OFFICE OF COUNTY RECORDER
Olmsted County, Minnesota

I hereby certify that this document was filed in this office on 10/14/2011 at 2:00 PM and was duly recorded as document number A- 1270273

W MARK KRUPSKI - Co Recorder, by_____ Deputy

Well Certifcate:____ Received ____ Not Required

Abstr. - yes _____ no _____

Received from/return to:

OLMSTED COUNTY PUBLIC WORKS
DALE PRESTEGARD
2122 CAMPUS DR SE
ROCHESTER MN 55904

DOCUMENT TYPE: Highway Easement

RE: Boyd & Kathryn Gasner

RETURN TO: Dale Prestegard (Olmsted Public Works)

LEGAL: pt SE - SW → 28-106-12
54.28.34.055324

"COVER SHEET ADDED BY OLMSTED COUNTY PROPERTY RECORDS OFFICE FOR RECORDING PURPOSES."

Form No. 639A — Highway Easement. Poucher, Mpls.

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Boyd Gasner Sr. and wife Kathryn M. Gasner

Grantor s, of Olmsted County, Minnesota, for and in consideration of

Metes and Bounds Subdivision Split ---------- Dollars ($ _____)

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:

The South 50 feet of that part of the Southeast Quarter of the Southwest Quarter of Section 28, Township 106 North, Range 12 West, Olmsted County, Minnesota, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence North 90°00'00" East, along the South line of said Southwest Quarter, 1686.96 feet to the point of beginning; thence North 03°53'34" East (for purposes of this description bearings are assumed and based on the South line of said Southwest Quarter being North 90° 00'00" East), 752.37 feet; thence South 86°08'23" East, 232.14 feet; thence South 01°24'43" West, 207.15 feet; thence South 85°18'41" East, 111.79 feet; thence South 06° 41'21" West, 552.34 feet to the South line of said Southwest Quarter; thence North 90°00'00" West, along said South line, 328.16 feet to the point of beginning.

Containing 0.13 acre more or less in addition to the presently used and existing right of way of County Road No. 129.

And the said grantor s, for ~~(himself~~ themselves), ~~his~~ 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 covey to the County 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 s, for ~~(himself~~ themselves), ~~his~~ 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 s, for ~~(himself~~ themselves), ~~his~~ 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 _____

Dated this May 9th day of _____, 1997.

In Presence of:

X Boyd Gasner Sr

X Kathryn M Gasner

Witness _____

Witness _____

wchg

Dale Prestegard 10/4/2011
Olmsted Public Works MS

STATE OF MINNESOTA

County of Olmsted

On this 9th day of May, 19 97, before me personally

Boyd Gasner Sr. and Kathryn M. Gasner

appeared 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
My Commission Expires Jan. 31, 2000

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

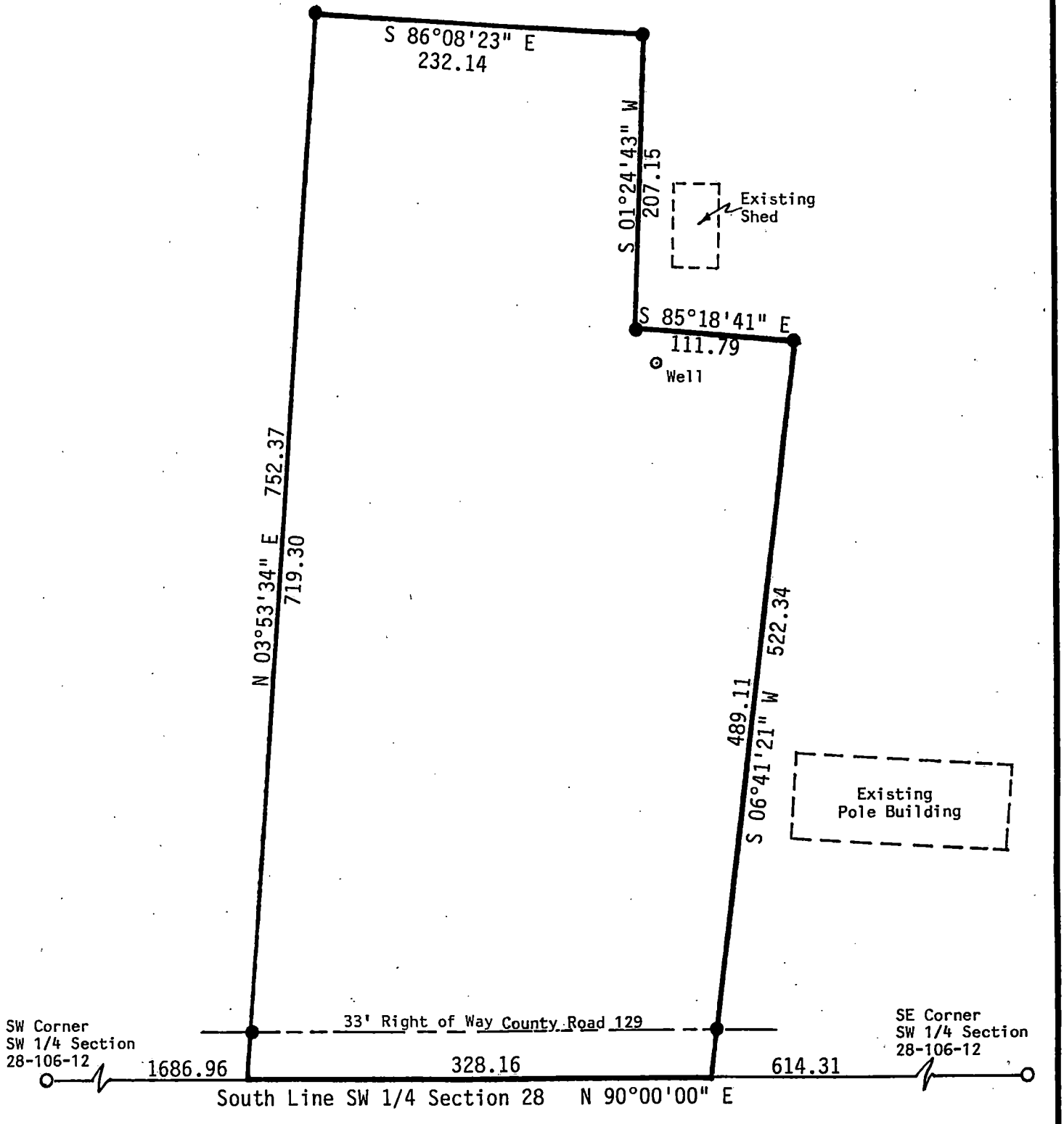
STATE OF MINNESOTA
County of _____
Office of County Recorder.
I hereby certify that the within instrument was filed for record in this office on the _____ day of _____, 19____ at _____ o'clock _____ M., and that the same was duly recorded in Book _____ of _____ on page _____

_____
County Recorder.

By _____ Deputy.

Poucher, Mpls.

LEGAL DESCRIPTION: That part of the Southeast Quarter of the Southwest Quarter of Section 28, Township 106, Range 12, Olmsted County, Minnesota, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence North 90°00'00" East, along the South line of said Southwest Quarter, 1686.96 feet to the point of beginning; thence North 03°53'34" East (for purposes of this description bearings are assumed and based on the South line of said Southwest Quarter being North 90°00'00" East), 752.37 feet; thence South 86°08'23" East, 232.14 feet; thence South 01°24'43" West, 207.15 feet; thence South 85°18'41" East, 111.79 feet; thence South 06°41'21" West, 522.34 feet to the South line of said Southwest Quarter; thence North 90°00'00" West, along said South line, 328.16 feet to the point of beginning; subject to right of way for County Road over the southerly 33.00 feet thereof; containing 5.29 acres, more or less, including said right of way, and 5.04 acres, more or less, excluding said right of way.



Scale: 1 Inch = 100 Feet

● Denotes Monument Set

○ Denotes Monument Found

Survey For: Tammy & Boyd Gasner, Jr.

CERTIFICATE OF SURVEY

I hereby certify that this survey was prepared by me or