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

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

John M. Donovan, single

Grantor ___, of Olmsted County, 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:

RT NE-SE

All that part of the following described tract:
Commencing at the northeast corner of the Southeast Quarter (SE 1/4) of Section 24, T106N-R15W; thence South, assumed bearing, along the East line of said Southeast Quarter (SE 1/4), 883.93 feet for a point of beginning; thence continue South along said East line, 975.87 feet; thence West, 717.86 feet; thence North 975.87 feet; thence East, 717.86 feet to the point of beginning,
which lies within the right of way boundary of County Road No. 104 delineated as in said tract of land as Parcel No. 3 of plat designated as Olmsted County Highway Right of Way Plat No. 97 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Parcel No. 3 containing 0.17 acre more or less in addition to the existing and presently used right of way of County Road No. 104.

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.

DONALD O MATHESON

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 22nd day of February, 1995.

In Presence of:

John M. Donovan

Witness _____

Witness _____

STATE OF MINNESOTA

County of Olmsted

On this 22nd day of February, 1995, before me personally

John M. Donovan

appeared to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Donald D. Narveson

DONALD D. NARVESON
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2000

702037

COUNTY RECORDERS OFFICE
Olmsted County, Minn.
I hereby certify that the within instrument was filed in this office on.
APR 13 1995
o'clock M.
at 4 Cnty

Mg.
Public Works

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.

11 April, 1995

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

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

TO

STATE OF MINNESOTA
County of _____
Office of County Recorder.
I hereby certify that the within instrument was filed for record in this office on the _____ day of _____, 19__ at _____ o'clock _____ M., and that the same was duly recorded in Book _____ of _____ on page _____.

_____ County Recorder.
By _____ Deputy.

Poucher, Mpls.