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

HIGHWAY EASEMENT

PREPARED BY CC

CHECKED BY ✓

Clifford F. Manning and wife, Elsie

Grantor S., *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 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 south 3/4 of the east 1/4 of section 35, township 105 north, range 12 west, lying south of TH #30 described as follows:

Commencing at the Northeast Corner of the Southeast 1/4 of said Sec. 35; thence North 88 degrees 38 minutes 30 seconds West along the North line of said Southeast 1/4 Sec. 35 for a distance of 1316.26 feet to the centerline of Co. Rd. #138 said point being South 88 degrees 38 minutes 30 seconds East and 1.88 feet from the Northeast Corner of the West 1/2 of Southeast 1/4 of said Sec. 35; thence South 0 degrees 16 minutes 21 seconds East along the centerline of Co. Rd. #138 for a distance of 1287.33 feet; thence South 13 degrees 38 minutes 34 seconds West for a distance of 20.00 feet; thence South 76 degrees 21 minutes 26 seconds East for a distance of 33 feet to the Easterly right of way line of Co. Rd. #138 and being the Point of Beginning of the Easement to be described; thence continue South 76 degrees 21 minutes 26 seconds East for a distance of 37.00 feet; thence South 13 degrees 38 minutes 34 seconds West for a distance of 100.00 feet; thence North 76 degrees 21 minutes 26 seconds West for a distance of 37.00 feet to the Easterly right of way line of Co. Rd. #138; thence North 13 degrees 38 minutes 34 seconds East for a distance of 100.00 feet to the Point of Beginning.

E½-SE

Containing 0.08 acre, more or less, in addition to the existing highway.

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 30th *day of* August, 1978

In presence of:

Witness Gerald Lawler — Clifford F. Manning

Witness Clifford Coffin — Elsie Manning

STATE OF MINNESOTA
County of Olmsted } ss.

On this 30th day of August, 1978, before me personally appeared Clifford F. Manning and wife, Elsie

to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Delores L. Moline

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.

3 Mar, 1983

County Attorney.
Assistant Attorney General.

452130

CONTRACT
GRANTOR
GRADE DEPARTMENT OF HIGHWAYS
TRACKED (HIGHWAY EASEMENT)
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 17th day of March, 1983 at 4 1/4 o'clock P. M., and that the same was duly recorded in Book 24 of Misc. on page 414.

LOIS FINSTUEN
COUNTY RECORDER
Register of Deeds.
By Nancy Johnson Deputy.

RECORDER
REGISTER

Hwy Dept