Form No. 639A--Highway Easement.

PREPARED BY ✓
CHECKED BY ✓

HIGHWAY EASEMENT

Charles W. West and wife, Michele West

Grantor S, 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:
Lot 1, Block 3, Berryfield Farms Subdivision in Section 6 T106N-R14W; which lies within the right of way boundary of County Road No. 104 delineated as in said tract of land as Parcel No. 6 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. 6 containing 0.05 acre more or less in addition to the existing and presently used right of way of County Road No. 104.

And the said grantor S, 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 S, 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 S, 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 16th day of FEBRUARY, 1989

In presence of:

Witness

Witness

Charles W. West
Michele West

STATE OF MINNESOTA
County of Olmsted } ss.

On this 16th day of February, 19 89, before me personally appeared
Charles W. and Michele West
to me known to be the person 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.

6-12, 1989

Robert W. Mulcahy
Asst. County Attorney. ~~Assistant Attorney General.~~

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

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ABSTRACT
COMPARED
ENTERED
MAP
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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 2nd day of August, 1989 at 12 o'clock — M., and that the same was duly recorded in Book D-5 of Misc on page 62

LOIS FINSTUEN
County Recorder.
By Colleen Murray Deputy.

RECEIVED FOR RECORD
AUG 2 1989
RECORDER
REMONSTRANCE

Dawn Narveson

558022