*Prepared by*.....

*Checked by*.....

# HIGHWAY EASEMENT

Mathew Francis O'Neil and Marguerite, his wife
Rochester,
Minnesota

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

One hundred thirty-two and 50/100----------*Dollars* ($ 132.50 )
*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 following described tract: The southwest quarter of the southwest quarter (SW¼ SW¼) of section 5, less land owned by Railroad Company, Maurice L. Haney, Cyril Fitzgerald and Frank E. Harris; and the southeast quarter of the southeast quarter (SE¼ SE¼) of section 6, all in township 105 north range 13 west, which lies within a distance of 50.0 feet on the south side of the following described centerline of State Aid Road number 1.

From the southeast corner of the northeast quarter of the southwest quarter (NE¼ SW¼) of section 5 township 105 north range 13 west, thence west along south boundary of said northeast quarter of the southwest quarter (NE¼ SW¼) a distance of 775.2 feet thence deflect right on a 0°06' curve delta angle 2°06' a distance of 1,078.9 feet for a place of beginning. Thence in a prolongation of the last described course a distance of 21.1 feet, thence on tangent to said curve a distance of 1,817.5 feet; thence delfect to the left on a 10 chord spiral curve of decreasing radius (spiral angle 3°00') for 150.0 feet, thence deflect to the left on a 4°00' circular curve (delta angle 13°00') for a distance of 129.8 feet and there terminating.

Containing 0.9 acres more or less in addition to the existing highways.

Together with the right to construct and maintain so long as State Aid Road number 1 shall be maintained in the above described location a backslope of approximately four to one (4:1) slope on the south 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 16 feet from the right-of-way line and the use by the County shall be restricted to and for the purpose hereinbefore described.

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* 12 th *day of* May, *19* 50.

*In presence of:*

*Witness* Catherine C. Kelly — Mathew Francis O'Neil

*Witness* Nancy Peterson — Marguerite O'Neil

State of Minnesota, } ss.
County of Olmsted }

On this 12th day of May, 1950, before me personally appeared

Mathew Francis O'Neil and Marguerite O'Neil, his wife

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.

EVELYN N. KRUGER
Notary Public, Olmsted County, Minnesota
My Commission Expires Nov. 18, 1956

Evelyn N. Kruger

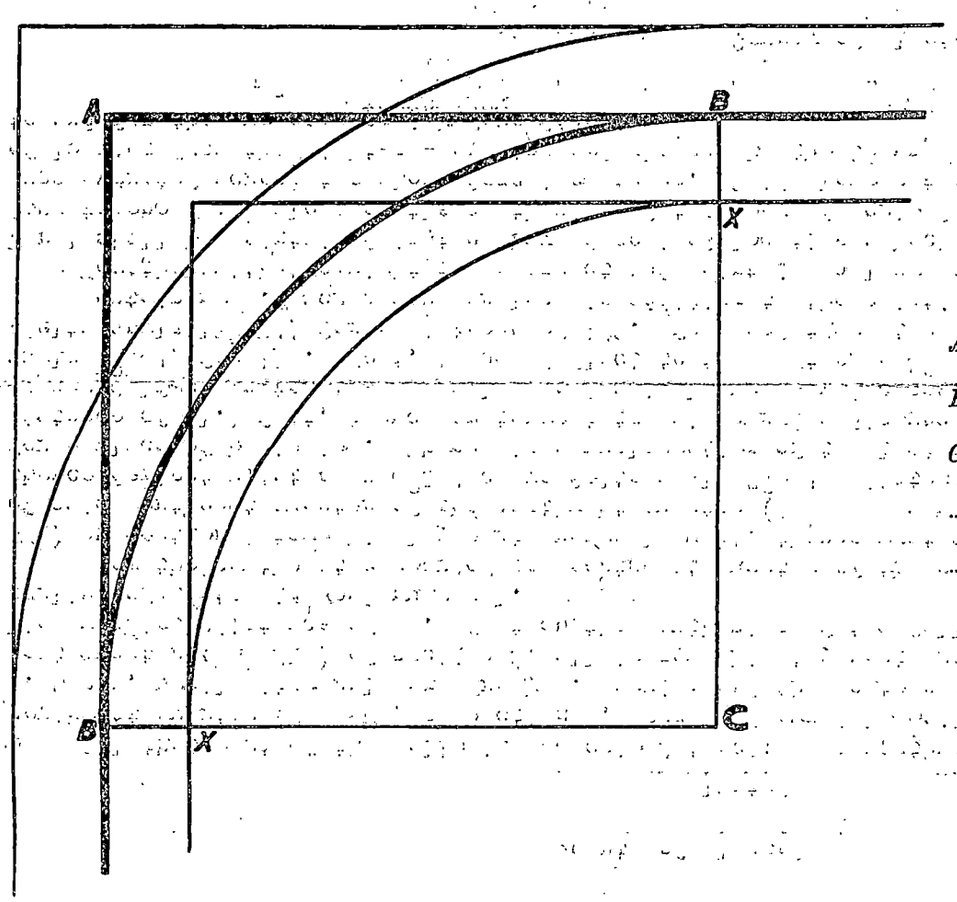
I hereby certify that the within easement will convey to the County

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.

June 12, 1950

T. Norman Hanson
(County Attorney)
(Assistant Attorney General)




A-B = ..... Ft.

B-C = ..... Ft.

C-X = ..... Ft.

..... Degree Curve

..... Acres of land required

X 190855

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROOFED
DRAWER
TRACED
PAID
CHG.
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 13 day of June 1950, at 8½ o'clock A.M., and that the same was duly recorded in Book X-1 of Misc. on pages 55

Wm. H. Little
Register of Deeds.

By E. R. Moore
Deputy.