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

620128

PREPARED BY JH

CHECKED BY JH

HIGHWAY EASEMENT

Steven T. Foley and wife, Cheryl D. Foley

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;
The East 330.00 feet of the South 528.00 feet of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 2, T107N-R14W, which lies within the right of way boundary of County Road No. 133 delineated as in said tract of land as Parcel No. 1 of the plat designated as Olmsted County Highway Right of Way Plat No. 74 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Parcel No. 1 containing 0.17 acre more or less in addition to the existing and presently used right of way of County Road No. 133.

And the said grantor s, 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 s, 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 s, 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 5th day of DECEMBER, 19 91.

In Presence of:

Witness

Witness

Steven T. Foley

Cheryl D. Foley

STATE OF MINNESOTA

County of Olmsted

On this 5th day of December, 19 91, before me personally

Steven T. Foley and Cheryl D. Foley

appeared 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 COMMISSION EXPIRES 5-30-97

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.

14 Feb., 1992

Robert W. Mc Farlane
Asst. County Attorney. ~~Assistant Attorney General.~~

620128

DEPARTMENT OF HIGHWAYS

(HIGHWAY EASEMENT)

TO

ABSTRACT
WELL CERT.
TRACKED
PAID
CHG.

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 February, 1992 at 10:20 o'clock A M., and that the same was duly recorded in Book I-5 of Misc on page 21

MARY CALLIER

County Recorder.

By Donald M. Farrier Deputy.

Poucher, Mpls.