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

HIGHWAY EASEMENT

PREPARED BY

CHECKED BY

George F. Patzner and Frances R., his wife

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

One thousand one hundred sixty-two 0 - - - - - *Dollars* ($ 1,162.00)

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 northwest quarter (NW¼) of Section ten (Sec 10) township one hundred five north, range eleven west (T105N-R11W);

which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County State Aid Highway number thirty (CSAH #30);

From the northwest corner of Section three (Sec 3) township one hundred five north, range eleven west (T105N-R11W) south along the west boundary of said Section three (Sec 3) two thousand six hundred eleven and five tenths (2611.5) feet, thence deflect right twenty-eight minutes (0°28') for two thousand six hundred thirty-one and five hundredths (2631.05) feet for a place of beginning of the centerline to be described, thence deflect right ten minutes (0°10') for one thousand seven hundred fifty-nine and sixty-one hundredths (1759.61) feet, thence deflect left on a seven degree (7°00') circular curve, delta angle one hundred one degrees twenty-four minutes (101°24') for one thousand four hundred forty-eight and fifty-seven hundredths (1448.57) feet, thence on a tangent to said curve one hundred forty-one and twenty-nine hundredths (141.29) feet, thence deflect right on a six degree (6°00') circular curve, delta angle thirty-seven degrees ten minutes (37°10') for six hundred nineteen and forty-four hundredths (619.44) feet, thence on a tangent to said curve one hundred forty-one and four hundredths (141.04) feet and there terminating;

Containing four and seven hundredths (4.07) 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 thirty (CSAH #30) 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.

Also all lands lying between the above described centerline and the south and west boundaries of the northwest quarter (NW¼) of said Section.

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 24th *day of* August, *19*63

In presence of:

Witness Geo. F. Patzner

Witness Frances R. Patzner

Witness Donald A. Norman

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STATE OF MINNESOTA
County of Olmsted } ss.

On this 24th day of August, 19 63 before me personally appeared George F. Patzner and Francis E. Patzner, husband & 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.

Notary Public, Olmsted County, Minn.
My Commission Expires April 24, 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. 19, 1963

D. P. Mattson
County Attorney.
Assistant Attorney General.

278269

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

PROOFED
GRANTOR
GRANTEE
TRACINGS
PAID ✓
CHG.
REC. STAMP
MTG. TAX

to

STATE OF MINNESOTA, } ss.
Office of Register of Deeds.
I hereby certify that the within instrument was filed for record in this office on the day of , 19 , at o'clock M., and that the same was duly recorded in Book of on page .

Register of Deeds.

By Deputy.

fees

ASSIGNMENT OF DEEDS OFFICE
Olmsted County, Minn.
I hereby certify that the within instrument was filed in this office for record on
DEC 20 1963
at 12 o'clock A.M.
Book
Register of Deeds
Deputy