Form No. 639A--Highway Easement.

5423D

HIGHWAY EASEMENT

PREPARED BY ✓

CHECKED BY ✓

Thomas Gordon Kennedy and wife, Loretta Marie Kennedy

Grantor S of Olmsted County, Minnesota, for and in consideration of One dollar and other good & valuable consid rations 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:

The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) and commencing at the Southwest corner of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼); thence North 23 feet; thence Southeasterly to a point in the East line of said Quarter Quarter which is 13 feet North of the Southeast corner; thence South 13 feet to beginning; all being in Section 12, T105N-R14W;

which lies within a distance of 60 feet on the West side of the following described centerline of County State Aid Highway No. 20;

From the Southeast corner of said Section 12, North along the East line thereof for 2639.45 feet for a point of beginning of the centerline to be described. Thence angle left 0°08'38" for 854.17 feet; thence deflect to the right on a 1°00' circular curve, deflection angle of 9°04'29" for 455 feet and there terminating.

Containing 0.82 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 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.

Dated this 30th day of MARCH, 19 89

In presence of:

Witness

Witness

Thomas Gordon Kennedy

Loretta Marie Kennedy

STATE OF MINNESOTA
County of Olmsted } ss.

On this 30th day of March, 19 89, before me personally appeared Thomas Gordon Kennedy and Loretta Marie Kennedy 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.

5 May, 1989 Robert W. McIntosh
Asst. County Attorney. Assistant Attorney General.

563620

DEPARTMENT OF HIGHWAYS
TRACT (HIGHWAY EASEMENT)

ABSTRACT
Compared
PAID
CHG.

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 10th day of May, 19 89 at 12½ o'clock P M, and that the same was duly recorded in Book C-5 of Misc on page 462

LOIS FINSTUEN
County Recorder.
By Nancy Thuesen
Deputy.

Dan Finseth