PREPARED BY ✓
CHECKED BY ✓

HIGHWAY EASEMENT

Cedric Ellis and wife, Avis R.

3306578

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

Seven hundred ten - *Dollars* ($ 710.00 *)*

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 tracts;

The southeast quarter of the southeast quarter ($SE\frac{1}{4}SE\frac{1}{4}$) of Section twenty-seven (Sec 27) and the southwest quarter of the southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$) and the northwest quarter ($NW\frac{1}{4}$) of Section twenty-six (Sec 26), less Interstate Number Ninety (I90) right of way, all being in township one hundred six north, range twelve west (T106N-R12W);

which lies within a distance of fifty (50.0) feet on either side of the following described centerline of County State Aid Highway Number seven (CSAH #7);

Beginning at the southwest corner of said section twenty-six (Sec 26), thence in a northerly and easterly direction at an angle of forty-one minutes ($0^{\circ}41'$) to the section line for one thousand seven hundred seventy-three and ninety-one hundredths (1773.91) feet, thence angle left thirty-three minutes thirty seconds ($0^{\circ}33'30''$) for one thousand one hundred thirty-three and fifty-four hundredths (1133.54) feet, thence deflect to the left on a five minute ($0^{\circ}05'$) circular curve, delta angle thirty-two minutes ($0^{\circ}32'$) for six hundred forty and twenty-two hundredths (640.22) feet, thence on a tangent to said curve for one thousand seven hundred twelve and forty-four hundredths (1712.44) feet and there terminating;

Containing three and fifty-five hundredths (3.55) 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 seven (CSAH #7) 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.

2nd row of trees to stay ~~95~~ if is in front of building site.

And the said grantor....., for himself, his ~~themselves, their~~ 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 ~~themselves, their~~ 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 ~~themselves, their~~ 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 5Th *day of* September *,* 1967

In presence of:

Witness Don Nawesn — Cedric R. Ellis

Witness Thomas W. Tedesco — Avis R Ellis

STATE OF MINNESOTA
County of Olmsted } ss.

On this 5th day of Sept., 1969, before me personally appeared Cedric R. Ellis and Avis R. Ellis, husband and 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.

Tarsilla Mulhern

TARSILLA MULHERN
Notary Public
Stewartville, Olmsted County, Minn.
My Commission Expires March 27, 1975

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.

December 10, 1969

Eldon J. Hussmen
~~Assistant Attorney General.~~ County Attorney.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

320658

RECEIVED
EXAMINED
CHARTED
PAID Dec
ST. PAUL, MINN.

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 23 day of Dec, 1969 at 3½ o'clock P M., and that the same was duly recorded in Book B-3 of Misc on page 562

Harry V. Evans
Register of Deeds.

By Carol M. Baker
Deputy.

PRINCHER MFG. CO.