Form No. 639A—Highway Easement. (Revised 1954) DOUCETTE MINNEAPOLIS

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

32478

Richard A. Theye and wife, Jo W.

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

..... Dollars ($ 50.00 *)*

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 north five (N-5) acres of the south ten (S-10) acres of the east fifty-three and one half (E-53½) acres of the northwest quarter (NW¼) Section twelve (Sec.12) township one hundred five north, range thirteen west (T105N-R13W);

Which lies within a distance of sixty (60.0) feet on the West side and fifty (50.0) feet on the East side of the following described centerline of the County State Aid Highway Number Nineteen (CSAH #19);

From a point on the north line of said Section twelve (Sec. 12) distant five hundred forty (540.0) feet east of the northwest corner thereof, thence in a southerly and easterly direction at an angle of forty-four degrees forty-seven minutes thirty seconds ($44^{\circ}47'30''$) to the said north line for one thousand nine hundred seventy-nine and eight tenths (1979.8) feet, thence deflect right forty-one degrees thirty-six minutes ($41^{\circ}36'$) for five hundred sixty-seven and four tenths (567.4) feet, thence deflect to the right on a three degree ten minute ($3^{\circ}10'$) circular curve, delta angle twenty-two degrees five munutes ($22^{\circ}05'$) for one hundred seventy-five and twenty-nine hundredths (175.29) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for two hundred forty-five feet and there terminating;

Containing twenty-five hundredths (0.25) acre more or less in addition to the existing highways.

And the said grantor....., for ~~themselves~~ himself, ~~their~~ 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 ~~themselves, their~~ 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 ~~themselves, their~~ 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 20 *day of* July *, 19* 68

In presence of:

Witness Tom Theye

Witness Don Hanneson

X Richard A. Theye

X Jo W. Theye

STATE OF MINNESOTA
County of Olmsted } ss.

On this 20th. day of July, 1968, before me personally appeared Richard A. Theye and Jo W. Theye 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. Hansen
Asst County Attorney.
~~Assistant Attorney General.~~

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

RECORDED
GRANTOR
GRANTEE
INDEXED
PAID
CERT. STAMP
REF. MAP

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 23 day of Dec., 19 69 at 3½ o'clock P M., and that the same was duly recorded in Book 53 of Misc on page 582

Harry U. Evans
Register of Deeds.
By Carl M. Bahe
Deputy.

220678

POUSHER
MINNEAPOLIS