No. 2818—Highway Easement—(Revised 1939) Miller-Davis Co., Minneapolis, Minn.

CAR"R"

Prepared by .....

Checked by .....

HIGHWAY EASEMENT

Grant E.Bainter and Elizabeth L. Bainter, his wife
Route No. 3 - Rochester, Minnesota

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

..... *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:

A strip of land lying over and across the West one-half (W½) of the Northeast quarter (NE¼) of Section twenty-five (Sec. 25) Township one hundred six North-Range thirteen West (T106N-R13W), excepting all highways.

Said strip being all that part of the above described tract which lies within a distance of thirty-three (33.0) feet on each side of the following described centerline:

Commencing at a point on the East line of the West one-half (W½) of the Northeast quarter (NE¼) of Section twenty-five (Sec. 25) Township one hundred six North-Range thirteen West (T106N-R13W) which point is three hundred sixty-five and twelve hundredths (365.12) feet South of the Northeast corner thereof; thence deflect to the right on a transition curve whose coordinates are Xc one hundred forty-eight and ninety-eight hundredths (148.98) feet and Yc thirteen and three hundredths (13.03) feet for a distance of one hundred fifty (150.0) feet; thence deflect to the right on a twenty (20) degree curve, central angle ninety degrees six and one-half minutes (90°-06½'), for a distance of three hundred and five-tenths (300.5) feet; thence deflect to the right on a transition curve whose coordinates are, Xc one hundred forty-eight and ninety-eight hundredths (148.98) feet and Yc thirteen and three hundredths (13.03) feet for a distance of one hundred fifty (150.0) feet to a point on the North line of the West one-half (W½) of the Northeast quarter (NE¼) of Section twenty-five (Sec. 25) Township one hundred six North-Range thirteen West (T106N-R13W), and tangent thereto, which point is three hundred sixty-five and twelve hundredths (365.12) feet West of the Northeast corner thereof and there terminating.

Excluding therefrom right of way of existing highways.

Comprising thirty-three hundredths (0.33) acres more or less.

Together with the right to construct and maintain so long as County Aid Road R shall be maintained in its present location and of its present width, a backslope or embankment of approximately three to one (3 to 1) slope on both sides of the above described strip and also along the South side of County Aid Road R as it passes along the North line of the above described property. The use however, by the County, of all land which lies more than thirty-three (33.0) feet from said centerline shall be restricted to and for the purpose herein described and the County further agrees to furnish whatever labor is required to move and reset fences made necessary by said work.

The transition curves described above are curves in which the degree of curve (arc definition) varies as the distance from the beginning to the end of the transition. Xc is the distance along the subtangent from the beginning to the end of the transition. Yc is the offset distance from the subtangent to the end of the transition.

And the said grantor*s*, for 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 hereon.

And the said grantor*s*, for 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*s*, for themselves, their heirs, executors and assigns, do..... further covenant 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 10th *day of* May, 1941.

In presence of:

Witness W. J. Murphy — Grant E Bainter

Witness A. Anderson — Elizabeth L. Bainter

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State of Minnesota, } ss.
County of Olmsted }

On this 10th day of May, 1941, before me personally appeared Grant E. Painter and Elizabeth L. Painter, his wife, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

LILLIAN MILLER
NOTARY PUBLIC, OLMSTED COUNTY, MINN.
MY COMMISSION EXPIRES AUG. 31, 1946

Lillian Miller

I hereby certify that the within easement will convey to the

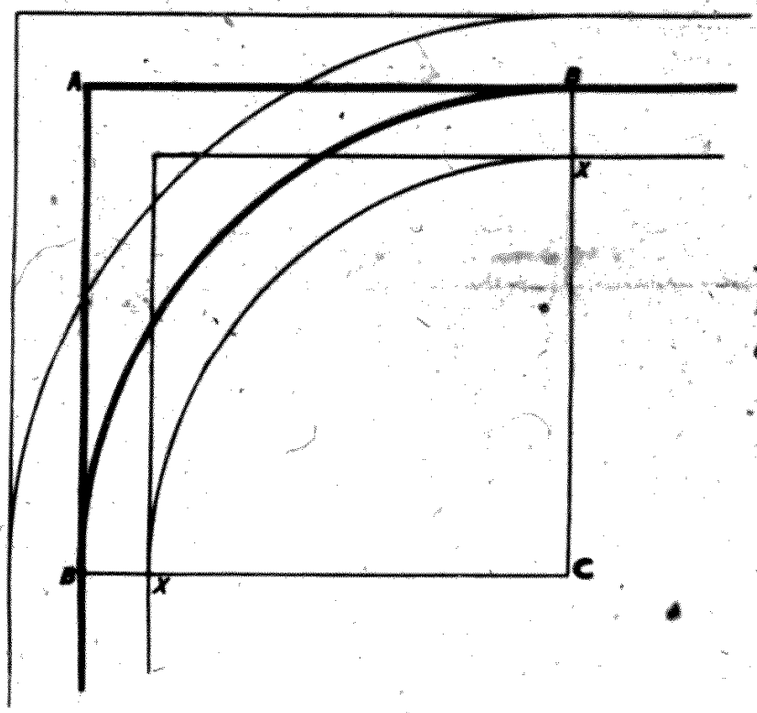
for highway purposes a good title to the land therein described, free and clear of all incumbrances.

I further approve said easement as to form and execution.

....., 19

(County Attorney)

(Assistant Attorney General)



A-B — 365.12 Ft.

B-C — Ft.

C-X — Ft.

Degree Curve

Acres of land required

1460172

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROJECT	
SECTION	
MARKER	
FARM	
PAID	
REV. STAMP	
MTG. TAX	

State of Minnesota, } ss.
County of Olmsted }

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 15 day of May, 1941, at 9 o'clock A. M., and that the same was duly recorded in Book 179 of Deeds on page 220

Mel Little
Register of Deeds.

By ..... Deputy.