No. 628A—Highway Easement—(Revised 1954).

PREPARED BY

CHECKED BY

HIGHWAY EASEMENT

First National Bank of Minneapolis, a national banking association, (formerly First National Bank and Trust Company of Minneapolis) as Trustee

Grantor, of Minneapolis, *Minnesota, for and in consideration of*

One Hundred Fifty and no/100 - - - - - - - - - - - - - - *Dollars* ($150.00)

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 west half (W½) of Section fifteen (Sec 15) township one hundred seven north, range fifteen west (T107N-R15W), except a tract containing three fourths of an acre in the southeast corner of the southwest quarter (SW¼) of Section fifteen (Sec 15), and more particularly described as follows: Commencing at the southeast corner of the southwest quarter (SW¼) of said Section fifteen (Sec 15), thence north fifteen (15.0) rods, thence west eight (8.0) rods, thence south fifteen (15.0) rods, thence east eight (8.0) rods to the place of beginning;

which lies within a distance of fifty (50.0) feet on the west side of the following described centerline of County State Aid Highway number three (CSAH #3);

From the south quarter (S¼) corner of Section twenty-two (Sec 22) township one hundred seven north, range fifteen west (T107N-R15W) north along the quarterline of said Section twenty-two (Sec 22) five thousand two hundred sixty-seven and fifty-five hundredths (5267.55) feet, thence deflect right eleven minutes (11.0) for two hundred fifty and thirty-eight*(250.38) feet for a place of beginning of the centerline to be described, thence in a prolongation of the last described course two thousand four hundred six and eleven hundredths (2406.11) feet and there terminating;

Containing ninety-three hundredths (0.93) acre 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 three (CSAH #3) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the west 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.

*hundredths

And the said grantor 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 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 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 12th *day of* September, *19*63

In presence of:

Witness D. R. Cadwallader

Witness Alice F. Hanrahan

FIRST NATIONAL BANK OF MINNEAPOLIS (formerly First National Bank and Trust Company of Minneapolis)

By: M. Powell Assistant Vice President.

Attest: John F. Kennedy Assistant Secretary

As Trustees.

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STATE OF MINNESOTA)
)ss.
County of)

On this day of , 19 , before me personally appeared

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

STATE OF MINNESOTA)
)ss.
County of Hennepin)

On this 16th day of September, 1963, before me, a Notary Public within and for said County, personally appeared M. H. Powell and John F. Hunziker to me personally known, who, being eacy by me duly sworn each did say that they are respectively the Assistant Vice President and the Assistant Secretary of the corporation named in the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Direetros and said M. H. Powell and John F. Hunziker acknowledged said instrument to be the free act and deed of said corporation, as Trustee aforesaid.

D. R Cadwallader

D. R CADWALLADER
Notary Public, Hennepin County, Minn.
My Commission Expires March 13, 1967.

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. Mattson
County Attorney.
Assistant Attorney General.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

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

278253

STATE OF MINNESOTA)
)ss.
County of Olmsted)

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 11 o'clock A. M., and that the same was duly recorded in Book of on page

Mary G. Witte
Register of Deeds.

By Deputy.

Fee Paid