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

HIGHWAY EASEMENT

PREPARED BY ✓
CHECKED BY ✓

6915 25

Irwin Duell, single; Paul Duell, single; Melvin Duell, single - fee owners
William A. Jenderny and wife, Lou Anne M. Jenderny - contract buyers
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 Southeast Quarter (SE 1/4) of Section 35, T107N-R12W, which lies within the right of way boundary of County State Aid Highway No. 9 delineated as in said tract of land as Parcel No. 1 of the plat designated as Olmsted County Highway Right of Way Plat No. 85 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Parcel No. 1 containing 0.03 acre more or less in addition to the existing and presently used right of way of County State Aid Highway No. 9.

SW-SE

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 26th day of MARCH, 1993.

In Presence of:

Witness

Witness

William A. Jenderny
Lou Anne M. Jenderny
Irwin Duell
Paul Duell
Melvin Duell

STATE OF MINNESOTA

County of Olmsted

On this 26th day of March, 1993, before me personally William A. Jenderny and Lou Anne M. Jenderny

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.

Donald D. Narveson

STATE OF MINNESOTA)
) ss.
COUNTY OF OLMSTED)

On May 17, 1993, before me personally appeared Irwin Duell, Paul Duell and Melvin Duell to me known to be the person s described in and who executed the foregoing instrument and being duly sworn acknowledged that they executed the same as their free act and deed.

DONALD D. NARVESON
NOTARY PUBLIC—MINNESOTA
OLMSTED COUNTY
MY COMMISSION EXPIRES 5-30-97

Donald D. Narveson

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 Aug., 1993

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

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DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

TO

ABSTRACT WELL CO. TRUST

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 11 day of Aug., 1993 at 2:20 o'clock P M., and that the same was duly recorded in Book Misc of 551 on page _____.

MARY CALLIER
County Recorder.
By Catherine J. E. Deputy.
Poucher, Mpls.

Rec'd