

# HIGHWAY EASEMENT

PREPARED BY \_\_\_\_\_

CHECKED BY \_\_\_\_\_

Parcel No. 58

Arthur A. Scapanski & Rita Scapanski, wife Del Rio Royalties, Inc.-mineral  
 Federal Land Bank of St. Paul - Mortgage Rev. Elmer Eisenschenk-1% mineral rights  
 Grantor, of \_\_\_\_\_, Minnesota, for and in consideration of Royalti  
*Six thousand, four hundred, thirty-four and 00/100* Dollars (\$ 6,434.00 )  
 receipt of which is hereby acknowledged,

hereby convey \_\_\_\_\_ and warrant \_\_\_\_\_ to the \_\_\_\_\_ County of Benton  
 grantee, for highway purposes, together with the unrestricted right to improve the same, free and clear of all incum-  
 brances, the following described real estate in the County of \_\_\_\_\_ Benton \_\_\_\_\_ in the State of Minnesota:

The East 22.0 feet of the West 55.0 feet of the Northwest Quarter (NW $\frac{1}{4}$ ),  
 of Section 5, Township 37 North, Range 30 West.

The West 22.0 feet of the East 55.0 feet of the North half of the Northeast  
 Quarter (N $\frac{1}{2}$ , NE $\frac{1}{4}$ ), Section 6, Township 37 North, Range 30 West.

The West 22.0 feet of the East 55.0 feet of the South half of the Northeast  
 Quarter (S $\frac{1}{2}$ , NE $\frac{1}{4}$ ), Section 6, Township 37 North, Range 30 West.

Containing 2.86 acres, more or less, in addition to the existing highway  
 right of way.

Also a temporary highway slope easement for construction purposes allowing  
 men, machinery and equipment to enter upon the land adjacent to and within  
 W.67 & E.55 feet of the above described parcel of land. Said temporary slope  
 easement contains 2.41 acres and terminates upon completion of construction.

And the said grantor \_\_\_\_\_ himself, his  
 for themselves, 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 convey to the \_\_\_\_\_ County of Benton  
 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 \_\_\_\_\_ himself, his  
 for themselves, their heirs, executors and assigns do \_\_\_\_\_ hereby release the \_\_\_\_\_  
 \_\_\_\_\_ County of Benton

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 Benton

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 conveyed, such portable snow  
 fences during such months as weather conditions make necessary.

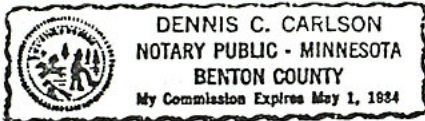
And the said grantor \_\_\_\_\_ himself, his  
 for themselves, their heirs, executors and assigns, do \_\_\_\_\_ further covenant never to  
 construct, erect, or maintain or allow or suffer any other person to construct, erect or maintain any sign or bill board or  
 other advertising device upon the 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 \_\_\_\_\_ Co. of Benton

Dated this 11 day of April, 1980

In presence of: \_\_\_\_\_  
 Witness \_\_\_\_\_  
 Witness \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

County of Benton } ss.

On this 11 day of April, 1980, before me personally appeared  
Arthur A. Scapanski  
Rita Scapanski  
to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that  
they executed the same as their free act and deed.



Dennis C. Carlson

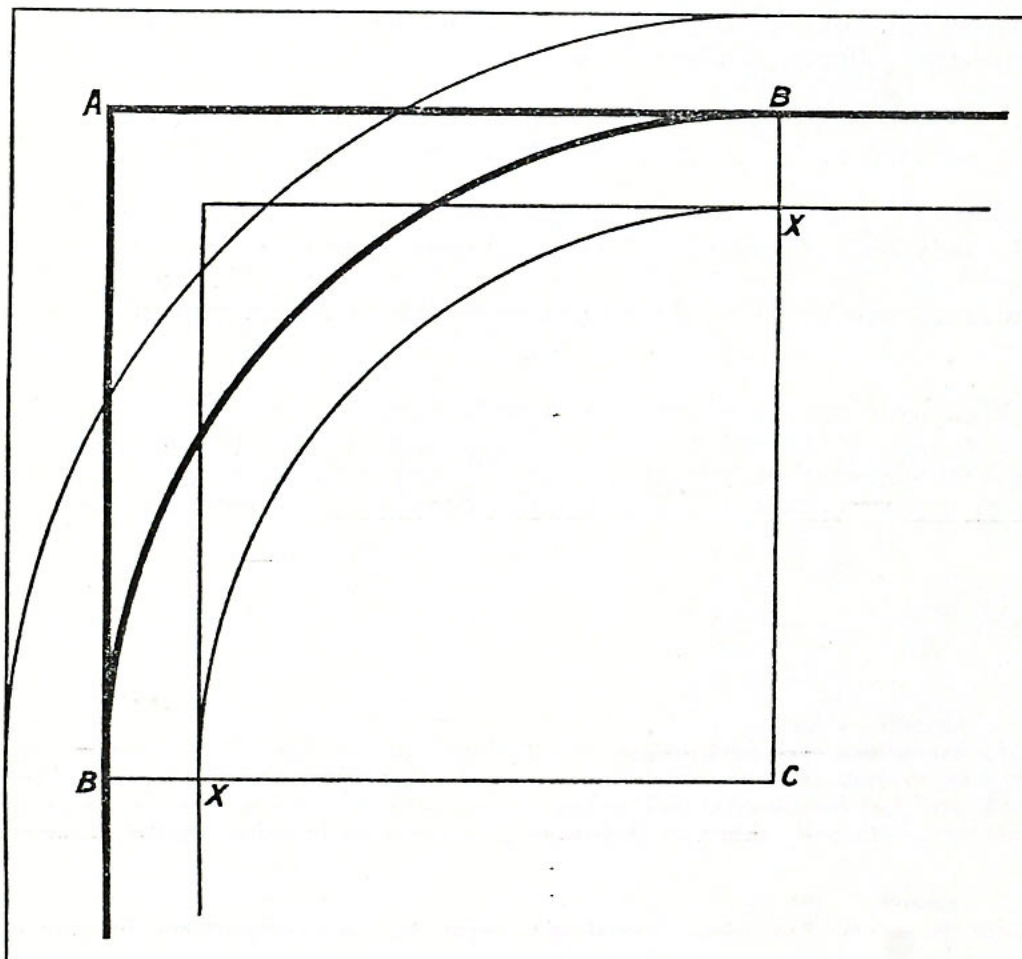
I hereby certify that the within easement will convey to the \_\_\_\_\_

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.

\_\_\_\_\_, 19 \_\_\_\_\_

County Attorney.  
Assistant Attorney General.



A-B = \_\_\_\_\_ Ft.  
B-C = \_\_\_\_\_ Ft.  
C-X = \_\_\_\_\_ Ft.  
\_\_\_\_\_ Degree Curve  
\_\_\_\_\_ Acres of land required

155951  
DEPARTMENT OF HIGHWAYS  
(HIGHWAY EASEMENT)

Arthur A. Scapanski and wife  
to  
Benton County

STATE OF MINNESOTA } ss.  
County of Benton

Office of County Recorder.

I hereby certify that the within instrument was  
filed for record in this office on the 14th day of

May, 1980

at 10 o'clock P.M., and that the same

was duly recorded in Book 1 of Easements

on page 437

By T. J. Johnson  
County Recorder.

Deputy.