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

257467

HIGHWAY EASEMENT

PREPARED BY _____
CHECKED BY ✓

Rudolph J. Franke and wife Amanda

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

One hundred fifteen and 50/100---------- *Dollars* ($ 115.50)

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 east one hundred twenty (120.0) acres of the southwest quarter (SW¼) of section thirteen (Sec 13) township one hundred six north, range twelve west (T106N-R12W) which lies within a distance of fifty (50.0) feet on the north side of the following described centerline of County Aid Road "O" (CAR "O").

From the north quarter corner of section twenty-three (Sec 23) township one hundred six north, range twelve west (T106N-R12W) east along the north boundary of said section two thousand six hundred forty and eight tenths (2640.8) feet; thence deflect left sixteen minutes (0°16') six hundred sixty and three tenths (660.3) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course one thousand seven hundred thirty and four tenths (1730.4 feet, thence deflect right on a one degree (1°00') circular curve, delta angle five degrees twenty-one minutes (5°21') two hundred forty-seven and six tenths (247.6) feet and there terminating.

Containing seventy-seven hundredths (0.77) acres more or less in addition to the existing highways.

Together with the right to construct and maintain so long as County Aid Road "O" (CAR "O") shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the north 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
Carl A. Foster
County Treasurer

And the said grantor..., for himself, his ~~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 thereon.

And the said grantor..., for himself, his ~~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..., for himself, his ~~themselves, their~~ 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 6th *day of* April, *19*60

In presence of:

Witness Cathleen C. Schellhammer — Rudolph J. Franke

Witness Duane Goodman — Amanda J. Franke

STATE OF MINNESOTA
County of Olmsted } ss.

On this 6th day of April, 1960, before me personally appeared

Rudolph J. & Amanda Franke

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 M. Krueger

Notary Public, Olmsted County, Minn.
My Commission Expires Nov. 1, 1960

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

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

PROOFED X
GRANTOR
GRANTEE 257467
TRACKED
PAID
CHG.
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 427 of Misc on page 445.

Mary H. Evans
Register of Deeds.

By Lois Knutson
Deputy.

RECORDER
REMINDER

M. P.