Form No. 639A--Highway Easement.

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Bernard J. Leitzen and wife, Ione Leitzen

Grantors, of Olmsted County, Minnesota, for and in consideration of One dollar and other good & 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:

All that part of the following described tract:
The East 100 acres of the North 3/4 of the E½ of Section 1, T106N-R15W, except the land described as: Commencing at a point on the East line of the Northeast Quarter (NE¼) of said Section 1, a distance of 850 feet South of the centerline of CSAH No. 34 (formerly TH No. 14), running thence West a distance of 165 feet, running thence South a distance of 264 feet, running thence East a distance of 165 feet to the East line of the quarter section, running thence North along the East line of said quarter section a distance of 264 feet to the place of beginning; and also except land deeded to Mark Jude Leitzen and platted land;
which lies within the right of way boundary of County Road No. 104 delineated as in said tract of land as Parcel No. 4 of the plat designated as Olmsted County Highway Right of Way Plat No. 55 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Parcel No. 4 containing 0.78 acre more or less in addition to the existing and presently used right of way of County Road No. 104.

And the said grantors, for themselves, their heirs, executors and assigns, do covenant 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 grantors, 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 grantors, 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 County.

Dated this 21ST day of MARCH, 1989

In presence of:

Witness _____

Witness _____

Bernard J. Leitzen

Ione Leitzen

STATE OF MINNESOTA
County of Olmsted } ss.

On this 21st day of March, 19 89, before me personally appeared
Bernard J. and Ione Leitzen
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 _____
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.

24 March, 1989 Robert W. Mayfield
Asst. County Attorney. ~~Assistant Attorney General.~~

561321

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACKED
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 27 day of March, 19 89 at 10 1/2 o'clock A M., and that the same was duly recorded in Book C-5 of Mtgs on page 362.

Jane Smaltzer
County Recorder.

By _____ Deputy.

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PRINTING

C. Hughes