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

PREPARED BY CC

CHECKED BY ✓

HIGHWAY EASEMENT

3851/86

Edward J. O'Neill and wife, Frances

*Grantor*s, *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 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:

The south half of the southwest quarter (S½ SW¼) of section 27; and the west half of the northwest quarter (W½ NW¼) of section 34, all being in township 106 north, range 13 west, less the following: Commencing at the Northwest corner of section 34 and running thence South along the West line thereof a distance of 337.17 feet for a place of beginning; running thence East at a right angle to said West line a distance of 230 feet; thence South parallel with said West line a distance of 378.78 feet; thence West a distance of 230 feet to a point in the West line thereof, thence North a distance of 378.72 feet to the place of beginning;

which lies within a distance of fifty (50) feet on the east side of the following described centerline of County Road #111:

Commencing at the west quarter corner of said section 27, thence proceed in a southerly direction along said quarterline thereof for 1,324.75 feet to the point of beginning of the line to be described; thence in a prolongation along the last described course for 3,121.07 feet, thence deflect to the right on a 7°00' curve (delta angle 90°24') having a length of 1291.43 feet for 280 feet and there terminating.

Containing 1.2 acres, more or less, in addition to the existing highway.

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 County of Olmsted

Dated this 8th *day of* September, 19 76

In presence of:

Witness Clifford Coffin — Edward J. O'Neill

Witness Don Hansen — Frances O'Neill

STATE OF MINNESOTA
County of Olmsted } ss.

On this 8 th day of September, 19 76, before me personally appeared Edward J. O'Neill and Frances O'Neill, 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.

Helen L. Moline
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.

March 22, 1977 D. P. Mattson
County Attorney.
Assistant Attorney General.

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHK

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

385128

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 22 day of March, 1977 at 4 1/4 o'clock P. M., and that the same was duly recorded in Book 144 of Misc on page 998.

MARY H. EVANS
Register of Deeds.
OLMSTED COUNTY
By Jane Smotlan Deputy.

RETURN TO
Co Highway