Form No. 639A--Highway Easement. FOURTEEN

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Philip (aka Phillip) C. Houghton and wife, Helen I. Houghton

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**s** and warrant**s** 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 following described tract;

The Southwest quarter (SW¼) of Section 5, T108N-R15W, excepting and reserving therefrom those tracts described as: Commencing at a point 9.43 chains South of the Northeast corner of the West half (W½) of the Southwest quarter (SW¼) of Section 5, T108N-R15W; thence South 4.88 chain thence North 70 degrees West for 3 chains; thence North 20 degrees West for 1.70 chains; thence North 70 degrees East 4.35 chains to the place of beginning; reserving therefrom also a right of way over, but not title to, a strip of land 2 rods wide, for vehicles on the East side of the West half (W½) of the Southwest quarter (SW¼) of said Section 5, from the present highway to said premises above excepted for use of the owners of excepted premises; Also excepting that tract described as beginning on the South line of the County Highway crossing said West half (W½) of the Southwest quarter (SW¼) of said Section 5, at an angle, 10 rods North from the North line of the road running East and West on the South line of said Section 5, thence running South 10 rods to the North line of said road; thence East on the North line of said road 35 rods; thence North 39½ rods to the South line of said County Highway; thence Southwesterly along the South line of said highway to point of beginning,

which lies within the right of way boundary of County State Aid Highway No. 5 delineated as in said tract of land as Parcel Nos.3&1 on the Plat designated as Olmsted County Highway Right of Way Plat Nos.41-42 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Parcel Nos 3&1 containing 4.16 acres more or less in addition to the existing and presently used right of way of CSAH No. 5.

~~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~~ 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 14th day of MAY, 19 85

In presence of:

Witness

Witness

Philip C Houghton

Helen I. Houghton

STATE OF MINNESOTA
County of Olmsted } ss.

On this 14th day of May, 19 85, before me personally appeared Philip C. Houghton and wife, Helen I. Houghton

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

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.

21 Jan, 1987 Robert W. McIntosh

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

549953

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACING
PAID
CHG

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 22 day of January, 1987 at 8 o'clock A M., and that the same was duly recorded in Book X-4 of Deeds on page 249

Jan Lenahan
County Recorder.

By _____ Deputy.

RECORDER
PHOTOGRAPH