No. 431A—Highway Easement—(Revised 1954).

PREPARED BY

CHECKED BY

HIGHWAY EASEMENT

Alexander Giere, Widower

Grantor, *of* County of Olmsted, *Minnesota, for and in consideration of* One hundred fifty - - - - - - - - - - - - - - - *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 south half of the southeast quarter (S½SE¼) of Section five (Sec 5) township one hundred five north, range fifteen west (T105N-R15W), except a piece of about one (1.0) acre lying east of the road and also excepting the following described piece of land: Commencing at a point about eleven (11.0) rods west of the southeast corner of said Section five (Sec 5) at the intersection of the center line of the public highway running along the south side of said section and the highway running in a northerly and southerly direction across the same, running thence in a northerly direction along the center of the highway fifteen (15.0) rods, to the place of beginning, thence north along the center line of the highway five (5.0) rods, thence west parallel with the south line of said section, eight (8.0) rods, thence south parallel with the east line of said section, five (5.0) rods, thence east parallel with the south line of said section to the place of beginning;

which lies within a distance of fifty (50.0) feet on the north side of the following described centerline of County State Aid Highway number twenty-six (CSAH #26);

Beginning at a point on the south line of said Section five (Sec 5) distant one hundred ninety and seven tenths (190.7) feet west of the southeast corner thereof, thence west along said south line two thousand four hundred fifty-two and thirty-seven hundredths (2452.37) feet and there terminating;

Containing ninety-six hundredths (0.96) 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 twenty-six (CSAH #26) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the north 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 covenant 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 25th *day of* April, *19*63

In presence of:

Witness Arthur A. Schallhammer — Alexander Giere

Witness Donald D. Nanson

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STATE OF MINNESOTA
County of Olmsted } ss.

On this 25th day of April, 19 63, before me personally appeared Alexander Gere & Wife

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

DELORES L. HOGENS
Notary Public, Olmsted County, Minn.
My Commission Expires April 22, 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

County Attorney.
Assistant Attorney General.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

278268

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

to

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

Mary H. Wilcox
Register of Deeds.

By Deputy.

Fee $