Doc No. A- 1522990
OFFICE OF COUNTY RECORDER
OLMSTED COUNTY, MINNESOTA

I hereby certify that this document was filed in this office for record on --January 08, 2021 12:48 PM
W MARK KRUPSKI - Co Recorder by deputy ms
Well Certificate ____ Abstract ____
Fee: $46.00

PWSC
1188 50TH ST SE
ATT JEREMY DOUGLAS
ROCHESTER, MN 55904

53.05.31.0410 (47)

COVER SHEET

January 8, 2021

DOCUMENT TYPE: EASEMENT

OLMSTED COUNTY PUBLIC WORKS

RETURN TO: Dale Prestegard, PWSC

LEGAL DESCRIPTION: CSAH 1

Part of the North Half of the Southwest Quarter of Section 5, Township 105 N, Range 13 West

See attached easement for full descriptions

Cover sheet added by Public Works for Recording Purposes

PWSC
1-8-21
ms

No Chg

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Leo M. Fogarty, single
J.W. Fogarty and Nellie Fogarty, his wife

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

Seventy five and 00/100 ———— *Dollars ($* 75.00 *)*

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 north half of the southwest quarter (N½SW¼) north and east of the railroad tracks, less the platted portion of the village of Simpson all being in section five (Sec 5) township one hundred five north, range thirteen west (T105N-R13W); and also block six (6.0), less the west one hundred (100.0) feet in village of Simpson 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 one (CSAH #1).

From the northeast corner of the northwest quarter (NW¼) of said section five (Sec 5) south along the east boundary thereof two thousand six hundred eleven and five tenths (2611.5) feet for a place of beginning of the centerline to be described. Thence deflect left twelve minutes (0°12') one thousand two hundred ninety-seven and two tenths (1297.2) feet and there terminating.

Containing forty-eight hundredths (0.48) 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 one (CSAH #1) 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.

Exempt from state deed tax

Karl A. Pahlen

County Auditor

And the said grantor, for himself, his 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 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 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 27th *day of* December *, 19*60

In presence of:

Witness Cathleen A. Liebl Leo M. Fogarty

Witness Roy J. Fahrenkamp J. W. Fogarty

STATE OF MINNESOTA
County of Clearwater } ss.

On this 27th day of December, 19 60, before me personally appeared Les M. Nelles & M. Fogarty 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.

Evelyn M. Kaufert



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 } ss.
County of

Office of Register of Deeds.

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.