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

HIGHWAY EASEMENT

PREPARED BY ✓

CHECKED BY ✓

061587

Gary A. Elzen and wife, Margaret Elzen

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:
Commencing at the southwest corner of the Northeast Quarter (NE 1/4) of Section 2, T106N-R12W, thence North 2,025 feet to the point of beginning, thence East 790 feet, thence North 615 feet, more or less, to the north line of said Northeast Quarter (NE 1/4), thence West along the north line 790 feet, more or less, to the northwest corner of said Northeast Quarter (NE 1/4), thence South along the west line of said Northeast Quarter (NE 1/4) 615 feet, more or less, to the point of beginning,
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. 4 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. 4 containing 0.38 acre more or less in addition to the existing and presently used right of way of County State Aid Highway No. 9.

NW-NE

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 22 day of March, 19 93

In Presence of:

Witness

Witness

Gary A Elzen

Margaret Elzen

STATE OF MINNESOTA

County of Olmsted

On this 22nd day of March, 1993, before me personally Gary A. Elzen and Margaret Elzen

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

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.

9 Aug., 1993

Robert A. McFarlane
Asst. County Attorney. ~~Assistant Attorney General.~~

661587

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

TO

ABSTRACT WELL CERTIFICATE TRACT

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 2½ o'clock P M., and that the same was duly recorded in Book M-5 of Misc on page 552.

MARY CALLIER
County Recorder.

By Cathleen L Ebert Deputy.

Poucher, Mpls.

Recorded