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

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

The First National Bank of Rochester (presently First Bank Systems) - Fee Owner
William H. Schmidt & wife, Tamara J. Schmidt and Frederick E. Schmidt - Contract Buyers

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 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 South sixty (60) feet of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and the South Half (S½) of the Southwest Quarter (SW¼), all in Section 14, T107N-R13W;

SW-SE
S½-SW

and

The North 60 feet of the East 285 feet of the West 735 feet of the East Half (E½) of the Northwest Quarter (NW¼) of Section 23, T107N-R13W;

NE-NW

and

The North 45 feet of the East 510.75 feet of the East Half (E½) of the Northwest Quarter (NW¼) of Section 23, T107N-R13W;

NE-NW

and

The North 60 feet of the West Half (W½) of the ~~Northwest~~ EAST Quarter (NW¼) NE¼ of Section 23, T107N-R13W.

NW-NW

Containing 3.62 acres more or less in addition to the existing and presently used right of way of CSAH No. 2.

~~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 grantor S, ~~himself, his heirs, executors and assigns~~ 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 19th day of June, 1986

In presence of:

William H. Schmidt

Witness Tamara J. Schmidt

Witness

First Bank System

STATE OF MINNESOTA
County of Olmsted } ss.

On this 19th day of June, 1986, before me personally appeared William H. Schmidt and Tamera J. Schmidt

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.

Donald D. Narveson

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

STATE OF MINNESOTA)
) ss
County of Olmsted)

On this 18th day of August, 1986, before me personally appeared

Frederick E. Schmidt

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same his free act and deed.

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

Donald D. Narveson

STATE OF MINNESOTA)
) ss
County of Olmsted)

On this 2nd day of September, 1986, before me personally appeared

Arlie D. Freiborg

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same his free act and deed.

TIMOTHY R. LAWLER
NOTARY PUBLIC — MINNESOTA
OLMSTED COUNTY
My commission expires Mar. 3, 1989

Timothy R Lawler

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. Imsdahl
Asst. County Attorney. ~~Assistant Attorney General.~~

514360

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

ABSTRACT
GRANTOR
GRANTEE
TRACT
PAID
CHG

to

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 10 o'clock A M., and that the same was duly recorded in Book W 4 of Misc on page 568.

Olmsted County Recorder.
By Nancy Johnson Deputy.

ROUCHER MINNEAPOLIS

Hwy Dept