OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 12/23/2009 at 11:15 AM and was duly recorded as document number A- 1219826

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Received from/return to:
OLMSTED COUNTY PUBLIC WORKS
2122 CAMPUS DR SE
ROCHESTER MN 55904

SW-NW→15-106-11
61.15.23.032062

HIGHWAY EASEMENT

FOR VALUABLE CONSIDERATION John H. & Sandra K. Hart, 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 Northwest Quarter Section 15, Township 106 North, Range 11 West, Olmsted County, Minnesota described as follows:

Parcel No. 4 as identified on Olmsted County Right of Way Plat No. 173, County State Aid Highway 10, said plat filed of record with the Olmsted County Recorder on November 19, 2009, as document # A-1217243.

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

N/C

12/18/09
Dw
Olmsted County Planning

John H. Hart

Sandra K. Hart

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 8th day of December 2009, by John H. & Sandra K. Hart, husband & wife, 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

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

Loan No. _____
Loan No. _____

CONSENT OF LIENHOLDER

Peoples State Bank of Plainview, a Corporation organized and existing under the laws of the State of Minnesota, and holder of a mortgage executed by John H. Hart & Sandra K Hart, husband and wife, dated April 12 2004, recorded in the Office of the County Recorder as Document A-1019323 on April 28 2004. Peoples State Bank of Plainview holder of another mortgage dated June 29 2007, recorded in the Office of the County Recorder as Document A-1140016 on July 5 2007.

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 Peoples State Bank of Plainview 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.

Peoples State Bank of Plainview

By: _____ By: _____

Its: President Its: AVP

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 18 day of December 2009, by Richard Zabel and Brian Klavetter its President and Asst. Vice President of Peoples State Bank of Plainview, a Corporation organized and existing under the laws of the State of Minnesota.

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

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