No. 639A—Highway Easement—(Revised 1954). 75.00 POUCHER

25765

# HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Miner Nelson and wife Nora Nelson

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

Seventy-five and no/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 southwest quarter of the southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of section thirteen (Sec 13) township one hundred five north, range fifteen west (T105N-R15W) 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 fifteen (CSAH #15).

From the northwest corner of said section thirteen (Sec 13) south along the west boundary of the northwest quarter ($NW\frac{1}{4}$) thereof two thousand six hundred forty-two and seven tenths (2642.7) feet; thence deflect left twenty-nine minutes ($0^{o}29'$) one thousand three hundred twenty-one and five tenths (1321.5) for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course one thousand two hundred eighty-one (1281.0) feet and there terminating.

Containing five tenths (0.5) 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 fifteen (CSAH #15) 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 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

Paul A. Foster

County Treasurer

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* 3rd *day of* June, *19* 60

*In presence of:*

*Witness* Richard F Gustavus — Miner Nelson

*Witness* Catherine A Schellhammer — Nora Nelson

STATE OF MINNESOTA
County of Olmsted } ss.

On this 3rd day of June, 19 60, before me personally appeared

Miner Nelson and Nora Nelson, 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 M. Krueger

Notary Public, Olmsted County, Minn.
My Commission Expires May 12, 1963

I hereby certify that the within easement will convey to the said 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.

Dec 27, 1960

W. P. Mattson
County Attorney.
Assistant Attorney General.

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
REV. STAMP
MTG. TAX

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

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 30 day of December, 1960 at 5 o'clock P. M., and that the same was duly recorded in Book 439 of Misc on page 1.

Nancy N. Eckman
Register of Deeds.

By Jane Jonathan
Deputy.

ROLLFILMER