Form No. 639A--Highway Easement. POURNER

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Herbert C. Wallner aka Herb Wallner and wife, Irene Wallner

Grantors, of Olmsted County, Minnesota, for and in consideration of

One dollar and other good and valuable considerati 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:

The East 50 feet of the North Half (N½) of the Southeast Quarter (SE¼) of Section 34, Township 105 North, Range 15 West.

Also all that part of the North Half (N½) of the Southeast Quarter (SE¼) of Section 34, Township 105 North, Range 15 West that lies North and East of the following described line:

Commencing at a point on the East boundary of the above described tract distant 100 feet South of the Northeast corner thereof, thence Westerly at a 90° angle from the Section line for 50 feet, thence Northwesterly to a point which is 100 feet West and 33 feet South of the said northeast corner.

Containing 0.54 acre more or less in addition to the existing and presently used right of way of County Road No. 115.

And the said grantors, 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 Olmsted County 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 Olmste

Dated this 21st day of MARCH, 1988

In presence of:

Herb Wallner

Witness Irene Wallner

Witness

STATE OF MINNESOTA
County of Olmsted } ss.

On this 21st day of March, 1988, before me personally appeared Herb Wallner and Irence Wallner 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.

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 _____ 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.

3/23, 1988 Robert W. Mulcahy
Asst. County Attorney. ~~Assistant Attorney General.~~

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
CHG.

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 23 day of March, 1988 at 10 o'clock A M., and that the same was duly recorded in Book A-5 of Misc on page 107

LOIS FAHSTEN
County Recorder.
By Carole M. Ferrier
Deputy.

ROUSCHER MINNEAPOLIS

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D. S Narveson