OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 10/12/2011 at 11:00 AM and was duly recorded as document number **A- 1270011**

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Pt NW-NE → 4-107-13
.074627

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

HIGHWAY EASEMENT

FOR VALUABLE CONSIDERATION Hinz Properties, LLC, a limited liability corporation formed under the laws of the State of Minnesota, 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:

The north 50 feet of the following described tract:

That part of the Northwest Quarter of the Northeast Quarter of Section 6, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the Northeast corner of said Northeast Quarter; thence on an assumed bearing of South 89°23'47" West along the north line of said Northeast Quarter, 2014.31 feet to the point of beginning; thence South 11°09'41" West 419.53 feet; thence South 18°53'12" West 82.83 feet; thence North 87°35'56" West 504.96 feet to the west line of said Northwest Quarter of the Northeast Quarter; thence North 00 degrees 42 minutes 15 seconds West 462.33 feet to the Northwest corner of said Northwest Quarter of the Northeast Quarter: thence North 89°23'47" East 618.26 feet to the point 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.

Said easement provides permanent right of way for County State Aid Highway 14.

DBH

Dale Prestegaard 10-12-2011
Olmsted Public Works

Russell W. Hinz, Member

Margaret M. Hinz, Member

STATE OF MINNESOTA)
)ss.
COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 11 day of October 2011, by Russell W. Hinz and Margaret M. Hinz, known to be members or designated agents of the limited liability company, Grantor (s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

DALE PRESTEGARD
Notary Public
Minnesota
My Commission Expires January 31, 2015

Signature of Person Taking Acknowledgment

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

CONSENT OF LIENHOLDER

Sterling State Bank, a corporation organized and existing under the laws of the State of Minnesota, and holder of a mortgage executed by Hinz Properties, LLC, a limited liability company, dated July 8, 2005, recorded in the Office of the County Recorder as Document A-1070399 on July 29, 2005. Said mortgage modified on September 20, 2006 by document A-1116434 recorded in the Office of the Count Recorder on October 23, 2006.

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, Sterling State Bank 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.

Sterling State Bank

By: _____ By: _____

Its: E.V.P Its: V. Pres

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 12 day of October 2011, by Lonnie Hickey and David G. Wittenberg its E.V.P. and V.P of Sterling State Bank, a corporation organized and existing under the laws of the State of Minnesota.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

DALE PRESTEGARD
Notary Public
Minnesota
My Commission Expires January 31, 2015

_____
Signature of Person Taking Acknowledgment

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

CONSENT OF LIENHOLDER

Sterling State Bank, a corporation organized and existing under the laws of the State of Minnesota, and holder of a mortgage executed by Hinz Properties, LLC, a limited liability company, dated July 20, 2010, recorded in the Office of the County Recorder as Document A-1235798 on July 27, 2010.

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, Sterling State Bank 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.

Sterling State Bank

By: _____ By: _____

Its: E.V.P Its: V. Pres

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

The foregoing instrument was acknowledged before me this 12 day of October 2011, by Lonnie Hickey and David G. Wittenberg its E.V.P and V.P of Sterling State Bank, a corporation organized and existing under the laws of the State of Minnesota.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

DALE PRESTEGARD
Notary Public
Minnesota
My Commission Expires January 31, 2016

Signature of Person Taking Acknowledgment

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