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

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

27843

Mary E. Morden, a widow,

Grantor....., *of* County of ~~xxxxxx~~ Hennepin, *Minnesota, for and in consideration of*

Seven Hundred and Five --- ---------- *Dollars* ($ 705.00)

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 following described tracts:

The southwest quarter (SW¼) of Section eight (Sec 8), the east half of the southeast quarter (E½SE¼) of Section seven (Sec 7), the southwest quarter (SW¼) of Section seven (Sec 7) and the north half of the northwest quarter (N½NW¼) of Section eighteen (Sec 18) all in township one hundred seven north, range eleven west (T107N-R11W);

which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County State Aid Highway number two (CSAH #2);

Beginning at the southeast corner of said Section seven (Sec 7) west along the south line thereof two thousand six hundred thirty-one and six tenths (2631.6) feet; thence deflect right nineteen minutes (0°19') for forty-nine and one tenth (49.1) feet; thence deflect to the right on a three degree fifteen minute (3°15') circular curve, delta angle twenty-two degrees fifty-four minutes (22°54'), for seven hundred four and six tenths (704.6) feet; thence on a tangent to said curve one thousand one hundred fifty-five and seven tenths (1155.7) feet; thence deflect to the left on a three degree thirty minute (3°30') circular curve, delta angle thirty-five degrees six minutes (35°06') for eight hundred twenty-six and three tenths (826.3) feet and there terminating;

Beginning again at the southwest corner of said Section eight (Sec 8) east along the south line thereof two thousand four hundred and four tenths (2400.4) feet; thence deflect to the left on a seven degree (7°00') circular curve, delta angle twenty-nine degrees thirty minutes (29°30') for two hundred thirty five and six tenths (235.6) feet and there terminating;

Containing four and sixty-nine hundredths (4.69) 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 two (CSAH #2) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on either 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 twenty-five (25.0) feet from the right of way line and the use by the County shall be restricted to and for ~~himself, his~~ the purpose hereinbefore described.

And the said grantor....., 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 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

The foregoing is subject to any easement of record to Interstate Power Company.

Dated this 19th *day of* April, 1963

In presence of:

Mary E. Morden

Witness Thomas P. Doherty

Witness Dana Platten

STATE OF MINNESOTA
County of Hennepin } ss.

On this 19th day of April, 1963, before me personally appeared Mary E. Morden, a widow,

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

Thomas P. Helmey

THOMAS P. HELMEY
Notary Public, Hennepin County, Minn.
My Commission Expires Nov. 17, 1966.

No. 10912

Mary E. Morden, a widow

to

County of Olmsted

Office of Register of Deeds,
State of Minnesota } ss.
County of Olmsted

I hereby certify that the within ins't. was filed in this office, for record on the 20th day of December A. D., 1963, at 10 o'clock A. M., and was duly recorded in Book ___ of ___ on page ___

Henry J. Ewen
Register of Deeds
REGISTRAR OF TITLES
Geneva O. Mulligan
Deputy

Proofed ___
Grantor ✓
Grantee ___
Tracted ___
Pd. ___
Chg. ___
Mtg. Tax ___
Rev. Stamp ___

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.

Dec 16, 1963

D P Matter
County Attorney.
Assistant Attorney General.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROOFED
GRANTOR
GRANTEE
TRACTED
PAID
CHG.
REV. STAMP
MTG. TAX

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 20th day of December, 1963 at 10 o'clock A. M., and that the same was duly recorded in Book 1-3 of Misc 631 on page ___

Henry J. Ewen
Register of Deeds.

By ___ Deputy.

RECORDER

Book 17 - Page 249 - File 2350