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

PREPARED BY _____
CHECKED BY ✓

HIGHWAY EASEMENT

Richard W. Bird and wife. Connie L.

*Grantor*s, *of* Olmsted 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 convey s 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:

All that part of the following described tract;

The southeast quarter (SE¼) of Section thirteen (Sec 13) township one hundred seven north, range fifteen west (T107N-R15W);

which lies within a distance of sixty-six (66) feet on either side of the following described described centerline of County State Aid Highway Number four (CSAH #4);

From the northeast corner of section twenty-four (Sec 24) township one hundred seven north, range fifteen west (T107N-R15W) thence south along the east boundary thereof for five hundred sixteen and thirty-nine hundredths (516.39) feet, thence angle right ninety degrees (90°) for thirty-three (33) feet, thence angle right ninety degrees (90°) for thirty-one and eleven hundredths (31.11) feet, thence deflect to the left on a five degree (5°) circular curve, deflection angle of seventy-one degrees fifty-six minutes (71°56') for four hundred fifty-eight and twelve hundredths (458.12) feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for nine hundred eighty and fifty-five hundredths (980.55) feet, thence on tangent to said curve for one thousand two hundred sixty-three and thirty-four hundredths (1263.34) feet, thence deflect to the right on a nine minute (0°09') circular curve, deflection angle of fifty-seven minutes thirty seconds (0°57'30") for six hundred thirty-nine (639) feet, thence on tangent to said curve for sixty-seven and eleven hundredths (67.11) feet and there terminating;

Also all that part of the above described tract that lies between the above described centerline and the presently traveled roadway;

Containing five (5) acres more or less in addition to the existing highways.

And the said grantor s, 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 grantor s, for 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 s, 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 19th *day of* September, 19 73

In presence of:

Witness Clifford Coffin — Richard W. Bird

Witness Don Narveson — Connie L. Bird

STATE OF MINNESOTA
County of Olmsted } ss.

On this 19th day of September, 19 73., before me personally appeared
Richard W. Bird and Connie L. Bird
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.

Delores L Moline
Notary Public, Olmsted County, Minnesota
Commission expires April 28, 1977

I hereby certify that the within easement will convey to the Co. 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.

April 22, 1974

Eldon J. Hussman
County Attorney.
Assistant Attorney General.

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3556678

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

PROOFED
GRANTOR
GRANTEE
TRACKED
PAID
CHG: None

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 2 day of May, 1974 at 1 o'clock P M., and that the same was duly recorded in Book 43 of Misc. on page 283

Larry J. Evans
Register of Deeds.
By Carole M. Baker
Deputy.

FORM 1 PRINTED BY PRINTING SERVICE