No. 428A—Highway Easement—(Revised 1954). PRINTED

HIGHWAY EASEMENT

PREPARED BY

CHECKED BY

Mary E. Vermilya, Widow

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

Seventy five---------- *Dollars* ($ 75.00)

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 northeast quarter of the northwest quarter (NE¼NW¼) of Section seventeen (Sec 17) township one hundred seven north, range eleven west (T107N-R11W); which lies within a distance of fifty (50.0) feet on the south side of the following described centerline of County State Aid Highway number two (CSAH #2);

From the northwest corner of said Section seventeen (Sec 17) east along the north line thereof one thousand three hundred twenty and seven tenths (1320.7) feet to a point of beginning of the line to be described; thence in a prolongation of the above described course one thousand three hundred fifteen and three tenths (1315.3) feet and there terminating;

Containing forty-seven hundredths (0.47) 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 the south 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 16th *day of* December, *19* 53

In presence of:

Witness Arthur C. Gibbs Gaumer / Mary E. Vermilya

Witness Duane Goodman

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STATE OF MINNESOTA
County of Olmsted } ss.

On this 16th day of December, 19 63, before me personally appeared Mary C. Vermilyn

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.

Helen L. McGuire
HELEN L. McGUIRE
Notary Public, Olmsted County, Minn.
My Commission Expires April 22, 1973

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. 19, 1963

D. P. Matton
County Attorney
Assistant Attorney General

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278266

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROOFED
GRANTOR
GRANTEE
TRACERS
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 C. Vermilyn
Register of Deeds.

By ___ Deputy.

fees