Form No. 639A--Highway Easement. POWERS

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Harold A. Bierbaum and wife, Joyce H. Bierbaum
aka Harold Bierbaum and wife, Joyce Bierbaum

Grantors, 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 Southwest quarter (SW¼) of Section 35, T107N-R12W,

which lies within 50 feet on either side of the following described centerline of County Road No. 107;

Beginning at the Northeast corner of the Northwest quarter (NW¼) of said Section 35, thence Westerly along the North line thereof for 1308.38 feet, thence angle left 90°04' for 3111.55 feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for 2130 feet and there terminating.

Containing 1.66 acres more or less in addition to the existing and presently used right of way of County Road No. 107.

SW-SW

~~And the said grantor, for themselves, their heirs, executors and assigns, do convenant 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 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, 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~~

Dated this 3rd day of September, 1985

In presence of:

Witness

Witness

Harold Bierbaum

Joyce Bierbaum

STATE OF MINNESOTA
County of Olmsted } ss.

On this 3rd day of September, 1985, before me personally appeared Harold Bierbaum and wife, Joyce Bierbaum 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.

Donald D. Narveson

Donald D. Narveson
Notary Public-Minnesota
Olmsted County
My com. Exp. May 30, 1991

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 30, 1985

Michael S. Hursh
Asst. County Attorney. ~~Assistant Attorney General.~~

10.00

ABSTRACT
GRANTOR
GRANTEE
TRACKED
CAM
CHG

49524

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

STATE OF MINNESOTA
County of Olmsted } ss.

Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 31st day of Oct, 1985 at 2½ o'clock P. M., and that the same was duly recorded in Book 44-4 of Misc on page 400

LOIS FIRST JEN
County Recorder.

By Nancy Johnson
Deputy.

ROUGHER
Minneapolis

A Duly