Form No. 639A — Highway Easement. Poucher, Mpls.

582582

HIGHWAY EASEMENT

PREPARED BY ✓

CHECKED BY ✓

Peter Burks and Charlyne Burks, husband and wife, and Gladys Fager, a single person,
Grantor s, of _____, Minnesota, for and in consideration of

One dollar and other good & valuable consideration 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 West 60 acres of the Northwest Quarter (NW¼) of Section 4, T106N-R14W, except that part thereof in the southeast corner thereof described as follows: Commencing at the southeast corner of said West 60 acres, running thence west a distance of 577.5 feet; running thence north a distance of 466.5 feet; running thence northeasterly a distance of 597.4 feet to a point in the east line of said sixty acre tract 637.2 feet north of the place of beginning; running thenc south a distance of 637.2 feet to the place of beginning; and except the follow ing described tract of land, to wit: That part of the NW¼ NW¼ of Section 4, T106N-R14W, described as: Commencing at the NW corner of said Section 4, thence East along the north line of said Section 4, a distance of 374.59 feet to the point of beginning of the property to be described; thence southerly by a deflection angle of 88°46'30" measured East to South a distance of 212.6 feet more or less to the northerly right of way line of County State Aid Highway No. 34(formerly TH No. 14); thence northeasterly along the said northerly right of way line to the intersection of said line with the north line of said Sectio 4; thence west along the north line of said Section 4, a distance of 700.2 feet to the point of beginning,
which lies northerly and easterly of the following described line;
From the northwest corner of said Section 4, easterly along the north boundary thereof for 654.6 feet; thence deflect right 88°40'30" for 181.52 feet to the centerline of County State Aid Highway No. 34 (formerly TH No. 14); thence deflect right 74°35' and run along said centerline for 459.75 feet for a place of beginning of the line to be described. Thence angle left 90° for 70 feet; thence angle left 90° for 285 feet; thence angle right 55° and running to the westerly right of way of County State Aid Highway No.22 (continue on the back)

And the said grantor___, for (himself — themselves), (his — 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 covey to the County 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___, for (himself — themselves), (his — 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 coveyed, such portable snow fences during such months as weather conditions make necessary.

And the said grantor ___, for (himself — themselves), (his — 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 of Olmsted

Dated this 8th day of March, 19 90.

In Presence of:

Witness George R Klein

Witness _____

Peter Burks Peter Burks

Charlyne Burks Charlyne Burks

Gladys Fager Gladys Fager

STATE OF MINNESOTA

County of OLMSTED

On this 8th day of March, 1990, before me personally

Peter Burks and Charlyne Burks, husband and wife, and Gladys Fager, a single person,

appeared 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.

GEORGE R. KERR
NOTARY PUBLIC-MINNESOTA
WABASHA COUNTY
MY COMMISSION EXPIRES 4-27-93

George R. Kerr
Notary Public

(formerly County Road No. 122) and there terminating.
Containing 0.19 acre more or less in addition to the existing and presently used right of way of County State Aid Highway No. 34.

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.

5/14, 1990

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

ABSTRACT
GRANTOR
GRANTEE
TRACKED
PAID
CHG.

582582

DEPARTMENT OF HIGHWAYS

(HIGHWAY EASEMENT)

TO

STATE OF MINNESOTA
County of Olmsted
Office of County Recorder.
I hereby certify that the within instrument was filed for record in this office on the 14 day of May, 1990 at 12 o'clock — M., and that the same was duly recorded in Book E-S of Misc on page 762.

LOIS FINSTUEN
County Recorder.

By Gerald M. Jensen Deputy.

Poucher, Mpls.

D. & Nunneson