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

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

249340

John H. McGovern and wife, Maxine D.

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

Seventy-eight and no cents ..... *Dollars* ($ 78.00 .....)

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 northwest quarter of the southeast quarter (NW¼SE¼) of Section sixteen (Sec. 16) township one hundred seven north range fifteen west (T107N-R15W)
lying within a distance of fifty (50.0) feet on the south side of the following described centerline of County State Aid Highway number four. (C.S.A.H. # 4)

From the east quarter corner of Section fifteen (Sec. 15) township one hundred seven north range fifteen west (T107N-R15W), west along the north boundary of the southeast quarter (SE¼) thereof five thousand two hundred eighty-seven and four tenths (5287.4) feet; thence deflect left sixteen minutes (0°16') one thousand three hundred five and twenty-five hundredths (1305.25) feet to a place of beginning of the centerline to be described; thence west one thousand one hundred forty-nine and eighty-six hundredths (1149.86) feet; thence deflect left on a five (5°00') degree circular curve delta angle forty degrees twenty minutes (40°20') one hundred fifty-five and thirty-four hundredths (155.34) feet and there terminating.

Containing fifty-two hundredths (0.52) acres more or less in addition to the existing highways;

Together with the right to construct and maintain a backslope or embankment of approximately 4:1 slope on the south side of the above described right of way. 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 herein before described.

And the said grantor S..., for ~~himself~~ 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 S..., for ~~himself~~ 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 CountyofOlmsted ..... 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 ~~himself~~ 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 19th *day of* February, *19* 62

In presence of:

John H. McGovern and Maxine D. McGovern

Witness Catherine L. Schellhammer Maxine D. McGovern

Witness Donald H. Mawson

STATE OF MINNESOTA
County of Olmsted } ss.

On this 19th day of February, 19 62, before me personally appeared John H. and Maxine D. McGovern, husband and 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.

.....

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

O. P. Mattson
County Attorney.
Assistant Attorney General.

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 was duly recorded in Book 6-3 of Misc. on page 369

Harry E. Evans
Register of Deeds.

By Helen Fuchs Deputy.

PROJECT
GRANTOR
GRANTEE
TRACT NO.
PAID
CHG
REV STAMP
MTG TAX

175

ROUSMER PRINTING CO.