No. 433A—Highway Easement—(Revised 1954). [illegible]

HIGHWAY EASEMENT

PREPARED BY .....

CHECKED BY .....

Raul R. Lietz and wife, Alma

Grantor, *of* County of Olmsted, *Minnesota, for and in consideration of* Three hundred seventy-five - - - - - - - - - - *Dollars* ($ 375.00) *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 tract:
The southeast quarter (SE¼) of Section twelve (Sec 12) 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 one thousand five hundred thirteen and one tenth (1513.1) feet; thence deflect to the left on a three degree thirty minutes (3°30') circular curve, delta angle thirty-five degrees six minutes (35°06'), for eight hundred eighteen and three tenths (818.3) feet to the point of beginning of line to be described; thence in a prolongation of the last described course one hundred eighty-four and six tenths (184.6) feet; thence on a tangent to said curve for four hundred forty-eight and four tenths (448.4) feet; thence deflect to the right on a two degree thirty minute (2°30') circular curve, delta angle thirty degrees two minutes (30°02') for one thousand two hundred one and thirty-three hundredths (1201.33) feet; thence on a tangent to said curve for eight hundred ninety-four and seven tenths (894.7) feet and there terminating;
Containing two and five tenths (2.5) 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, 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, 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, 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, 1963.

In presence of:

Witness Cathrine C. Schuldhammer — Raul R. Lietz

Witness Donald D. Noreen — Alma Lietz

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STATE OF MINNESOTA
County of Olmsted } ss.

On this 31 st day of May, 19 63, before me personally appeared

Paul E. Lietz and Alma Lietz, husband and wife

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

Eileen L. Hickey
Notary Public, Olmsted County, Minn.
My Commission Expires April 28, 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

D. P. Matton
County Attorney.
Assistant Attorney General.

278252

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

PROOFED
GRANTOR
GRANTEE
TRACING
PAID
CHG.
REV. STAFF
MTG. VAN

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 26th day of December, 1963 at 10 o'clock A. M., and that the same was duly recorded in Book ____ of ____ on page ____.

Mary A. Wilson
Register of Deeds.

By ____ Deputy.

Fee $1.00