Form No. 639A--Highway Easement.

PREPARED BY ✓
CHECKED BY ✓

HIGHWAY EASEMENT

Mathew Allen and wife, Eileen D. Allen

Grantor s, of County of Olmsted, Minnesota, for and in consideration of One dollar and other good and 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 Northwest Quarter (NW¼) of Section 28, T105N-R11W which lies within a distance of 60 feet on the south side of the following described centerline of County Road No. 110;

From the southwest corner of the Southeast Quarter (SE¼) of Section 20, T105N-R11W; thence north along the west line of said Southeast Quarter (SE¼ for 14.9 feet; thence angle right 90° for 2233.55 feet; thence angle right 27° 39' 42" for 308.66 feet; thence angle left 37° 36' 08" for 102.66 feet for a place of beginning of the centerline to be described. Thence in a prolongation of the last described course for 531.12 feet; thence deflect to the right on a 1° 30' circular curve, deflect angle of 9°18'08" for 542.23 feet and there terminating.

Also a strip of land being 50 feet wide lying parallel to and immediately adjacent to the above described right of way. Said strip beginning 120 feet easterly of the west boundary of said Northwest Quarter (NW¼) and running easterly 80 feet and there terminating.

And also all that part of the said Northwest Quarter (NW¼) that lies northerl of the above described right of way.

Containing 1.11 acres more or less in addition to the existing and presently used right of way of County Road No. 110.

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 upcn 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 31st day of August, 19 89

In presence of:

Witness Faye M. Wiskow

X Mathew Allen

X Eileen D. Allen

Witness

Faye M. Wiskow
Notary Public-Minnesota
Fillmore County
Comm. Exp. 1-17-91

STATE OF MINNESOTA
County of Fillmore } ss.

On this 31st day of August, 1989, before me personally appeared Mathew Allen and Eileen D. Allen 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.

Notary Stamp on front

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.

9 Oct., 1989. Robert W. Mc Petrie
Asst County Attorney. Assistant Attorney General.

571699

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

GRANTOR
GRANTEE
TRACKED
PAID
CHG.

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 9 day of October, 1989 at 9 o'clock A M., and that the same was duly recorded in Book D 5 of Misc on page 541

LOIS FINSTUEN
County Recorder.
By Gerald M. Ferrier
Deputy.

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