Form No. 639A--Highway Easement.

5421Sa

PREPARED BY ✓
CHECKED BY ✓

HIGHWAY EASEMENT

Robert Smalley and wife, LaVerne Smalley - Fee Owners
Delwyn D. Johnson and wife, Roxanna J. Johnson - contract buyers

Grantor, 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:

The East 60 feet of the Northeast Quarter (NE¼) of Section 36, T105N-R14W.

Containing 1.64 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 grantor himself, for themselves, their heirs, executors and assigns, do his 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, for themselves, their heirs, executors and assigns do his 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, for themselves, their heirs, executors and assigns, do his 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 27th day of FEBRUARY, 19 89

In presence of:

[redacted] x Robert Smalley

[redacted] x LaVerne Smalley

Delwyn D. Johnson

Roxanne J. Johnson

STATE OF MINNESOTA
County of Olmsted } ss.

On this 28th day of February, 1989, before me personally appeared
Delwyn D. & Roxanna J. Johnson
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

STATE OF ~~MINNESOTA~~ Arizona)
) ss.
COUNTY OF Maricopa)

On March 8, 1989, before me personally appeared
Robert Smalley and LaVerne Smalley
to me known to be the persons described in and who executed the foregoing instrument and being duly sworn acknowledged that they executed the same as their free act and deed.

LARRI PRUETT
NOTARY PUBLIC
MARICOPA CO., AZ

Larri Pruett

My Commission Expires Jan. 11, 1992

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. Mc Peters
Asst. County Attorney. ~~Assistant Attorney General.~~

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 13th day of April, 1989 at 4 o'clock P M., and that the same was duly recorded in Book V-5 of Misc on page 488

LOIS FINSTAD
County Recorder.
By Kyleen Murray
Deputy.

RECORDER
REMEMBER

Hwy Dept