# HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

James O. Lubahn and wife, Cynthia K.

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 East half (E½) of: Commencing at the northeast corner of the southwest quarter (SW¼) section eighteen (Sec 18) township 107 range 13 for a place of beginning; running thence South on the quarter section line six hundred twenty-six (626) feet and three (3) inches; thence westerly parallel with the south line of said section, four hundred seventeen (417) feet and six (6) inches; thence at right angles in a northerly direction parallel with the east quarter line six hundred twenty-six (626) feet and three (3) inches to the north line of said quarter section; thence East along the north line of said quarter section four hundred seventeen (417) feet and six (6) inches to the point of beginning;

which lies within a distance of fifty (50) feet on the south side of the following described centerline of County Road No. 124;

From the northeast corner of the southwest quarter (SW¼) of said section 18, thence northerly along the north and south quarterline thereof for nine and sixty-eight hundredths (9.68) feet for a point of beginning of the centerline to be described. Thence angle left 90°05'30" thereof for two hundred and nine (209) feet and there terminating;

Containing eight hundredths (0.08) acre moreor less in addition to the existing right of way of County Road No. 124.

NE-SW

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.

Dated this 13 day of JUNE, 1983

In presence of:

James O Lubahn

Witness

Cynthia K Lubahn

Witness

STATE OF MINNESOTA
County of Olmsted } ss.

On this 13th day of June, 19 83, before me personally appeared James O. Lubahn and wife, Cynthia K.

to me known to be the person 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

The United Financial Savings, F.A. (formerly Olmsted Federal Savings and Loan Association) of Rochester, Minnesota, mortgagee in, and owner and holder of, a mortgage executed by James O. Lubahn and wife, Cynthia K. Lubahn, dated October 23, 1979 (recorded in Book 414, Page 992), consents to this Highway Easement executed by James O. Lubahn and wife, Cynthia K. Lubahn dated June 13, 1983.

7-18-83
Date

Everett L. Hunter
United Financial Savings, F.A.
Senior Vice President

THIS INSTRUMENT WAS DRAFTED BY

Name

Address

I hereby certify that the within easement will convey to the GRANTEE 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.

October 28, 1983

Asst. County Attorney.
Assistant Attorney General.

461186

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
CHG None

STATE OF MINNESOTA
County Olmsted } ss.

Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 31 day of Oct, 1983 at 3:12 o'clock P M., and that the same was duly recorded in Book P-4 of Misc on page 820.

LOIS FINSTUEN
County Recorder.
By Gerald M. Ferrier
Deputy.

Surv-Dept.

ROUSCHER MINNEAPOLIS