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

HIGHWAY EASEMENT

PREPARED BY _____

CHECKED BY _____

Guy Hostetter and wife, Sharon Hostetter

Grantor(s), of Olmsted County, Minnesota, for and in consideration of

Metes and Bounds Subdivision Split Dollars ($ _____)

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:

That part of the Northwest Quarter of the Northwest Quarter of Section 29, Township 107 North, Range 13 West, Olmsted County, Minnesota, being described as follows:
Commencing at the northeast corner of the Northwest Quarter of said Section 29; thence WEST, assumed bearing, along the north line of said Northwest Quarter, 943.38 feet; thence South 00 degrees 21 minutes 00 seconds East, 456.33 feet to the centerline of C.S.A.H. No. 2; thence South 75 degrees 26 minutes 12 seconds West, along said centerline, 646.66 feet for the point of beginning; thence North 00 degrees 21 minutes 00 seconds West, 618.94 feet to the north line of said Northwest Quarter; thence WEST, along said north line, 465.92 feet to a point which is 598.33 feet easterly of the northwest corner of said Northwest Quarter; thence South 03 degrees 49 minutes 25 seconds West, 118.81 feet; thence South 03 degrees 57 minutes 35 seconds East, 107.40 feet; thence South 19 degrees 08 minutes 55 seconds East, 128.51 feet; thence South 24 degrees 50 minutes 09 seconds East, 376.78 feet to the centerline of said C.S.A.H. No. 2; thence North 75 degrees 26 minutes 12 seconds East, along said centerline, 278.75 feet to the point of beginning, which lies within 50 feet of the centerline of C.S.A.H. No. 2 as presently located.
Containing 0.11 acre more or less in addition to the existing and presently used right of way of CSAH No. 2.

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.

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 19 day of November, 1996.

In Presence of:

Witness _____

Witness _____

Guy Hostetter

Sharon Hostetter

COUNTY RECORDER OFFICE
Olmsted County Minn.
I hereby certify that the within instrument was filed on
MAR 24 1997
at 11½ o'clock A M.
by _____ Deputy

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STATE OF MINNESOTA

County of Olmsted

On this 19 day of November 1996 before me personally

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.

TIMOTHY J. HANSEN
NOTARY PUBLIC – MINNESOTA
MY COMM. EXPIRES 1-31-2000

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.

26 March, 1997

Robert W. Bruesewitz
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.