Form No. 639A--Highway Easement. POWERS

5495

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

John A. Payne Jr. and wife, Barbara A. Payne

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:

The East 60 feet of a part of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 25, T105N-R14W described as: Commencing at the Southeast corner of said Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 25; thence North along the East line of said Southeast Quarter 656.67 feet for a place of beginning; thence continue North along said East line 208.71 feet; thence West, deflecting 90° to the left, 417.42 feet; thence South, deflecting 90° to the left, 208.71 feet; thence East, deflecting 90° to the left, 417.42 feet to the place of beginning.

Containing 0.13 acre more or less in addition to the existing and presently used right of way of County State Aid Highway No. 20.

And the said grantor s, for themselves, their heirs, executors and assigns, do not 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 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 not 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 not 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.

Dated this 27th day of FEBRUARY, 19 89

In presence of:

John Payne Jr.

Barbara A. Payne

Witness _____

Witness _____

STATE OF MINNESOTA
County of Olmsted } ss.

On this 27th day of February, 1989, before me personally appeared John A. Payne Jr. and wife Barbara A Payne 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.

11 April, 1989 Robert W. Von Lutzel
Asst. County Attorney. ~~Assistant Attorney General.~~

562495

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
CHG.

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 20 day of April, 1989 at 10 34 o'clock A M., and that the same was duly recorded in Book C5 of Misc on page 535.

Laura Fenstuen
County Recorder.

By _____ Deputy.

FOLCHER PRINT-CHECK

C. Highway