Form No. 639A--Highway Easement.

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Orrilla
~~Orville~~ Barclay and Durant Barclay, her husband

Grantor, of 1222 Brainerd Ave., Duluth MN, Minnesota, for and in consideration of One dollar and other good and valuable considerations 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:

The South sixty (60) feet of the Southwest quarter (SW¼) of the Southwest quarter (SW¼) Section 16, T107N-R12W;

and

Also a strip of land being 15 feet wide and lying parallel to and immediately adjacent to the above described South 60 feet (North side). Said strip beginning 933.95 feet East of the Southwest corner thereof and running East 200 feet.

Containing 0.89 acre 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 himself, herself, his, her, 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 7th day of April, 1986

Orrilla Barclay
1222 Brainerd Ave., Duluth MN 55811

In presence of:

Witness Durant Barclay 1222 Brainerd Avenue Duluth MN 55811

Witness Margaret A Honigstan 1034 Chester Park Dr. Duluth Mn 55812

STATE OF MINNESOTA
County of St. Louis } ss.

On this 7th day of April, 19 86, before me personally appeared

Orrilla Barclay

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

NORMA J. JOHNSON
NOTARY PUBLIC-MINNESOTA
ST. LOUIS COUNTY
MY COMMISSION EXPIRES SEPTEMER 27, 1989

Norma J. Johnson

STATE OF MINNESOTA)
) ss
County of Olmsted)

On this 7th day of April, 1986, before me personally appeared

Durant Barclay

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

I hereby certify that the within easement will convey to the _____ 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.

28 Nov., 1986 Robert W. McIntosh
Asst. County Attorney. ~~Assistant Attorney General.~~

OLMSTED COUNT
PUBLIC WORKS DEP
APR 8 198
RECEIVED

516586 10th

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
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 28 day of November, 1986 at 4 o'clock P M., and that the same was duly recorded in Book 4 of Misc on page 863

LOIS FINSTUEN
County Recorder.
By Gerald M. Ferrier Deputy.

ROUCHLEB
PRINTMASTER

O. Cty