OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 6/23/2011 at 1:30 PM and was duly recorded as document number A- 1262321

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Fees: $46.00

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

pt SE-NE → 29-106-14
64.29.14.046405

HIGHWAY EASEMENT

OWNER (S): Moehnke Koehler Farms, LLC, Marilynn Koehler, President, 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 Northeast Quarter (NE ¼) of Section 29, Township 106 N, Range 14 W, described as follows:

The East 50 feet of the East Half (E ½) of the South Half (S ½) of the Northeast Quarter (NE ¼); Excepting therefrom:

Commencing at the Southeast corner of the Northeast Quarter (NE1/4), Section Twenty Nine (29), Township One Hundred Six (106), Range Fourteen (14), Olmsted County, Minnesota, thence West on the South line of said Northeast Quarter (NE1/4) a distance of 522.5 feet, thence North 250 feet, thence East a distance of 522.5 feet to the East line of said Northeast Quarter (NE1/4), thence South along the East line of said Northeast Quarter (NE1/4) a distance of 250 feet to the place of beginning;

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.

NC

Olmsted cnty PW
Dale Prestegard

6-23-2011
MB

Marilynn Koehler Pres Moehnke Koehler Farms LLC
Marilynn C. Koehler, President
Moehnke Koehler Farms, LLC

STATE OF MINNESOTA)
)ss.
COUNTY OF Crowley)

The foregoing instrument was acknowledged before me this 17th day of June 2011, by Marilynn C. Koehler, President of Moehnke Koehler Farms, LLC, Grantor (s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

JOHN BRANNIGAN REILLY
NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES 01/31/15

Signature of Person Taking Acknowledgment
Commission Expires 1-31-15

Drafted by:
Dale Prestegard
Olmsted County Public Works
2122 Campus Drive SE Suite 200
Rochester, MN 55904-4744

No. [redacted] Highway Easement—(Revised

BOUCHER MINNEAPOLIS

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Albert C. Moehnke and Ella Moehnke, his wife

Grantor....., of County of Olmsted *....., Minnesota, for and in consideration of*

Two hundred sixteen dollars and no cents *Dollars* ($ 216.00) *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 two following described tracts:

1. The south half of the northeast quarter (S½NE¼) of Section twenty-nine (Sec 29) township one hundred six north range fourteen west (T106N-R14W) except the north 3 rods to Township of Rochester for a cartway and the south 250 feet to Common School District #73;
2. The east forty (40.0) acres of the southeast quarter (SE¼) of section twenty (Sec 20) township one hundred six north range fourteen west (T106N-R14W);

which lies within a distance of fifty (50.0) feet on the west side of the following described centerline of County State Aid Highway number eight (CSAH #8):

From the east quarter corner of said section twenty-nine (Sec 29) north along east boundary of said section two hundred fifty (250.0) feet to a point of beginning of the centerline to be described. Thence in a prolongation of the above described course one thousand sixty-nine and eight tenths (1069.8) feet and there terminating. Beginning again at the southeast corner of said section twenty (Sec 20) north along the east boundary thereof two thousand six hundred thirty-one and one tenth (2631.1) feet and there terminating;

Containing one and forty-four hundredths (1.44) acres more or less in addition to the existing highways;

Together with the right to construct and maintain so long as County State Aid Highway number eight (CSAH #8) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the west side of the above described right of way as it runs over and across the above described tract. Said slope not to exceed a distance of sixteen (16.0) feet from the right of way line and the use by the County shall be restricted to and for the purpose hereinbefore described.

And the said grantor....., for himself, his ~~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 grantor....., for himself, his ~~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....., for himself, his ~~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 of Olmsted.

Dated this 29th *day of* September *, 19*61

In presence of:

Witness Arthur L. Schiell Clemmer — / Albert C. Moehnke

Witness Donald D. Nonneson — Ella Moehnke

STATE OF MINNESOTA
County of Olmsted } ss.

On this 29th day of September, 19 61, before me personally appeared

Albert C. & Ella Moehnke

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.

Evelyn N. Krueger
EVELYN N. KRUEGER
Notary Public, Olmsted County, Minn.
My Commission Expires Nov. 19, 1963

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.

....., 19.....

.....
County Attorney.
Assistant Attorney General.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

.....

to

.....

.....

STATE OF MINNESOTA
County of ..... } ss.

I hereby certify that the within instrument was filed for record in this office on the ..... day of ....., 19..... at ..... o'clock ..... M., and that the same was duly recorded in Book ..... of ..... on page .....

Register of Deeds.

By ..... Deputy.

RBUSHER
RANGAPHER