

Exhibit 1

STREET EASEMENT

This STREET EASEMENT is made by DIRT, INC., A MINNESOTA CORPORATION (“Grantor”), in favor of the CITY OF DULUTH, a municipal corporation created and existing under the laws of the State of Minnesota (the “City”).

RECITALS

A. Grantor owns the real property in St. Louis County, Minnesota legally described on the attached Exhibit A (the “Property”).

B. Grantor wishes to grant the City a street easement over a portion of the Property in trust for the benefit of the public and at no cost to the City (the “Easement”).

C. The location of the Easement is that portion of the Property legally described and depicted on the attached Exhibit B (the “Easement Area”).

NOW, THEREFORE, for good and valuable consideration, Grantor grants to the City, in trust for the benefit of the public, a perpetual easement for street purposes over, under and across the Easement Area. The Easement shall extend to and bind the heirs, successors and assigns of Grantor and the City and shall run with the land. This easement document shall be governed by the laws of the State of Minnesota, and all terms, conditions, and covenants herein shall be interpreted in accordance therewith. Grantor represents to City that the individual executing this document on behalf of Grantor has the requisite authority to execute this document, and to bind Grantor hereto.

[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, Grantor has caused this ~~utility~~^{street} ^{KEB} easement to be executed effective as of September 16, 2022.

DIRT, INC., A MINNESOTA CORPORATION

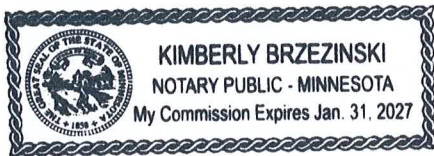
By: _____

Robert D. Irving

Its: President

STATE OF MINNESOTA)
) SS
COUNTY OF ST. LOUIS)

This instrument was acknowledged before me this 16th day of September, 2022 by Robert D. Irving, the President of Dirt, Inc., a Minnesota corporation.



Notary Public

This instrument was drafted by:
Office of the City Attorney
Room 440 City Hall
411 West 1st Street
Duluth, MN 55802-1198

EXHIBIT A
LEGAL DESCRIPTION OF GRANTOR PROPERTY

The South one-half of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (S 1/2 of NE 1/4 of NE 1/4 of SW 1/4), Section Nineteen (19), Township Fifty (50) North, Range Fourteen (14), West of the Fourth Principal Meridian, according to the United States Government Survey thereof.

EXCEPT That part of the South Half of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter, Section 19, Township 50 North, Range 14 West, St. Louis County, Minnesota, described as follows: Beginning at the Northeast corner of said S 1/2 of NE 1/4 of NE 1/4 of SW 1/4; thence South 00 degrees 01 minutes 08 seconds West, along the East line of said S 1/2 of NE 1/4 of NE 1/4 of SW 1/4 a distance of 109.77 feet; thence South 89 degrees 30 minutes 20 seconds West a distance of 300 feet; thence North 00 degrees 01 minutes 08 seconds East a distance of 109.77 feet to the North line of said S 1/2 of NE 1/4 of NE 1/4 of SW 1/4; thence North 89 degrees 30 minutes 20 seconds East, along said North line a distance of 300.00 feet to the point of beginning, St. Louis County, Minnesota.

EXHIBIT B
LEGAL DESCRIPTION AND DEPICTION OF EASEMENT

LEGAL DESCRIPTION OF PROPOSED EASEMENT
The South 60.00 feet of the South Half of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 19, Township 50 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota.
Said easement contains 39,608 square feet or 0.91 acres.

C 1/4 COR SEC. 19,
TWP. 50N, RGE. 14W

SEC. 19

N LINE OF S 1/2 OF NE
1/4 OF NE 1/4 OF SW 1/4

W LINE OF S 1/2 OF NE
1/4 OF NE 1/4 OF SW 1/4

E LINE OF S 1/2 OF NE
1/4 OF NE 1/4 OF SW 1/4

DECKER ROAD

S00°00'59"W 658.58

N89°29'39"E 660.15

EASEMENT AREA
39,608 Sq. Feet
0.91 Acres

S89°29'39"W 660.11

S LINE OF S 1/2 OF NE
1/4 OF NE 1/4 OF SW 1/4

RGE. 14W

S 1/4 COR SEC. 19,
TWP. 50N, RGE. 14W

LEGEND

SECTION SUBDIVISION LINE

RIGHT OF WAY LINE

PROPOSED EASEMENT LINE

FOUND IRON ROD

PROPOSED EASEMENT AREA



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evans
David R. Evans
MN License #49505

DATE:06-01-2021

EASEMENT EXHIBIT

CLIENT:DIRT INC., NORTHLAND HOMES

REVISIONS:

ADDRESS:XXXX DECKER ROAD

DULUTH, MN 55811

DATE:06-01-2021 JOB NO:21-181 SHEET 1 OF 1

1. SURVEYOR'S NOTES
BEARINGS ARE BASED ON THE ST.
LOUIS COUNTY TRANSVERSE
MERCATOR COORDINATE SYSTEM OF
1996. (NAD 83 2011)
THIS IS NOT A BOUNDARY SURVEY.
- 2.



ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.COM

CONSENT AND JOINDER

NORTH SHORE BANK OF COMMERCE, organized and existing under the laws of Minnesota,
as Mortgagee under the Mortgage dated July 27, 2021, and recorded July 30, 2021^{KB} as Document
No. 1420480 in the Office of the County Recorder of St. Louis County, Minnesota, hereby
consents to and joins in the foregoing easement.

NORTH SHORE BANK OF COMMERCE

By:

Tom Simonson, Its Vice President
Business Banking

STATE OF Minnesota)
) ss.
COUNTY OF St Louis)

The foregoing instrument was acknowledged before me this 26th day of September,
2022, by Tom Simonson, the VP, Business Banking of North Shore Bank of
Commerce, organized and existing under the laws of Minnesota.

Debra J. Bodin-Bushey
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

Kimberly E. Brzezinski
HANFT FRIDE,
A Professional Association
1000 U.S. Bank Place
130 West Superior Street
Duluth, MN 55802-2094
Tel. (218) 722-4766

