HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Claire J. Fogarty, a widower

Grantor , of Olmsted County *, 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 southwest quarter (SW 1/4) and that part of the southwest quarter of the southeast quarter (SW 1/4 SE 1/4) lying southwest of the road and northwest of the Root River, less piece to M. Haney; all in Sec. 3, T105N, R13W.

which lies within a distance of fifty (50.0) feet on the southwesterly side of the following described centerline of County Road #116:

Commencing at the southeast corner of said section 3, thence S88°05'43"W along said section line thereof for 810.0 feet, thence north for 8.03 feet to the point of beginning of the centerline to be described; thence proceed S88°29'05"W for 339.47 feet, thence deflect to the right on a 7°00' curve (delta angle 41°34'40") for 593.89 feet; thence N49°56'15"W on tangent to said curve for 1053.22 feet; thence deflect to right on a 9°00' curve (delta angle 62°01') for 689.07 feet and there terminating.

Containing 0.5 acre, more or less, in addition to the existing highway.

And the said grantor , for himself, his ~~themselves, their~~ heirs, executors and assigns, do es 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 es 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 es 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 22nd *day of* March, *19* 17

In presence of:

Witness Donald Swanson

Witness Clifford Goffin

Claire J. Fogarty

STATE OF MINNESOTA
County of Olmsted } ss.

On this 30 th day of March , 19 77 , before me personally appeared Claire J. Fogarty, a widower to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

DELORES L. MOLINE
NOTARY PUBLIC — MINNESOTA
OLMSTED COUNTY
MY COMMISSION EXPIRES APR. 28, 1984

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.

January 29 , 1982

County Attorney.

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

none

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 29 day of January, 1982 at 2:14 o'clock P M., and that the same was duly recorded in Book M-4 of Misc. on page 530

COUNTY RECORDER
~~COUNTY REGISTER OF DEEDS~~

By Catherine E. Evans Deputy.

REMARKS