Form No. 639A--Highway Easement. NUMBER

PREPARED BY ✓
CHECKED BY ✓

HIGHWAY EASEMENT

Robert F. Kelly and wife, Ina M. Kelly

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,

RECEIVED
MAR 21 1989
OLMSTED COUNTY
HIGHWAY DEPT.

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 tracts:

That part of the West Half (W½) of the Southwest Quarter (SW¼) of Section 6, T105N-R13W which lies West of CSAH No. 20 and South of CSAH No. 16; that part of the North Half (N½) of the Northwest Quarter (NW¼) of Section 7, T105N-R13W which lies West of CSAH No. 20; and commencing at a point 23 feet North of the Southwest corner of the Northeast Quarter of the Northeast Quarter, Section 12, T105N-R14W; thence running North to the Northwest corner of the Northeast Quarter of the Northeast Quarter; thence East to the Northeast corner thereof; thence South to a point 13 feet North of the Southeast corner thereof; thence Westerly to the point of beginning, except beginning at a point 13.0 feet North of the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 12; thence North 88°53'30" West, 265.0 feet along a line which lies 13.0 feet North of the Southeast corner and 23.0 feet North of the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Section 12; thence North 250.0 feet; thence South 88°53'30" East, 265.0 feet to the East line of said Section 12; thence South 250.0 feet along the East line of said Section 12 to the true point of beginning;

which lies within a distance of 60 feet on the West side of the following described centerline of County State Aid Highway No. 20;

From the Southwest corner of said Section 7, North along the West boundary thereof for 2639.45 feet; thence angle left 0°08'38" for 854.17 feet; thence deflect to the right on a 1°00' circular curve, deflection angle of 9°04'29" for 455 feet for a point of beginning of the centerline to be described. Thence in a prolongation of the last described course for 452.48 feet; thence on a tangent to said curve for 1767.09 feet and there terminating.

Containing 1.23 acres more or less in addition to the existing and presently used right of way of County State Aid Highway NO. 20.

And the said grantors, 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 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 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 County.

Dated this 7th day of MARCH, 1989

In presence of:

Robert F. Kelly

Ina M. Kelly

Witness

Witness

STATE OF MINNESOTA
County of Olmsted } ss.

On this 7th day of March, 1989, before me personally appeared
Robert F. and Ina M. Kelly
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.

11 April, 1989 Robert W. McPhail
Asst County Attorney. ~~Assistant Attorney General.~~

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 13th day of April, 1989 at 4 o'clock P M., and that the same was duly recorded in Book N-5 of Misc on page 482

LOIS FINSTUEN
County Recorder.
By Doreen Murray Deputy.

ROLLCHEK PRINT CENTER

Hwy Dept