No. 639A—Highway Easement—(Revised 1954). BOUCHER MINNEAPOLIS

PREPARED BY _____

CHECKED BY _____

# HIGHWAY EASEMENT

249337

Bertha Klein and Francis Klein, her husband

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

Thirty-seven dollars and fifty cents ~~Dollars~~ *(*$ 37.50 *)*

*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 west half of the southwest quarter ($W\frac{1}{2}SW\frac{1}{4}$) of Section twelve (Sec 12) towhship one hundred seven north, range eleven west (T107N-R11W) which lies within a distance of fifty (50.0) feet on th north side of the following described centerline of County State Aid Highway number two (CSAH #2).

Beginning at the southwest corner of said section twelve (Sec 12) eas along the south boundary of the southwest quarter ($SW\frac{1}{4}$) thereof three hundred seventy-seven and six tenths (377.6) feet and terminating. Beginning again on the south boundary of the southwest quarter ($SW\frac{1}{4}$) distant nine hundred sixty-five and six tenths (965.6) feet east of the southwest corner of Section twelve (Sec 12) thence east three hundred fifty-one (351.0) feet and there terminating.

Containing twenty-four hundredths (0.24) acres more or less in additio to the existing highways.

Together with the right to construct and maintain so long as County State Aid Highway number two (CSAH #2) 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 additional right of way herein conveyed 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....., for ~~themselves, their~~ 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 ~~themselves, their~~ 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 ~~themselves, their~~ 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* 5th *day of* December *, 19*61

*In presence of:*

Bertha Klein

*Witness* Esther La Liebl Kammer Francis Klein

*Witness* Donald A Hanson

STATE OF MINNESOTA
County of Olmsted } ss.

On this 5th day of December, 19 61, before me personally appeared Bertha & Francis Klein, wife and husband 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

EVELYN M. KRUEGER
Notary Public, Olmsted County, Minn.
My Commission Expires Nov. 12, 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.

Oct 5, 1962

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

PROOF
GRANTOR
GRANTEE
TRACED
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 9th day of Oct., 1962, at 10 o'clock A. M., and that the same is duly recorded in Book 6 of Misc. on page 363

Harry L. Evans
Register of Deeds.

By Helen Zuehlke Deputy.

ROUSCHER MANUFACTURING