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

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

R. Wynn Kearney and wife, Pamela B. Kearney

Grantor s, of Blue Earth 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:

pt SE-SE

All that part of the following described tract:
That part of the Southeast Quarter (SE 1/4) of Section 13, T106N-R15W, lying northerly of the thread of the South Fork of the Zumbro River and beginning at a point on the east line of said SE 1/4 a distance of 1,431.40 feet southerly of the northeast corner of said SE 1/4; thence South 89° 22'55" West (for purposes of this description bearings are assumed and based on the north line of said SE 1/4 being North 90° 00'00" West) 1,317.81 feet to the west line of said SE 1/4 of the SE 1/4; thence South 0° 35'31" East, along said west line, 1,185.32 feet to the southwest corner of the SE 1/4 of the SE 1/4; thence North 89° 59'31" East, along the South line of said SE 1/4, 1,318.43 feet to the southeast corner of said SE 1/4; thence North 0° 37'05" West, along the East line of said SE 1/4, 1,199.36 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. 9 of plat designated as Olmsted County Highway Right of Way Plat No. 95 on file and of record in the office of the County Recorder in and for Olmsted County.
Said Parcel No. 9 containing 0.21 acre more or less in addition to the existing and presently used right of way of County Road No. 104.

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 29 day of March, 19 95.

In Presence of:

Witness _____ x R. Wynn Kearney

Witness _____ Pamela B. Kearney

STATE OF MINNESOTA

County of Blue Earth

On this Twenty-nineth day of March, 19 95, before me personally

R. WYNN KEARNEY & PAMELA B. KEARNEY

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.

PATRICIA J. BROWN
NOTARY PUBLIC—MINNESOTA
MY COMMISSION EXPIRES 1-31-00

Patricia J. Brown

702038

COUNTY RECORDERS OFFICE
Olmsted County, Minn.
I hereby certify that the within instrument was filed in this office on:
APR 13 1995
at 4 o'clock P M.
Chg. 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, 19 95

Robert W. Ingebretsen
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.