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

PREPARED BY _____

CHECKED BY _____

HIGHWAY EASEMENT

Ronald C. Sanden and Kathleen R. Sanden, his wife
Marlene K. Ploetz and Lee Ploetz, her husband
Dorothy Dyar, deceased Marlene K. Ploetz P.R.

Grantor s, of Winona 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:

3-106-11
pt NE-NE

All that part of the East Half (E1/2) of the Northeast Quarter (NE1/4) of Section 3 and the West Half (W1/2) of the Northwest Quarter (NW1/4) of Section 2, all in T106N-R11W,

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. 6 of the plat designated as Olmsted County Highway Right of Way Plat No. 106 and as Parcel No. 3 of the plat designated as Olmsted County Highway Right of Way Plat No. 107 on file and of record in the office of the County Recorder in and for Olmsted County.

2-106-11
pt NW-NW

Containing 2.18 acres more or less in addition to the existing and presently used right of way of County State Aid Highway No. 9.

708742

COUNTY RECORDERS OFFICE
Olmsted County, Minn.
I hereby certify that the within instrument was filed in this office on:
JUL 31 1995
at 2 o'clock pm.
JMB

5-12
Chg.
D. Narveson

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 Olmsted 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 18th day of April, 1995.

Ronald C. Sanden

Dorothy Dyar Estate
Marlene K. Ploetz, P.R.

Kathleen R. Sanden

Marlene K. Ploetz

Lee Ploetz

STATE OF MINNESOTA

County of Olmsted

On this 18th day of April, 19 95, before me personally Ronald C. Sanden, Kathleen R. Sanden, Lee Ploetz and Marlene K. Ploetz

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
My Commission Expires Jan. 31, 2000

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.

28 July, 1995

Robert W. McPeters
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.

County of Olmsted
Slope Easement

S.A.R. 9 ,Proj. 4101 ,Sec. 2 & 3 Twp. Dover

Owner Emil Kammer

Dover, Minnesota , grantor , of

Olmsted County for and in consideration of the covenants hereinafter contained to be performed by the County of Olmsted do es hereby grant and convey for the uses and purposes hereinafter stated to the County of Olmsted the following described Premises situate in the County of Olmsted, in the State of Minnesota, to-wit:

A strip of land lying parallel with and immediately adjacent to State Aid Road No. 9 as the same passes along the North line of the E½ of the NE¼ of Sec. 3 and the W½ of the NW¼ of Sec. 2 T106N-R11W.

Said strip to be 2 rods in width and to extend from a point 33 feet from the centerline of said road to a point 66 feet from said centerline.

Owner to buy surfacing material at County price for Private Drive.

The use of which, however, shall be restricted to and for the purpose of constructing and maintaining a back slope or embankment of approximately 3 to 1 on the South side of State Aid Road No. 9 as it passes over and across the above described tract.

The County of Olmsted, in consideration of these presents does hereby agree to construct and maintain said back slope or embankment as aforesaid and maintain the same so long as State Aid Road No. 9 shall be maintained in its present location and of its present width, and further agrees to furnish whatever labor is required to move and reset fences made necessary by said work.

W. J. Murphy
Witness

Ralph Kammer
Witness

Emil Kammer

COUNTY OF OLMSTED

By Alfred Kenoth
Chairman of County Board

Attest Frances L. Underbak
County Auditor

STATE OF MINNESOTA)
)
COUNTY OF OLMSTED)

On this 28th day of October, 1940 before me personally appeared Emil Kammer 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.

Lillian Miller
Notary Public

LILLIAN MILLER
NOTARY PUBLIC, OLMSTED COUNTY, MINN.

S. H. ARTHUR WEST
Commissioner First District
ROCHESTER, MINN.

HENRY P. VIHSTADT
Commissioner Second District
ROCHESTER, MINN.

FRANCES L. UNDERLEAK
County Auditor
ROCHESTER, MINN.

A. C. LEONARD
Highway Engineer
OFFICE PHONE 2034

FRED C. COLVIN
Commissioner Third District
STEWARTVILLE, MINN.

OTTO P. GIESE
Commissioner Fourth District
DOVER, MINN.

ALFRED KENITZ
Commissioner Fifth District
ELGIN, MINN.

OLMSTED COUNTY, MINNESOTA

Department of Highways

P. O. BOX 118

Rochester, Minnesota

July 21, 1941.

Permit for Construction of By-Pass

The undersigned, Emil Kammer, Dover, Minnesota owner of the E½ of the NE¼ of Section 3 and the W½ of the NW¼ of Section 2 T106N-R11W hereby grants Olmsted County the right to construct and maintain a by-pass during the construction of triple 12 x 12 box culvert to be built on SAR No. 9 as part of project 4101. The county agrees to construct and maintain said by-pass and to remove same and clear up debris from the site after construction of said culvert is completed.

Witness

Mrs. E. Kammer Emil Kammer

Witness

W. J. Murphy