14104

Form No. 639A--Highway Easement. POUCHER MINNEAPOLIS

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

The Federal Land Bank of St. Paul - fee owner
Anthony Behnken and wife, Sharon Behnken - contract buyers

Grantors, 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:

The North sixty (60) feet of the East half (E½) of the Northeast quarter (NE¼) of Section 20, T107N-R12W, less commencing at the Northeast corner of Section 20, T107N-R12W for a place of beginning, run thence South 148.5 feet; thence North 148.50 feet to the North Section line; thence East 293.33 feet to beginning;
NE-NE
and

Also a strip of land being 10 feet wide lying parallel to and immediately adjacent to the above described North 60 feet. Said strip beginning at the West boundary of the above described tract and running Easterly for 151 feet.

Containing 0.68 acre more or less in addition to the existing and presently used right of way of CSAH No. 2.

The East fifty (50) feet of the South 351.5 feet of the North 500 feet of the above described tract.

Containing 0.14 acre more or less in addition to the existing and presently used right of way.

~~And the said grantor~~ himself, his ~~, for themselves, their heirs, executors and assigns, do convenant 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 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 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~~ himself, his ~~, 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~~

Dated this 11th day of August, 1956

X Federal Land Bank by Richard D. Lukas
Asst. V.P.

Sharon Behnken

Anthony Behnken

STATE OF MINNESOTA
County of Olmsted } ss.

On this 11th day of August, 1986, before me personally appeared Richard O. Byerkaas 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.

Donetta Winkle

DONETTA WINKLE
NOTARY PUBLIC - MINNESOTA
DODGE COUNTY
My Commission Expires Feb. 20, 1991

STATE OF MINNESOTA)
) ss
County of Olmsted)

On this 11th day of August, 1986, before me personally appeared Anthony Behnken and Sharon Behnken

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

Donald D. Narveson
Notary Public-Minnesota
Olmsted County
My com. Exp. May 30, 1991

Donald D. Narveson

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.

Oct. 14, 1986

Robert W. Mulvihill
Asst. County Attorney. ~~Assistant Attorney General.~~

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

514377

ABSTRACT
GRANTOR
GRANTEE
TRACED
PAID N/C
CHG

STATE OF MINNESOTA } ss.
County of Olmsted
Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 21st day of Oct, 1986 at 12 o'clock A M., and that the same was duly recorded in Book W-4 of Misc on page 566.

LOIS FINSTUEN
County Recorder.
By Mary Johnson Deputy.

ROUSCHER MINNEAPOLIS

Hwy Dept