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

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

OUR LADY OF THE ROSARY PARISH, an unincorporated religious association

Grantor, 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 North 60 feet of the following described tract;

A part of the Northeast quarter (NE¼) of the Northeast quarter (NE¼) of Section 22, T107N-R13W described as follows: Beginning at a point on the North line of said quarter section which is 621 feet West of the Northeast corner thereof, thence South along the West line of Dawn Haven Subdivision a distance of 528 feet, thence West parallel to the North line of said quarter section a distance of 247.5 feet, thence North parallel to the West line of said Subdivision a distance of 528 feet to the North line of said quarter section, thence East along the North line of said quarter section a distance of 247.5 feet to the place of beginning.

Containing 0.16 acre more or less in addition to the existing and presently used right of way of CSAH No. 2.

~~And the said grantor, 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, 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, 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 March 30 day of _____, 1986

In presence of:

Witness Robert Pendergrass

Witness W. A. Hebsack

Raymond L. Silley
Chief Parish Advisor

Joseph E. Kelley
Parish Advisor

STATE OF MINNESOTA }
County of Olmsted } ss.

On this 30th day of March, 19 86, before me personally appeared Raymond L. Sibley, Chief Parish Advisor and Joseph E. Kelley, Parish Advisor for OUR LADY OF THE ROSARY PARISH, an unincorporated religious association 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.

Donald D. Narveson

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

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.

31 July, 1986

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

514363

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
CHG MC

STATE OF MINNESOTA }
County Olmsted } ss.

Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 21st day of Oct, 19 86 at 10 o'clock A M., and that the same was duly recorded in Book 4 of Misc on page 571

LOIS FINSTUEN
County Recorder.
By Nancy Johnson Deputy.

ROUSHER MINNEAPOLIS

Hwy Dept

C O N S E N T

MIDWEST FEDERAL SAVINGS AND LOAN ASSOCIATION OF MINNEAPOLIS (formerly Rochester Savings and Loan Association) of 421 1st Avenue SW, Rochester, Minnesota 55902, mortgagee in and owner and holder of a mortgage executed by OUR LADY OF THE ROSARY PARISH, an unincorporated religious association (formerly Our Lady of the Rosary, Orthodox Roman Catholic Movement, Inc.) dated June 8, 1979,

CONSENTS to an Easement for Highway Purposes executed by Raymond L. Sibley, Chief Parish Advisor and Joseph E. Kelley, Parish Advisor for OUR LADY OF THE ROSARY PARISH, an unincorporated religious association to the County of Olmsted dated March 30, 1986 over premises described as follows:

> The North 60 feet of the following described tract:
> A part of the Northeast quarter (NE¼) of the Northeast quarter (NE¼) of Section 22, T107N-R13W described as beginning at a point on the North line of said quarter section which is 621 feet West of the Northeast corner thereof, thence South along the West line of Dawn Haven Subdivision a distance of 528 feet, thence West parallel to the North line of said quarter section a distance of 247.5 feet, thence North parallel to the West line of said Subdivision a distance of 528 feet to the North line of said quarter section, thence East along the North line of said quarter section a distance of 247.5 feet to the place of beginning.
> Containing 0.16 acre more or less in addition to the existing and presently used right of way of CSAH No. 2.

and agrees that in the event of the foreclosure of said mortgage, or other sale of the property described in said mortgage under judicial proceedings, the same may be sold subject to said easement.

Dated April 30, 1986

MIDWEST FEDERAL SAVINGS AND LOAN ASSOCIATION
OF MINNEAPOLIS

By W. E. Click, Vice President

By Susan M. Schwanke, Ass't. Secretary