HIGHWAY EASEMENT

PREPARED BY ✓
CHECKED BY ✓

3137

Wayne W. Cunningham and wife, Cora

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

Sixty - *Dollars* ($ 60.00)

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 east ten (E10) acres of the south thirty-one (S31) acres of the southwest quarter of the northwest quarter ($SW\frac{1}{4}NW\frac{1}{4}$) of Section thirteen (Sec 13) township one hundred five north, range thirteen west (T105N-R13W), except that part lying west of the public highway, and parcel to Roy Tesch;
which lies within a distance of sixty (60.0) feet on the east side of the following described centerline of County State Aid Highway Number Nineteen (CSAH# 19);
From a point on the north and south quarterline of Section twenty-four (Sec 24) of said township and range, distant eight hundred one and one tenth (801.1) feet south of the north quarter ($N\frac{1}{4}$) corner thereof, thence deflect in a northerly and westerly direction at an angle of fifty-three degrees forty-two minutes ($53^{\circ}42'$) for one thousand three hundred sixty-one and four tenths (1361.4) feet, thence deflect right forty-one degreestwenty-two minutes ($41^{\circ}22'$) for two thousand three hundred twenty-four and nine hundredths (2324.09) feet, thence deflect to the right on a two degree fifteen minute ($2^{\circ}15'$) circular curve, delta angle sixteen degrees one minute ($16^{\circ}01'$) for three hundred fifty-nine and twelve hundredths (359.12) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for three hundred fifty-two and seventy-three hundredths (352.73) feet, thence on tangent to said curve for two hundred one and twenty-seven hundredths (201.27) feet, and there terminating;
Containing four tenths (0.4) 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 Nineteen (CSAH# 19) shall be maintained in the above described location a backslope or embankment of approximately four to one (4:1) slope on the east 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 fifteen (15.0) 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 15TH *day of* MAY, *19* 67

In presence of:

Witness Dean Harrison — Wayne W. Cunningham

Witness Floyd A. Broadwater — Cora Cunningham

STATE OF MINNESOTA
County of Olmsted } ss.

On this 15th day of May, 1967, before me personally appeared Wayne W. Cunningham and Cora Cunningham to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Delores L. Moline

DELORES L. MOLINE
Notary Public, Olmsted County, Minn.
My Commission Expires April 21, 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. 13, 1968

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

31737

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

ROOFED
GRANTOR
GRANTEE
RACKED
AID
HG. Num.
STAMP
TG. TAX

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 13 day of December, 1968 at 11 o'clock A. M., and that the same was duly recorded in Book R-3 of Misc. on page 360

Harry A. Swan
Register of Deeds.

By Lois Smatlan
Deputy.

REGISTER
REMEASURER

My H.