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

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Henry A. Mahlke and wife, Gertrude
Theodore Mahlke and wife, Leona
Ernest C. Mahlke and wife, Nina

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

hereby conveys and **warrant**s 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:**

The north sixty (60) feet of the northeast quarter (NE¼) of Section three (Sec 3) township one hundred seven north, range fourteen west (T107N-R14W);

Also all that part of the northeast quarter (NE¼) of Section three (Sec 3) township one hundred seven north, range fourteen west (T107N-R14W) that lies northwesterly of the following described line: Said line beginning at a point one hundred fifty (150) feet east and sixty (60) feet south of the northwest corner of the above described tract thereof, thence southwesterly to the easterly right of way line of County Road No. 112 which is approximately fifty (50) feet east and one hundred sixty (160) feet south of said northwest corner thereof and there terminating;

Containing two and twelve hundredths (2.12) acres more or less in addition to the existing highways.

And the said grantors, for 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 grantors, for themselves, their heirs, executors and assigr 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 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 10th **day of** June, **19**70

In presence of:

Witness _____

Witness _____

Henry A Mahlke Gertrude Mahlke
Theodore Mahlke Leona Mahlke
Ernest C Mahlke Nina Mahlke

STATE OF MINNESOTA
County of WINONA } ss.

On this 10th day of June, 1970, before me personally appeared Henry A. Mahlke and wife Gertrude Mahlke; Theodore J. Mahlke and wife Leona Mahlke; Ernest C. Mahlke and wife Nina Mahlke 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.

W. P. THEURER, Notary Public,
Winona, Winona County, Minnesota
My Commission Expires Feb. 8, 1974

I hereby certify that the within easement will convey to the Olmsted County 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.

July 9, 1970

Eldon J. Thueson
County Attorney.
Assistant Attorney General.

323726

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

PROFILED
GRANTOR
GRANTEE
TRACED
PAID
CHKD.
ENV. STAFF

STATE OF MINNESOTA } ss.
County of Olmsted }

Office of Register of Deeds.

I hereby certify that the within instrument was filed for record in this office on the 9 day of July, 1970 at 10 o'clock A. M., and that the same was duly recorded in Book 173 of Misc on page 157

Nancy N. Krause
Register of Deeds.

By Lois Amadeus
Deputy.

FEE $3.00

Chris Ottaway