Form No. 639A--Highway Easement.

55833

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

City of Stewartville, a political subdivision

Grantor, of County of Olmsted, 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:

All that part of the Southwest Quarter of the Northwest Quarter of Section 26, Township 105 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Beginning at the southwest corner of the said Northwest Quarter; thence northerly on a Minnesota State Plane Grid Azimuth from North of 358 degrees 48 minutes 44 seconds along the west line of said Northwest Quarter 1321.55 feet to the northwest corner of said Southwest Quarter of the Northwest Quarter; thence easterly 88 degrees 45 minutes 08 seconds azimuth along the north line of said Southwest Quarter of the Northwest Quarter 590 feet more or less to the centerline of a creek; thence southeasterly 390 feet more or less along said creek centerline to its intersection with the centerline of the North Branch Root River; thence southwesterly 1525 feet more or less along said centerline of the North Branch Root River to the south line of said Northwest Quarter; thence westerly 268 degrees 49 minutes 18 seconds azimuth along said south line 195 feet more or less to the point of beginning,

which lies within a distance of 50 feet on the north side of the existing centerline of County Road No. 120 as presently located.

Containing 0.08 acre more or less in addition to the existing and presently used right of way of County Road No. 120.

And the said grantor himself, his 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 County of Olmsted 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, his 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 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 County

Dated this 23rd day of August, 19 88

In presence of:

Witness Gary S. Hanson City Administrator

Witness Pamela K. Stoltenberg

Larry Gray, Mayor

Pamela K. Stoltenberg
MOWER COUNTY
NOTARY PUBLIC — MINNESOTA
My commission expires 7-30-93

STATE OF MINNESOTA
County of Mower } ss.

On this 5 day of January, 19 89, before me personally appeared

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

See notary on front page. Pamela K. Stoltenberg

Pamela K. Stoltenberg
MOWER COUNTY
NOTARY PUBLIC — MINNESOTA
My commission expires 7-30-93

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.

10 Jan. 1989 Robert W. Hayostek
Asst. County Attorney. ~~Assistant Attorney General.~~

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
CHG

558353

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

STATE OF MINNESOTA
County of Olmsted } ss.

Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 10 day of January, 1989 at 8:30 o'clock A M., and that the same was duly recorded in Book B-5 of Misc on page 920

LOIS FINSTUEN
County Recorder.
By Catherine E. Evans
Deputy.

ROUCHER
PRINTCRAFT

Co. atty.