo J. Windecker, Fairfax M. Windecker
Anita Windecker
Roland Windecker, Sara Louise Windecker

STATE OF MINNESOTA
County of Olmsted } ss.

On this 17 th day of February, 1976, before me personally appeared Anna I. Loos, a single person, Arnold Windecker and Geraldine Windecker, husband and wife, Anita Windecker, a single person, Leo J. Windecker and Fairfax M. Windecker, husband and wife, Roland Windecker and Sara Louise Windecker, 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.

Delores L. Molenie
Notary Public in and for Olmsted County, Minnesota
My 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.

January 17, 1977

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

383455

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 20 day of January, 1977 at 11 o'clock A M., and that the same was duly recorded in Book C-4 of Misc on page 402.

HARVEY M. EVANS
County ~~Register of Deeds~~ Recorder
By Carole M. Bahe
Deputy.

REGISTER RECORDER