Form No. 639A—Highway Easement. (Revised 1954) [illegible]

HIGHWAY EASEMENT

PREPARED BY [illegible]

CHECKED BY [illegible]

Walter M. Castner and wife, Pauline

Grantor S, of Kalmar Township, 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 tracts:

S½ SW¼ NE¼ SW¼ all 7ac+/-

The south half of the southwest quarter (S½ SW¼) and the northeast quarter of the southwest quarter (NE¼ SW¼) and the east 85 acres of the northwest quarter (NW¼) excepting the south 72 rods of the east 40 rods thereof; also commencing at the southeast corner of the southeast quarter of the northwest quarter (SE¼ NW¼) thence west 40 rods, thence north 72 rods, thence east 40 rods, thence south 72 rods to the place of beginning, all being in section 20, township 107 north, range 15 west;

which lies within the right of way boundary of County State Aid Highway No. 5 delineated as to said tract of land as Parcel No. 4 on the Plat designated as

Olmsted County Highway Right of Way Plat No. 17

on file and of record in the office of the County Recorder in and for Olmsted County, said Parcel No. 4 containing 7.05 acres, more or less, in addition to 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 13th day of August, 19 79

In presence of:

Witness Clifford Coffin — Walter Castner

Witness — Pauline Castner

STATE OF MINNESOTA
County of Olmsted } ss.

On this 13th day of August, 19 79, before me personally appeared

Walter M. Castner and wife, Pauline

to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Delores L. Moline

DELORES L. MOLINE
NOTARY PUBLIC — MINNESOTA
OLMSTED COUNTY
MY COMMISSION EXPIRES APR. 28, 1984

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.

Oct. 9, 1980 D.P. Mattson

County Attorney.
~~Assistant Attorney General.~~

429366

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

TRACT
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 9 day of October, 1980 at 3 o'clock P M., and that the same was duly recorded in Book 4 of Misc. on page 284

LOIS FINSTUEN
COUNTY RECORDER
By Catherine L. Lund
Deputy.

PRESENTED