Form No. 639A--Highway Easement. FOURIER

5436 11

PREPARED BY ✓
CHECKED BY ✓

HIGHWAY EASEMENT

Mark Leitzen aka Mark Jude Leitzen and wife, Cathy Leitzen

Grantors, of Olmsted County, Minnesota, for and in consideration of One dollar and other good & valuable considerations 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 tract:

That part of the East 100 acres of the North three quarters of the East Half of Section 1, Township 106, Range 15, Olmsted County, Minnesota, described as follows: Beginning at a point on the East line of said Northeast Quarter, 2352.24 feet South 0°00'00" of the Northeast corner of said Section 1 (for purposes of this description bearings are assumed and based on said East line being South 0°00'00"); thence North 90°00'00" West,1108.85 feet to the West lin of said East 100 acres of the North three quarters of the East Half; thence South 0°00'00" along said West line, 1564.44 feet to the South line of said East 100 acres of the North three quarters of the East Half; thence South 89°17'05" East, along said South line, 1108.93 feet to the East line of said Section 1; thence North 0°00'00" along said East line, 1578.28 feet to the point of beginning;

which lies within the distance of sixty (60) feet on either side of the following described centerline of County Road No. 104;

From the Northeast corner of said Section 1, South along the East boundary thereof for 1668.01 feet; thence angle right 8°27' for 591.41 feet for a place of beginning of the centerline to be described. Thence deflect to the left on a 2°30' circular curve, deflection angle of 18°10' for 726.67 feet; thence on a tangent to said curve for 250.39 feet; thence deflect to the right on a 1°20' circular curve, deflection angle of 10°19' for 773.77 feet and there terminating.

Also all that part of the Southeast Quarter (SE¼) of said Section 1, that lies north and east of the above described centerline. There shall be no access onto County Road No. 104 from that part of the Northeast Quarter (NE¼) of said Section 1 that lies Easterly of the above described centerline. Containing 2.0 acres more or less in addition to the existing and presently used right of way of County Road No. 104.

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 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 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

Dated this 3rd day of April, 1989

In presence of:

Witness

Witness

STATE OF MINNESOTA
County of Olmsted } ss.

On this 3rd day of April, 1989, before me personally appeared Mark Leitzen and Cathy Leitzen 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 _____ 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.

10 May, 1989 Robert W. Hufstetter
Asst. County Attorney. ~~Assistant Attorney General.~~

10.00

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ABSTRACT
GRANTOR
DEPARTMENT OF HIGHWAYS
TRACT
(HIGHWAY EASEMENT)
PAID
CHG.

to

STATE OF MINNESOTA } ss.
County of Olmsted

Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 10th day of May, 1989 at 12½ o'clock P M., and that the same was duly recorded in Book 643 of Misc on page 65.

LOIS FINSTUEN
County Recorder.
By Mary Johnson Deputy.

ROUSCHER MINNEAPOLIS

Dean Narveson