PREPARED BY ✓

CHECKED BY ✓

# HIGHWAY EASEMENT

313754

Walter O. Podein

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

Eighty - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - *Dollars* ($80.00) *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 of the northeast quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Section thirty-two (Sec 32) township one hundred five north, range fourteen west (T105N-R14W), less Interstate Number Ninety (I90) right of way;
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 thirty-five (CSAH #35);
Beginning at the north quarter ($N\frac{1}{4}$) corner of said section thirty-two (Sec 32) thence east along the north line thereof for one thousand (1000.0) feet and there terminating;
Containing thirty-six hundredths (0.36) 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 thirty-five (CSAH #35) 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....., 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* 2nd *day of* October, 19 67

*In presence of:*

Walter O. Podein

*Witness* Don Magnuson

*Witness* Norma Liz. Tellman

STATE OF MINNESOTA
County of Olmsted } ss.

On this 2nd day of October, 1967, before me personally appeared Walter O' Podein 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. 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 Matter
County Attorney.
Assistant Attorney General.

313754

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

.....
to
.....

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHG. Item
REV STAMP
MDC 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 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 377

Nancy K. Evans
Register of Deeds.
By Jus Knutson
Deputy.

REGISTER
PENNSYLVANIA