Doc No. A- 1529843
OFFICE OF COUNTY RECORDER
OLMSTED COUNTY, MINNESOTA

I hereby certify that this document was filed in this office
for record on --March 23, 2021 10.32 AM
W MARK KRUPSKI - Co Recorder by deputy ms
Well Certificate _____ Abstract _____ Fee $46.00

PWSC
1188 50TH ST SE
ATT DALE PRESTEGARD
ROCHESTER, MN 55904

PT NE-NE → 29-108-15
85.29.11.038904
85.29.11.084017
PT NE-NW 28-108-15
85.28.21.083416
PT NW-NW
85.28.21 083416
85.28.22. 083410
85.28.22. 082900

# HIGHWAY EASEMENT

FOR VALUABLE CONSIDERATION Newell R. McGee and Ramona M. McGee, Trustees of the Newell R. McGee and Ramona M. McGee Living Trust dated September 17 2012, Grantor(s), hereby convey and warrant 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.

SEE ATTACHED EXHIBITS A & B

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. Grantee, after any work contemplated hereunder, shall restore, to the extent feasible, the impacted areas to a substantially similar condition that existed prior to the work.

Grantee, its successors and assigns, shall indemnify, defend and hold harmless Grantor(s) from all claims, costs, damages, and expenses arising from Grantee's exercise of its rights under this Highway Easement subject to the state tort limits set forth in Chapter 466 of the Minnesota Statutes.

Said easement for the purpose of providing permanent public road right of way for County Road 105.

All being subject to easements, covenants, and restrictions of record.

No Copy

328-21 2-2
PWSC
Dale

Grantor(s):

Newell R McGee, Trustee

Ramona M. McGee, Trustee

STATE OF MINNESOTA)
) ss
COUNTY OF OLMSTED )

The instrument was acknowledged before me this 19 day of March, 2021, by Newell R. McGee and Ramona M. McGee, Trustees of the Newell R. McGee and Ramona M McGee Living Trust, Grantor(s)

NOTARIAL STAMP OR SEAL

DALE PRESTEGARD
NOTARY PUBLIC
MINNESOTA
My Commission Expires January 31, 2025

SIGNATURE OF NOTARY PUBLIC

Drafted by:
Dale Prestegard
Olmsted County Public Works
1188 50th Street SE
Rochester, MN 55904

**Exhibit A**

EASEMENT A

The North 600 feet of the East 66.00 feet of the NE1/4 NE1/4 of Section 29, Township 108, Range 15, Olmsted County, Minnesota

Said easement lies within a distance of 50 feet on each side of the following described centerline of County Road No. 105:

Beginning at the northeast corner of the Northwest Quarter of Section 28, Township 108 North, Range 15 West, Olmsted County, Minnesota; thence North 89 degrees 58 minutes 24 seconds West, assumed bearing, along the north line of said Northwest Quarter, 1878 58 feet; thence South 86 degrees 49 minutes 32 seconds West, 136.13 feet; thence southwesterly 364 14 feet along a tangential curve, concave southeasterly, central angle of 44 degrees 36 minutes 27 seconds and radius of 467 72 feet; thence South 42 degrees 13 minutes 05 seconds West, tangent to said curve, 330.68 feet; thence southwesterly 304.06 feet along a tangential curve, concave southeasterly, central angle of 43 degrees 33 minutes 11 seconds and radius of 400.00 feet; thence South 01 degrees 20 minutes 06 seconds East, tangent to said curve, 305.52 feet; thence southerly 191.35 feet along a tangential curve, concave easterly, central angle of 04 degrees 34 minutes 05 seconds and radius of 2400.00 feet; thence South 05 degrees 54 minutes 11 seconds East, tangent to said curve, 106.05 feet; thence southerly 243.21 feet along a tangential curve, concave westerly, central angle of 05 degrees 34 minutes 26 seconds and radius of 2500.00 feet and there terminating.

Containing 0.18 acres, more or less.

EASEMENT B

A permanent easement for public road right of way purposes over, under and across a part of the following described property:

The North Half of the Northeast Quarter of Section 29, Township 108 North, Range 15 West, Olmsted County, Minnesota.

EXCEPT:

That part of the East Half of the Northeast Quarter of Section 29, Township 108, Range 15, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said East Half of the Northeast Quarter; thence South 01 degrees 30 minutes 04 seconds East (assumed bearing) along the east line of said East Half of the Northeast Quarter 1327.00 feet to the point of beginning of the land to be described; thence North 86 degrees 38 minutes 23 seconds West 442.54 feet, thence North 6 degrees 37 minutes 13 seconds West 273.16 feet; thence South 86 degrees 38 minutes 23 seconds East 467 00 feet to said east line of the East Half of the Northeast Quarter; thence South 1 degrees 30 minutes 04 seconds East along said east line 270 00 feet to the point of beginning.

ALSO EXCEPT:

That part of the East Half of the Northeast Quarter of Section 29, Township 108, Range 15, Olmsted County, Minnesota, described as follows.

Commencing at the northeast corner of said East Half of the Northeast Quarter, thence South 01 degrees 30 minutes 04 seconds East (assumed bearing) along the east line of said East Half of the Northeast Quarter 1454.82 feet to the point of beginning of the land to be described; thence North 1 degrees 30 minutes 04 seconds West along said east line 127.82 feet; thence North 86 degrees 38 minutes 23 seconds West 442.54 feet; thence North 6 degrees 37 minutes 13 seconds West 273.16 feet; thence North 86 degrees 38 minutes 23 seconds West 343 00 feet; thence South 1 degree 30 minutes 04 seconds East 445.40 feet to the intersection with a line that bears South 89 degrees 59 minutes 38 seconds West from the point of beginning, thence North 89 degrees 59 minutes 38 seconds East 807.36 feet to the point of beginning.

ALSO EXCEPT:

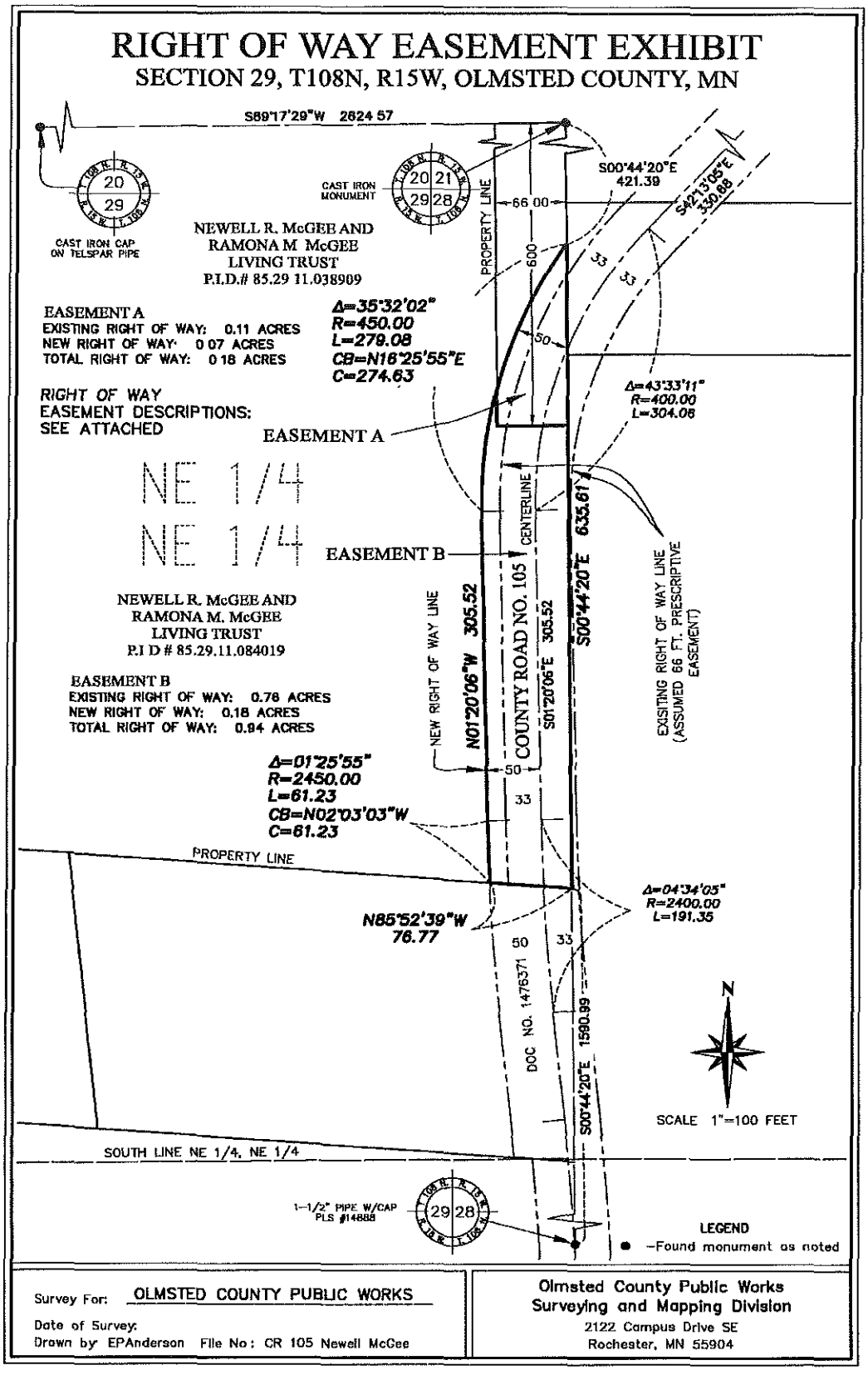
The North 600 feet of the East 66.00 feet of the NE1/4 NE1/4 of Section 29, Township 108, Range 15, Olmsted County, Minnesota.

Said easement lies within a distance of 50 feet on each side of the following described centerline of County Road No. 105:

Beginning at the northeast corner of the Northwest Quarter of Section 28, Township 108 North, Range 15 West, Olmsted County, Minnesota; thence North 89 degrees 58 minutes 24 seconds West, assumed bearing, along the north line of said Northwest Quarter, 1878 58 feet; thence South 86 degrees 49 minutes 32 seconds West, 136.13 feet; thence southwesterly 364.14 feet along a tangential curve, concave southeasterly, central angle of 44 degrees 36 minutes 27 seconds and radius of 467.72 feet; thence South 42 degrees 13 minutes 05 seconds West, tangent to said curve, 330.68 feet; thence southwesterly 304.06 feet along a tangential curve, concave southeasterly, central angle of 43 degrees 33 minutes 11 seconds and radius of 400.00 feet, thence South 01 degrees 20 minutes 06 seconds East, tangent to said curve, 305.52 feet; thence southerly 191 35 feet along a tangential curve, concave easterly, central angle of 04 degrees 34 minutes 05 seconds and radius of 2400.00 feet; thence South 05 degrees 54 minutes 11 seconds East, tangent to said curve, 106.05 feet; thence southerly 243.21 feet along a tangential curve, concave westerly, central angle of 05 degrees 34 minutes 26 seconds and radius of 2500.00 feet and there terminating

Containing 0.94 acres, more or less.

## Exhibit B


RIGHT OF WAY EASEMENT EXHIBIT
SECTION 29, T108N, R15W, OLMSTED COUNTY, MN
S89°17'29"W 2624.57
CAST IRON CAP ON TELSPAR PIPE
CAST IRON MONUMENT
NEWELL R. McGEE AND RAMONA M McGEE LIVING TRUST
P.I.D.# 85.29.11.038909
EASEMENT A
EXISTING RIGHT OF WAY: 0.11 ACRES
NEW RIGHT OF WAY: 0.07 ACRES
TOTAL RIGHT OF WAY: 0.18 ACRES
Δ=35°32'02"
R=450.00
L=279.08
CB=N16°25'55"E
C=274.63
RIGHT OF WAY EASEMENT DESCRIPTIONS: SEE ATTACHED
EASEMENT A
NE 1/4
NE 1/4
EASEMENT B
NEWELL R. McGEE AND RAMONA M. McGEE LIVING TRUST
P.I.D # 85.29.11.084019
EASEMENT B
EXISTING RIGHT OF WAY: 0.78 ACRES
NEW RIGHT OF WAY: 0.18 ACRES
TOTAL RIGHT OF WAY: 0.94 ACRES
Δ=01°25'55"
R=2450.00
L=61.23
CB=N02°03'03"W
C=61.23
PROPERTY LINE
N85°52'39"W 76.77
S00°44'20"E 421.39
S42°13'05"E 330.88
66.00
600
33
33
50
Δ=43°33'11"
R=400.00
L=304.08
CENTERLINE
COUNTY ROAD NO. 105
S00°44'20"E 635.61'
N01°20'06"W 305.52
S01°20'06"E 305.52
NEW RIGHT OF WAY LINE
EXISTING RIGHT OF WAY LINE (ASSUMED 66 FT. PRESCRIPTIVE EASEMENT)
50
33
Δ=04°34'05"
R=2400.00
L=191.35
50
33
DOC NO. 1476371
S00°44'20"E 1590.99
SOUTH LINE NE 1/4, NE 1/4
1-1/2" PIPE W/CAP PLS #14888
N
SCALE 1"=100 FEET
LEGEND
● -Found monument as noted
Survey For: OLMSTED COUNTY PUBLIC WORKS
Date of Survey:
Drawn by EPAnderson File No: CR 105 Newell McGee
Olmsted County Public Works
Surveying and Mapping Division
2122 Campus Drive SE
Rochester, MN 55904

PIS NF-227 108.15
85.291408 3035

Doc No. A- 1529842
OFFICE OF COUNTY RECORDER
OLMSTED COUNTY, MINNESOTA

I hereby certify that this document was filed in this office for record on --March 23, 2021 10.32 AM
W MARK KRUPSKI - Co Recorder by deputy ms
Well Certificate ____ Abstract ____ Fee: $46.00

PWSC
1188 50TH ST SE
ATT DALE PRESTEGARD
ROCHESTER, MN 55904

# COMBINED CERTIFICATE OF TRUST AND AFFIDAVIT OF TRUSTEES

## CERTIFICATE OF TRUST

Newell R McGee and Ramona M McGee, Trustees being first duly sworn on oath state that.

1 Affiants are the Trustees of the Newell R McGee and Ramona M. McGee Living Trust, dated September 17, 2012

2 The Trustees are authorized by the instruments to sell, convey, pledge, mortgage, lease or transfer title to any interest in real or personal property, except as limited by the following.

NONE

3 The Trust has not terminated and has not been revoked

4 The Trustees represent that all the statements contained in this Certificate are true and correct and that there are no other provisions in the trust instruments or amendments to it that the powers of the Trustees to sell, convey, pledge, mortgage, lease or transfer title to interest in real or personal property

## AFFIDAVIT OF TRUSTEES

5. Affiants are the Newell R. McGee and Ramona M. McGee Living Trust, dated September 17, 2012. The trust Instrument relating to real property described as set forth on the attached legal description and other land. SEE EXHIBIT A

6. The Trustees empowered to act under the trust instruments at the time of execution of this affidavit are.

Newell R. McGee 142 Mercy Drive Faribault, MN 55021
Ramona M McGee 142 Mercy Drive Faribault, MN 55021

7. Newell M McGee and Ramona M. McGee, who have executed that certain Easement dated _____ 2021, conveying the real estate described herein to the County of Olmsted, relating to the real property described herein wherein the Trustees appears as seller.

a. Are empowered by the provisions of the Trust instrument to sell, convey, pledge, mortgage, lease or transfer title to any interest in real or personal property held in trust; and
b Is the requisite number of Trustees required by the provisions of the trust instrument to execute and deliver such an instrument

1-2
3-23-21
Dale Prestegard
PWSC
ms

No Chg

8 The trust created by the trust instrument has not terminated and has not been revoked The execution and delivery of the instrument described in Paragraph 7 hereof has been made pursuant to the provisions of the trust instruments.

9 There have been no amendments to the trust instruments which limit the power of the Trustees to execute and deliver the instrument described in Paragraph 7 hereof

10 The trust in not supervised by any court

11 Affiants do not have actual knowledge of any facts indicating that the trust is invalid

Newell R McGee, Trustee

Ramona M. McGee, Trustee

STATE OF MINNESOTA
) SS.
COUNTY OF OLMSTED )

Subscribed and sworn before me this 19 day of March 2021 by Newell R McGee and Ramona M. McGee, as Trustees of the Newell R McGee and Ramona M McGee Living Trust dated September 17 2012, Affiants

Notary Stamp or Seal

DALE PRESTEGARD
NOTARY PUBLIC
MINNESOTA
My Commission Expires January 31, 2025

Signature of Notary Public or Other Official

Drafted By:
Dale Prestegard
Olmsted County Public Works
1188 50th Street SE
Rochester, MN 55904

**EXHIBIT A**
PROPERTY DESCRIPTION

That part of the East Half of the Northeast Quarter of Section 29, Township 108, Range 15, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said East Half of the Northeast Quarter thence South 01 degrees 30 minutes 04 seconds East (assumed bearing) along the east line of said East Half of the Northeast Quarter 1454.82 feet to the point of beginning of the land to be described; thence South 89 degrees 59 minutes 38 seconds West, 400 00 feet; thence South 1 degree 30 minutes 04 seconds East 544 85 feet; thence North 89 degrees 59 minutes 38 seconds East 400.00 feet to said east line of the East Half of the Northeast Quarter; thence North 1 degree 30 minutes 04 seconds West, along said east line 544.85 feet to the point of beginning