No. 2618—Highway Easement—(Revised 1939) 193278 128.75 Miller-Davis Co., Minneapolis, Minn.

Prepared by.....

Checked by.....

HIGHWAY EASEMENT

Alex F. and Lenora Benike

*Grantor*s, *of* Olmsted County, *Minnesota, for and in consideration of* One hundred twenty-eight and 75/100---------- *Dollars* ($ 128.75) *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 west half of the southeast quarter (W½ SE¼) and the northeast quarter of the southeast quarter (NE¼ SE¼) of section thirty-four (Sec. 34) in township one hundred eight north range thirteen west (T108N-R13W) which lies within a distance of fifty (50.0) feet on the north and west side of the following described centerline of State Aid Road number eleven (S.A.R. #11).

Beginning at the south quarter corner of said section thirty-four (Sec. 34) east along south boundary thereof a distance of one thousand three hundred eighteen and eight tenths (1,318.8) feet and there terminating, also from the southeast corner of said section thirty-four (Sec. 34) north along east boundary thereof a distance of one thousand three hundred twenty and one tenth (1,320.1) feet for a point of beginning of the line to be described, thence in a prolongation of the last described course a distance of one thousand three hundred twenty and two tenths (1,320.2) feet and there terminating.

Containing one and three hundredths (1.03) 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 eleven (S.A.R. #11) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the north and 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.

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

The consent of the undersigned mortgagee to the within easement is hereby given this 6th day of August, 1956.

Dated this 2nd *day of* September, 19 56

In presence of:

Witness William B Sullivan — Alex Benike

Witness Cathleen Schell Clemmer — Lenora Benike

G. Hymes

S Beckstead

THE FEDERAL LAND BANK OF SAINT PAUL

By- W. R. Fankhanel Vice-Pres.

By- P. O. McGuire Ass't. Sec'y.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

On this 7th day of August, 19 56, before me, a notary public, personally appeared W. R. Fankhanel and F. O. McGuire to me personally known, and to me personally known to be officers, to-wit; Vice President and Assistant Secretary, respectively, of The Federal Land Bank of Saint Paul, a corporation, and to me personally known to be the persons who executed the within and foregoing instrument in behalf of said corporation as such officers, who being each by me duly sworn, did each for himself say that they are such officers of said corporation described in and which executed the within and foregoing instrument, that the seal affixed to the within and foregoing instrument is the corporate seal of said corporation, and that said instrument was executed in behalf of said corporation by authority of its Board of Directors; and said officers acknowledged said instrument to be the free act and deed of said corporation, and further acknowledged to me that said corporation executed the same.

G. HUMER,
Notary Public, Ramsey County, Minn.
My commission expires Oct. 19, 1960

G. Humer

11198

State of Minnesota, } ss.
County of Olmsted }

On this 2nd day of September, 19 55, before me personally appeared

Alex F. Benike and Lenora, his wife

to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Evelyn N. Kruger

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

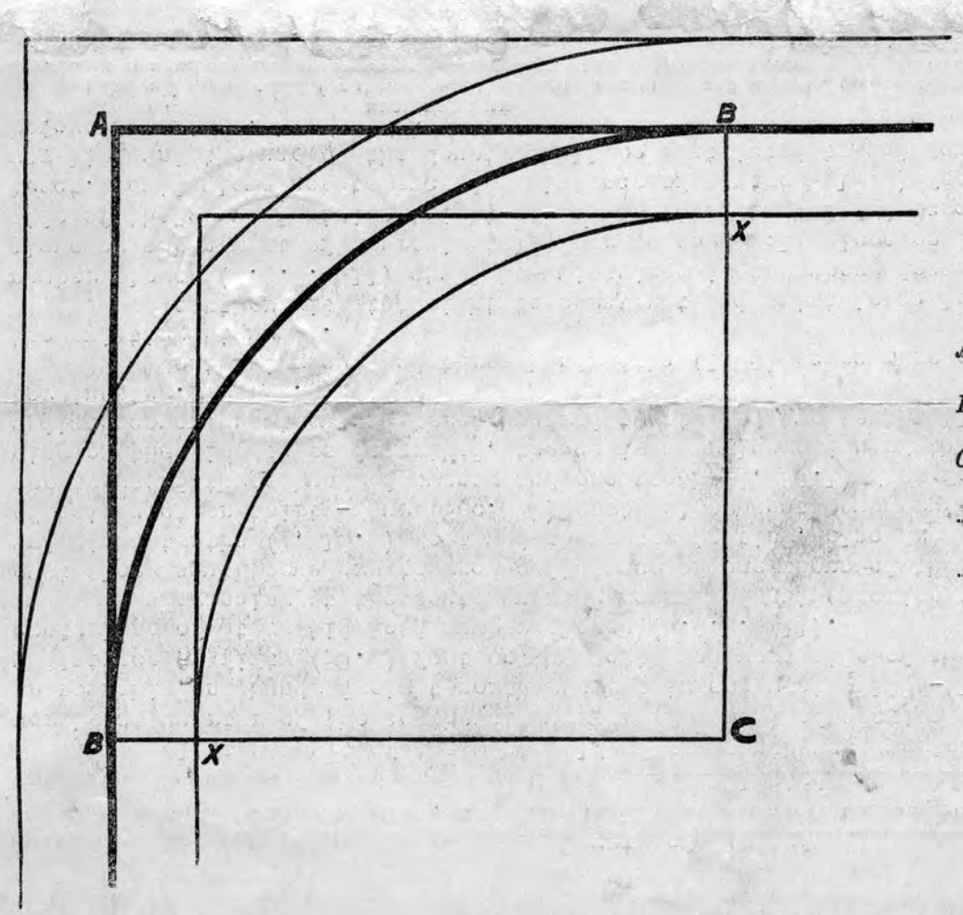
I hereby certify that the within easement will convey to the County of Olmsted

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.

Aug. 17, 1956

D. C. Mattson
(County Attorney)
(Assistant Attorney General)



A-B — ..... Ft.

B-C — ..... Ft.

C-X — ..... Ft.

..... Degree Curve

..... Acres of land required

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

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 27 day of Aug., 1956, at 11 o'clock A. M., and that the same was duly recorded in Book K-2 of Misc. on pages 485

Register of Deeds

By ..... Deputy

PROOFED
GRANTOR
GRANTEE
TRACED
PAID
CHG.
REV. STAMP
REG. TAX

227663

Re: Hwy. 52