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

PREPARED BY ✓

CHECKED BY ✓

HIGHWAY EASEMENT

30683

Norbert V. Rud and wife, Frances

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

Forty - *Dollars* ($40.00) *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;

Commencing at the southwest corner of the southeast quarter (SE¼) of Section twenty-eight (Sec 28) township one hundred five north, range fourteen west (T105N-R14W), thence east along the south line of said section a distance of four hundred fifty-six (456.0) feet, thence deflect left eighty-nine degrees seven minutes (89°07') a distance of one thousand forty-nine (1049.0) feet, thence deflect left ninety degrees fifty-three minutes (90°53') a distance of four hundred seventy-five (475.0) feet to the west line of said southeast quarter (SE¼) thence deflect left ninety degrees nine minutes forty seconds (90°09'40") along the said west line a distance of one thousand forty-eight and eighty-two hundredths (1048.82) feet to the point of beginning, except the south thirty-seven and five tenths (37.5) feet for County Highway No. 35;

which lies within a distance of fifty (50.0) feet on the north side of the following described centerline of County State Aid Highway Number thirty-five (CSAH #35);

From the north quarter (N¼) corner of Section thirty-two (Sec 32) township one hundred five north, range fourteen west (T105N-R14W) east along the north line thereof for one thousand six hundred twenty-seven and eighty-three hundredths (1627.83) feet, thence deflect left three minutes (0°03') for three thousand six hundred sixty-one and eighty-four hundredths (3661.84) feet for a place of beginning of the centerline to be described. Thence deflect left twelve minutes (0°12') for four hundred fifty-six (456.0) feet and there terminating;

Containing eighteen hundredths (0.18) 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 north 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 ~~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 12TH *day of* July, 19 67

In presence of:

Witness Dean Norveson — Norbert V. Rud

Witness Gayle L. Lenhardt — Frances Rud

STATE OF MINNESOTA
County of Olmsted } ss.

On this 12 th day of July, 19 67, before me personally appeared Norbert V Rud and Frances Rud, 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 1976

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 Hinsman
~~Assistant Attorney General.~~ County Attorney.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

320683

PRINTED
GRANTOR
TRACED
PAID
CHG. Mail
REV. STAMP
ENTD. CARD

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 43 of Misc on page 587

Harry V. Evans
Register of Deeds.
By Carol M. Bahe
Deputy.

ROUSHER
Minneapolis