OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 6/02/2009 at 4:00:00 PM and was duly recorded as document number A-1201763
W MARK KRUPSKI-Co Recorder, by ____ Deputy
____p

Well Certificate: ___ Received ___ Not Required
Abstr. – yes ____ no ____
Fees:

Total $46.00

pt SE-NW > 4-107-12
pt NE-SW
72.04.24.044333

# HIGHWAY EASEMENT

FOR VALUABLE CONSIDERATION Dale A. & Kim L. Jech, as husband and wife, Grantor(s), hereby convey(s) and warrant(s) to the County of Olmsted, a political subdivision of the State of Minnesota, Grantee, its successors and assigns, a perpetual easement for the location, grading, construction, inspection, maintenance, repair, and use of a public highway and highway right-of-way, and uses and restrictions incident thereto, together with the unrestricted right to improve the same, in, under, over, and upon real property in Olmsted County, Minnesota, described as follows:

That part of the Southeast Quarter of the Northwest Quarter and that part of the Northeast Quarter of the Southwest Quarter, all in Section 4, Township 107 North, Range 12 West, Olmsted County, Minnesota described as follows:
Commencing at the southwest corner of the Northwest Quarter of said Section 4; thence on an assumed bearing of North 89 degrees 54 minutes 57 seconds East, along the south line of said Northwest Quarter, 1455.35 feet to the point of beginning of the parcel to be described; thence North 02 degrees 46 minutes 42 seconds West, 50.06 feet; thence North 00 degrees 05 minutes 03 seconds East, 70.00 feet; thence North 89 degrees 54 minutes 57 seconds East, 110.00 feet; thence South 00 degrees 05 minutes 03 seconds East, 70.00 feet; thence South 02 degrees 56 minutes 48 seconds East, 100.12 feet; thence South 00 degrees 05 minutes 03 seconds East, 20.00 feet; thence South 89 degrees 54 minutes 57 seconds West, 120.00 feet; thence North 00 degrees 05 minutes 03 seconds West, 20.00 feet; thence North 02 degrees 46 minutes 42 seconds East, 50.06 feet to the point of beginning.
Excepting therefrom the existing right of way easement of C.S.A.H. No. 24.

Grantor(s) do(es) hereby grant and convey to Grantee all grasses, shrubs, trees, and other natural growth now existing on the real property described above or that may hereafter be planted or grown thereon, and the right to use and remove all earth and other materials lying within the above described real property.

Grantor(s) do(es) hereby release Grantee, its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the highway easement hereby conveyed is located by reason of the location, grading, construction, inspection, maintenance, repair, improvement and use of a public highway and highway right-of-way, and uses and

5-28-09
Co. Public Works
WV

restrictions incident thereto, and the removal of natural growth and materials from the premises hereby conveyed.

Dale A. Jech

Kim L. Jech

STATE OF MINNESOTA )
) ss.
COUNTY OF OLMSTED )

The foregoing instrument was acknowledged before me this 7th day of May 2009, by Dale A. Jech, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

DALE SCOTT PRESTEGARD
NOTARY PUBLIC-MINNESOTA
My Commission Expires Jan. 31, 2010

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 26th day of May 2009, by Kim L. Jech, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

JOAN CAROL LYONS
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan 31 2010

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

**Return to:**
Dale Prestegard, Olmsted County Public Works
2122 Campus Drive SE, Suite 200
Rochester, MN 55904-4744

# CONSENT OF LIENHOLDER

Clarence F. Jech, an Individual, and holder of a mortgage executed by Dale A. & Kim L. Jech, husband and wife, dated September 7 2005, recorded in the Office of the County Recorder as Document A-1077431 on September 28, 2005. Said Mortgage has been Subordinated to the Mortgage recorded as A-1108908 as evidenced by a Subordination Agreement recorded August 4, 2006 as Document A-1108909. Said Mortgage has been Subordinated to the Modification of Mortgage recorded as A-1143267 as evidenced by a Subordination Agreement recorded August 6, 2007 as Document A-1143267.5.

CONSENTS to the grant of the foregoing Highway Easement, and agrees that in the event of the foreclosure of said mortgage, or other sale or transfer of the mortgage or the real property described in said mortgage under judicial proceedings or otherwise, the same shall be subject to said Highway Easement.

FURTHER Clarence F. Jech does 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 highway easement hereby consented to is located by reason of the location, grading, construction, inspection, maintenance, repair, improvement and use of a public highway and highway right-of-way, and uses and restrictions incident thereto, and the removal of natural growth and materials from the premises above-described.

Clarence F. Jech

STATE OF MINNESOTA )
) ss.
COUNTY OF OLMSTED )

The foregoing instrument was acknowledged before me this 26th day of May 2009, by Clarence F. Jech, as an Individual.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

JOAN CAROL LYONS
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan 31 2010

Signature of Person Taking Acknowledgment

This Instrument was drafted by Olmsted County Public Works
2122 Campus Drive SE, Suite 200 Rochester, MN 55904-4744