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

PREPARED BY _____

CHECKED BY ✓

HIGHWAY EASEMENT

Godfrey K. Luck and wife, June R.

Grantors, of County of Olmsted, *Minnesota, for and in consideration of* One dollar and other good and valuable consideration *Dollars ($* 1.00 *)* *receipt of which is hereby acknowledged,*

hereby conveys and warrants 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 two hundred ninety (290.0) feet of the north two hundred fifty (250.0) feet of the northeast quarter ($NE\frac{1}{4}$) of Section ten (Sec. 10) township one hundred seven north, range fourteen west (107N-R14W);

which lies within a distance of fifty (50.0) feet on the east side of the center of the presently travelled County Road "Q" (Kings Park Road); Containing approximately one tenth (o.1) acre more or less in addition to the existing highways.

As a part of the above County of Olmsted agrees to remove and replace fences along said Right of Way. However if owner desires he may remove and replace the fence and the County will reimburse him for all labor costs and incidental expense at the time of construction.

And the said grantors, 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 grantors, 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 grantors, 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 25th *day of* Apr. , 19 68

In presence of:

Witness George W Farnham — Godfrey K. Luck

Witness Harry Stuebe — June R. Luck

STATE OF MINNESOTA
County of Olmsted } ss.

On this 25th day of April, 1968, before me personally appeared Godfrey K Luck and June R. Husband and wife to me known to be the persons 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
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.

April 17, 1970

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

322321

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROOFED
GRANTOR
GRANTEE
TRACED
PAID
CHG None
REV. STAMP
MTG. 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 20 day of April, 1970 at 1 o'clock P M., and that the same was duly recorded in Book 5-3 of Misc on page 912

Darrel D. Evans
Register of Deeds.

By Mary Hayes
Deputy.

FEE $1.00