Form No. 639A–Highway Easement.

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Marie G. Bernard - Fee
Ralph H. Bernard and wife, Nanci A. Bernard - Contract

Grantors of Olmsted County, Minnesota, for and in consideration of One dollar and other good & 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 described tract:
That part of the West Half (W½) of the Southwest Quarter (SW¼), less pieces to McBride & Church, less that part that lies West of CSAH No.20 and South of CSAH No. 16, in Section 6, T105N-R13W;
which lies within a distance of 60 feet on the east side of the following described centerline of County State Aid Highway No. 20;
From the Southwest corner of Section 7, T105N-R13W North along the West boundary thereof for 2639.45 feet; thence angle left 0°08'38" for 1308.86 feet; thence angle right 9°04'29" for 1341.94 feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for 879.84 feet and there terminating.
Containing 0.55 acre more or less in addition to the existing and presently used right of way of County State Aid Highway No. 20.

SW SW
NW SW

And the said grantors, 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 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 end 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 , id 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 20th day of April, 1989

In presence of:

Witness

Witness

Ralph H. Bernard
Nanci A. Bernard
Nanci A. Bernard

STATE OF MINNESOTA
County of Olmsted } ss.

On this 20th day of April, 1989, before me personally appeared Marie G. Bernard, Ralph H. Bernard and Nanci A. Bernard 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. Mc Farlane
Asst. County Attorney. ~~Assistant Attorney General.~~

563613

DEPARTMENT OF HIGHWAYS
TRACT (HIGHWAY EASEMENT)
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 12th day of May, 1989 at 12½ o'clock P M., and that the same was duly recorded in Book C 5 of Misc on page 645

LOIS FINSTUEN
County Recorder.
By Nancy Johnson
Deputy.

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