No. 435A—Highway Easement—(Revised 1954). [illegible]

HIGHWAY EASEMENT

PREPARED BY

CHECKED BY

Frank S. Shiek and Gertrude Shiek, his wife

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

Nine hundred and fifteen - - - - - - - - - - *Dollars* ($ 915.00)

receipt of which is hereby acknowledged,

hereby convey and warrant to the County of Olmsted, 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 north sixty acres (N.60a) of the west half of the southeast quarter (W½SE¼) the west twenty acres (W.20a) of the northeast quarter of the southeast quarter (NE¼SE¼), the west twenty-nine acres (W.29a) of the southeast quarter of the southeast quarter (SE¼SE¼) and that part of the east sixty acres (E.60a) of the southeast quarter (SE¼) north of the road all being in Section eleven (Sec 11) township one hundred seven north, range twelve west (T107N-R12W); 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);
From a point on the south line of Section seven (Sec 7) township one hundred seven north, range eleven west (T107N-R11W) distant four hundred six and five tenths (406.5) feet west of the south quarter corner thereof, run northwesterly at an angle of twenty-two degrees fifty-four minutes (22°54') with said south section line two thousand thirty and eight tenths (2030.8) feet; thence deflect left thirty-five degrees six minutes (35°06') for one thousand five hundred eighty-one (1581.0) feet; thence deflect to the right thirty degrees two minutes (30°02') for three thousand four hundred eighty-three and fourteen hundredths (3483.14) feet; thence deflect left twenty-two degrees twenty-eight minutes (22°28') for seven hundred sixty-one and sixty-three hundredths (761.63) feet for a place of beginning of the centerline to be described.
Thence in a prolongation of the last described course for two thousand one hundred ninety-four and four hundredths (2194.04) feet; thence deflect right on a forty-five minute (0°45') circular curve, delta angle four degrees twenty-one minutes (4°21') for four hundred thirty-five and ninety-six hundredths (435.96) feet and there terminating,
Containing six and eight hundredths (6.08) 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 the purpose hereinbefore described.

And the said grantor himself, his, 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 himself, his, 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 himself, his, 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 31 *day of* May, 19 63

In presence of:

Witness Arthur C. Schellhammer /s/ Frank S. Shiek

Witness Donald B. Nauseen /s/ Gertrude Shiek

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STATE OF MINNESOTA
County of Olmsted } ss.

On this 31st day of May, 1963, before me personally appeared Frank S. Shiek and Gertrude Shiek, 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.

Notary Public, Olmsted County, Minn.
My Commission Expires April 27, 1970

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

O. P. Matthews
County Attorney.
Assistant Attorney General.

278247

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROJ. ED
GRANTOR
GRANTEE
TRACTS
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 ____ of ____ on page ____

Mary G. Williams
Register of Deeds.

By ____ Deputy.

FEE $3.50