Form No. 639A—Highway Easement. RECORDER

5436 17

# HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Mark Leitzen aka Mark J. Leitzen and wife, Cathy Leitzen

Grantor s, of Olmsted County, Minnesota, for and in consideration of One dollar & 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:

All that part of the following decribed tract:
That part of the East 100 acres of the North three quarters of the East Half of Section One (1), Township 106, North of Range 15 West, Olmsted County, Minnesota, described as follows: Beginning at a point on the East line of the Northeast Quarter of said Section One (1), 1,891.4 feet South 0°00'00" of the Northeast corner of said Section One (1),(for purposes of this description bearings are assumed); thence North 90°00'00" West, 324.82 feet; thence South 0°00'00" a distance of 402.82 feet; thence South 90°00'00" East, 324.82 feet to a point on the East line of the Northeast Quarter of said Section One (1); thence South 0°00'00" along said East line of the Northeast Quarter of said Section One (1) 58.52 feet; thence North 90°00'00" West, 1,108.85 feet to the West line of said East 100 acres of the North three quarters of the East Half of said Section One (1), thence North 0°00'00" along said West line of said East 100 acres of the North three quarters of the East Half of said Section One (1) 660.84 feet; thence South 90°00'00" East 1,108.85 feet to the East line of said Northeast Quarter of said Section One (1),; thence South 0°00'00" along the East line of the Northeast Quarter of said Section One (1) 200 feet to the point of beginning;
which lies within the right of way boundary of County Road No. 104 delineate as in said tract of land as Parcel No. 2 of the plat designated as Olmsted County Highway Right of Way Plat NO. 55 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Parcel No. 2 containing 0.18 acre more or less in addition to the existing and presently used right of way of County Road No. 104.

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 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 Olmsted

Dated this 3rd day of April, 1989

In presence of:

Witness _____

Witness _____

Mark Leitzen

Cathy Leitzen

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. Mc Petrie
Asst. County Attorney. ~~Assistant Attorney General.~~

ABSTRACT
GRANTOR
GRANTEE
PAID (HIGHWAY EASEMENT)
CHG.

563612

DEPARTMENT OF HIGHWAYS

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, 1989 at 12½ o'clock P M., and that the same was duly recorded in Book 245 of Misc on page 64.

LOIS FINSTUEN
County Recorder.
By Nancy Johnson
Deputy.

ROUCHER PRINTSHOP

Dean Narveson