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

Prepared by.....

Checked by.....

HIGHWAY EASEMENT

Fred W. Dietz and Gladys L. Dietz, his wife

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

Sixty one and 50/100 *Dollars ($* 61.50 *)*

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:

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 12th *day of* August *, 19*58.

In presence of:

Witness Esther C. Schellhammer — Fred W. Dietz

Witness Douglas D. Main — Gladys L. Dietz

All that part of the Northeast one-quarter (NE¼) less the East one hundred (100.0) acres thereof, of Section Five (Sec.5) township one hundred and eight north, range fifteen west (T108N-R15W) lying north of a line commencing at a point on the west line of said NE¼ nine hundred twenty six and eight tenths (926.8) feet south of the Northwest (NW) corner of said NE¼ and running east and west parallel with the north line of said quarter, excluding therefrom the north four hundred and fifty-eight (458.0) feet of the west six hundred and twenty-three (623.0) feet of said NE¼ subject to any rights in roads and highways which lies within a distance of fifty (50.0) feet on the east side of the centerline of County State Aid Highway Number three (CSAH#3) to be later described. Also all that part beginning at a point on the quarter section line in the channel of the river nine hundred twenty-six and eight tenths (926.8) feet south of the Northwest (NW) corner of the Northeast one-quarter (NE¼) of Section Five (Sec. 5) township one hundred and eight north, range fifteen west (T108N-R15W) ,thence south on said quarter section line two hundred and thirty-four (234.0) feet, thence southeasterly toward a point which is located one thousand three hundred and eight and eight tenths (1308.8) feet south and one thousand six hundred seventy-nine and eight tenths (1679.8) feet west of the Northeast (NE) corner of the Northeast one-quarter (NE¼) of said Sec. 5 for a distance of five hundred and seventy-nine (579.0) feet; thence southeasterly to a point one thousand six hundred fifty-three and eight tenths (1653.8) feet south and one thousand six hundred seventy-nine and eight tenths (1679.8) feet west of the Northeast corner of said Sec.5; thence due west to the place of beginning which lies within a distance of fifty (50.0) feet on the east side of the following described centerline of County State Aid Highway Number three (CSAH#3).

From the south quarter corner of said Sec.5, north along the west boundary of the Southeast one-quarter (SE¼) thereof two thousand six hundred thirty-eight and five tenths (2638.5) feet to the center of said Sec.5; thence deflect right zero degrees fifty-five minutes (0°55') one thousand six hundred and eighteen (1618.0) feet for a place of beginning of the centerline to be described; thence continue along the last described course seven hundred two and eight tenths (702.8) feet and there terminating.

Containing forty one one hundredths (0.41) 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 three (CSAH#3) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the east side of the above described right-of-way as it runs over and across the above described tracts. 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.

State of Minnesota, }
County of Olmsted } ss.

On this 12th *day of* August, 19 58, *before me personally appeared*

Fred W. Dietz and Gladys L. Dietz

*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 M. Gilpin
Notary Public, Olmsted County, Minn.
My Commission Expires Nov. 18, 1963

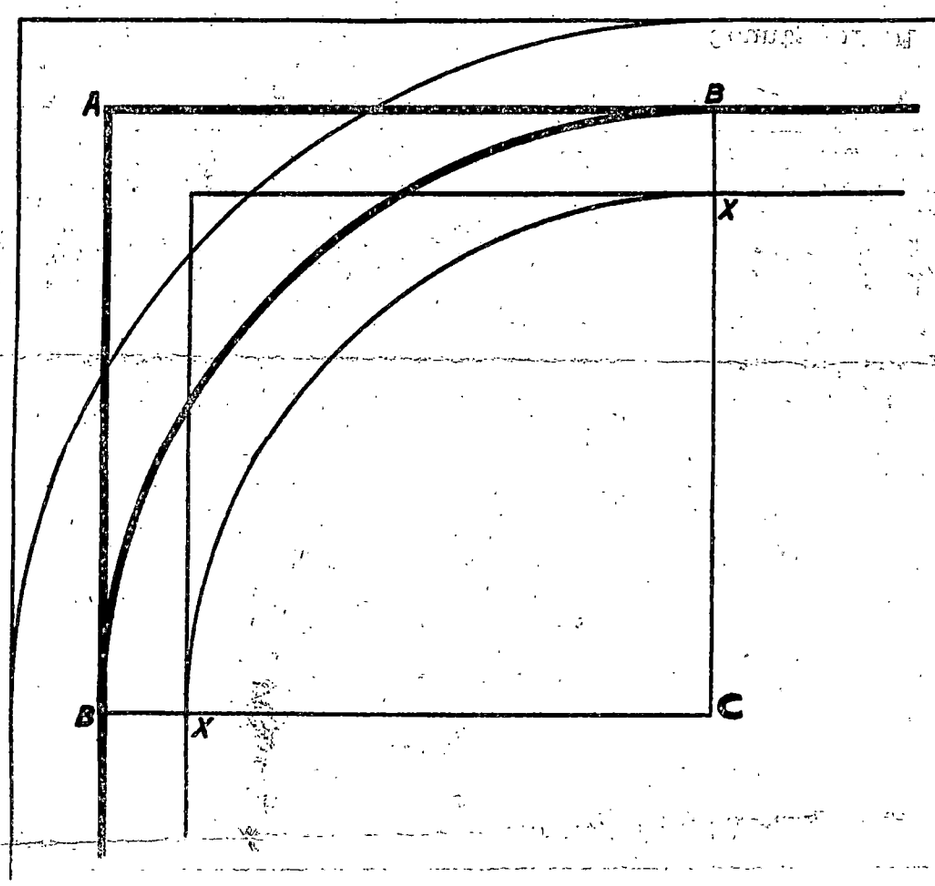
I hereby certify that the within easement will convey to the County of Olmsted

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.

Nov. 19, 1958

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



A-B — ..... *Ft.*

B-C — ..... *Ft.*

C-X — ..... *Ft.*

..... *Degree Curve*

..... *Acres of land required*

X .....

.....

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

.....

243438

State of Minnesota, }
County of Olmsted } ss.

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 28th *day of* Nov., 1958, *at* 2 *o'clock* P. *M., and that the same was duly recorded in Book* A-2 *of* Misc. *on pages* 441

Tom Mattson
Register of Deeds

By Jones *Deputy*

RECORDED
GRANTOR
GRANTEE
INDEXED
PAID 2.25

CHG
REV. STAMP
REG. TAX

o/m. Co. Hwy Dept
Att. Shellhammer