

ATTACHMENT 1

EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this 19th day of November, 2019, by and between the Concordia Evangelical Lutheran Church of Duluth, a Minnesota religious corporation created and existing under the laws of the State of Minnesota, "Grantor" and the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota, "Grantee":

WITNESSETH:

Whereas, Grantor is the owner of the property in the City of Duluth, St. Louis County, Minnesota legally described as follows (the "Property"):

Lot 1 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 2 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 3 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 4 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 5 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 6 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 7 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 8 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 9 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 10 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 15 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 16 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 17 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 18 Block 6 WOODLAND PARK SIXTH DIVISION
Lot 1 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 2 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 3 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 4 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 5 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 6 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 7 Block 7 WOODLAND PARK SIXTH DIVISION

Lot 8 Block 7 WOODLAND PARK SIXTH DIVISION
Lot 9 Block 7 WOODLAND PARK SIXTH DIVISION

Lots 11 and 12, except those parts of Lots 11 and 12, lying SW'yly of Tisher Creek, described as follows: Beginning at the SW corner of said Lot 12, thence North 0 degrees 00 minutes, 00 seconds East, assumed bearing, along the West line of said Lot 12 a distance of 84.0 feet, thence South 43 degrees, 57 minutes, 30 second East a distance of 116.7 feet, more or less, to a point on the South line of said Lot 11; thence North 90 degrees, 00 minutes, 00 seconds West along the South lines of Lots 11 and 12, a distance of 81.0 feet to the point of beginning, Block 6 WOODLAND PARK SIXTH DIVISION.

and;

Whereas, Grantor wishes to convey to the Grantee easements as hereinafter described for street and utility purposes over the Property for the benefit of the Property and at no cost to Grantee.

NOW THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain and convey to Grantee in trust for the general public the permanent easement and construction easement described as follows:

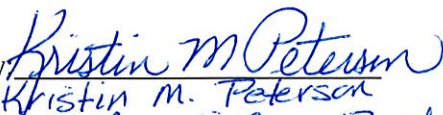
PERMANENT EASEMENT:

A permanent, perpetual and exclusive easement for public street and utility purposes, including the installation and maintenance of rip rap armoring, over a portion of the Property, the location of which easement is more particularly described on Exhibit A and depicted on Exhibit B, which Exhibits are made a part hereof, as the "Permanent Easement".

CONSTRUCTION EASEMENT:

A temporary construction easement effective until December 31, 2021 over that portion of the Property more particularly described on Exhibit A and depicted on Exhibit B, which Exhibits are made a part hereof, as the "Temporary Easement".

CONCORDIA EVANGELICAL
LUTHERAN CHURCH OF
DULUTH, a Minnesota religious
corporation

By: 
Kristin M. Peterson
Its: Concordia Council President
"Grantor"

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

The foregoing instrument was acknowledged before me this 19 day of November, 2019 by Kristin M. Peterson the Council President of the Concordia Evangelical Lutheran Church of Duluth, a Minnesota religious corporation.

Thomas H. Moberg
Notary Public



This instrument drafted by:

Robert E. Asleson
Assistant City Attorney
411 West First Street
Room 440 City Hall
Duluth, MN 55802
(218) 730-5490

EXHIBIT A

RIGHTS TO BE ACQUIRED:

A PERMANENT EASEMENT OVER, UNDER AND ACROSS ALL THAT PART OF THE SOUTH 13.00 FEET OF LOT 11, BLOCK 6 TOGETHER WITH THAT PART OF THE WESTERLY ONE-HALF OF VACATED CLIFTON STREET ADJACENT TO, ALL LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHWEST CORNER OF LOT 12, THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ASSUMED BEARING, ALONG THE WEST LINE OF SAID LOT 12 A DISTANCE OF 84.0 FEET; THENCE SOUTH 43 DEGREES 57 MINUTES 30 SECONDS EAST, A DISTANCE OF 116.7 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID LOT 11 DISTANT 81.0 FEET FROM THE POINT OF BEGINNING; AND THE SOUTH 13.00 FEET OF THE EASTERLY ONE-HALF OF VACATED CLIFTON STREET ADJACENT TO LOT 7, BLOCK 5, EXCEPT THE EAST 27.00 FEET THEREOF; ALL IN WOODLAND PARK SIXTH DIVISION, CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA.

A TEMPORARY CONSTRUCTION EASEMENT OVER, UNDER AND ACROSS ALL THAT PART OF THE SOUTH 55.00 FEET OF LOT 11 AND LOT 12, BLOCK 6 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 12, THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ASSUMED BEARING, ALONG THE WEST LINE OF SAID LOT 12 A DISTANCE OF 84.0 FEET; THENCE SOUTH 43 DEGREES 57 MINUTES 30 SECONDS EAST A DISTANCE OF 116.7 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID LOT 11 DISTANT 81.0 FEET FROM THE POINT OF BEGINNING; AND THE WEST 15.00 FEET OF THE NORTH 42.00 FEET OF THE SOUTH 55.00 FEET OF VACATED CLIFTON STREET ADJACENT TO SAID LOT 11, BLOCK 6; AND THE NORTH 22.00 FEET OF THE SOUTH 35.00 FEET OF THE WESTERLY ONE-HALF OF VACATED CLIFTON STREET ADJACENT TO SAID LOT 11, BLOCK 6 EXCEPT THE WEST 15.00 FEET THEREOF; AND THE NORTH 22.00 FEET OF THE SOUTH 35.00 FEET OF THE EASTERLY ONE-HALF OF VACATED CLIFTON STREET ADJACENT TO LOT 7, BLOCK 5; AND THE EAST 27.00 FEET OF THE SOUTH 13.00 FEET OF THE EASTERLY ONE-HALF OF VACATED CLIFTON STREET ADJACENT TO LOT 7, BLOCK 5; ALL IN WOODLAND PARK SIXTH DIVISION, CITY OF DULUTH, ST. LOUIS COUNTY, MN.

I hereby certify that this plan, specification, 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.

Print Name: Paul A. Vogel

License # 44075

Signature: 

Date: 10/03/2019

DATE REVISED: 10/03/19

DATE PREPARED: 08/04/17

PROJ NO: 070377

FILE: 070377vEXHIB

SHEET 1 of 1 SHEETS



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DRIVEN DESIGN.
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I hereby certify that this plan, specification, 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.

Print Name: Paul A. Vogel

License # 44075

Signature: 

Date: 10/03/2019

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SHEET 1 of 1 SHEETS

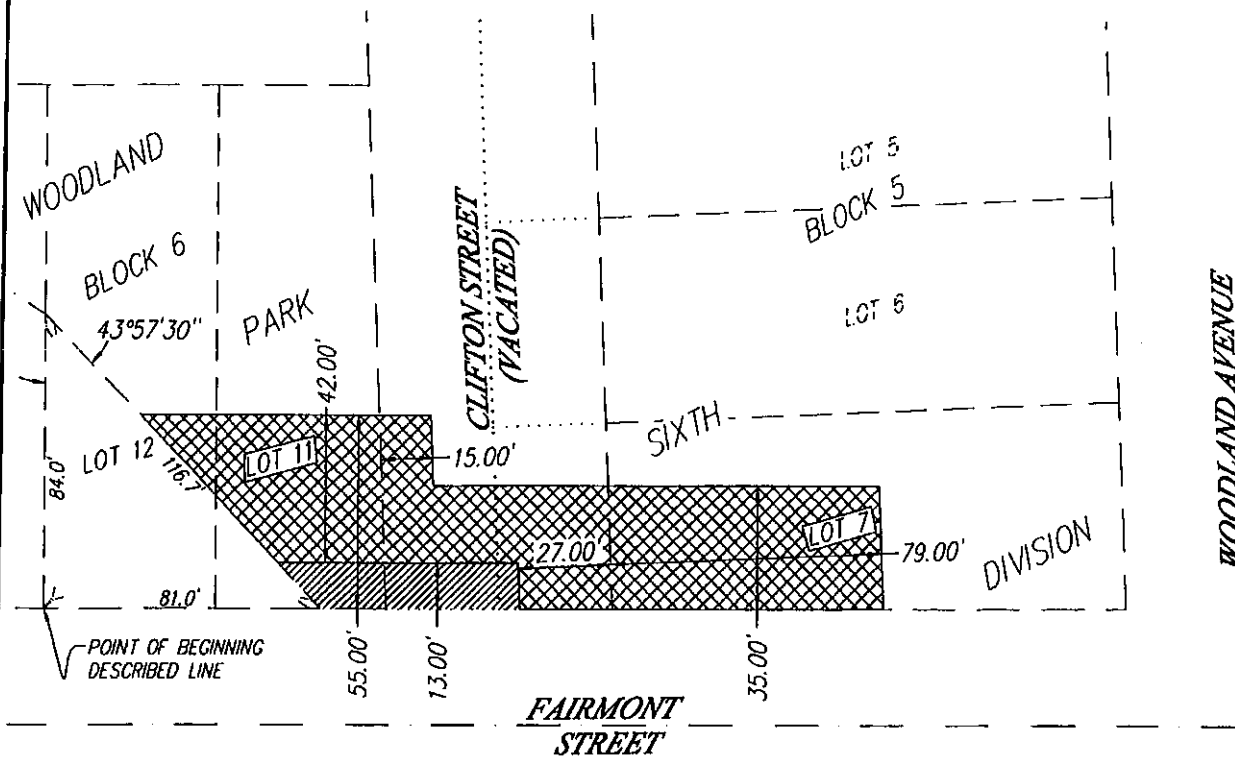


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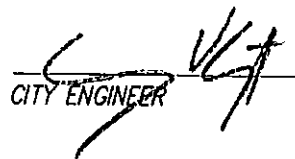
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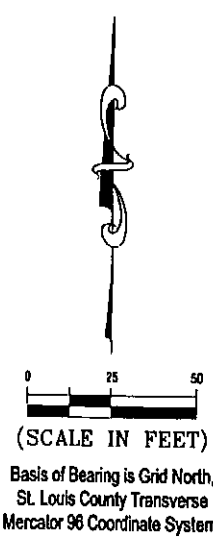
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EXHIBIT B



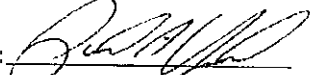
= PERMANENT EASEMENT
 = TEMPORARY EASEMENT

APPROVED BY:  10-16-19
CITY ENGINEER



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Print Name: Paul A. Vogel License # 44075

Signature:  Date: 10/03/2019

REVISED: 10/03/19
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