

## Exhibit 2

### PEDESTRIAN EASEMENT

This Pedestrian Easement is made by AUGUSTA BUILDING CORPORATION, a Wisconsin corporation (“Augusta”) in favor of the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota (the “City”) for the benefit of the public as set forth herein.

### RECITALS

A. Augusta owns the real property in St. Louis County, Minnesota legally described as follows (the “Property”):

Lot 5, Block 2, GLEN PLACE DIVISION.

B. Augusta wishes to grant the City a pedestrian easement over a portion of the Property in trust for the benefit of the public (the “Easement”).

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

NOW, THEREFORE, for good and valuable consideration, Augusta grants to the City, in trust for the benefit of the public, a perpetual easement over, under and across the Easement Area for the construction, maintenance, inspection, operation, protection, repair, replacement, and/or removal of a pedestrian walking path.

Augusta reserves the right to use the Easement Area for purposes that will not interfere with the City's full enjoyment of the rights granted in this Agreement; provided Augusta shall not erect or construct any buildings or other structures in the Easement Area. 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. The Easement shall extend to and bind the successors and assigns of Augusta and the City and shall run with the land. Augusta represents to the City that the individuals executing this document on behalf of Augusta have the requisite authority to execute this document, and to bind Augusta thereto.

IN WITNESS WHEREOF, Augusta has caused this pedestrian easement to be executed effective as of June 2, ~~2019~~<sup>20</sup>.

AUGUSTA BUILDING CORPORATION,  
a Wisconsin corporation

By: [Signature]  
Printed Name: Brian K Solrud  
Its: President

STATE OF Wisconsin )  
 ) SS  
COUNTY OF Eau Claire )

This instrument was acknowledged before me this 2 day of June, 2020 by Brian K Solrud, the President of Augusta Building Corporation, a Wisconsin corporation.



[Signature]  
Notary Public  
My commission expires 7/17/2020

This instrument was drafted by:  
Office of the City Attorney  
Room 410 City Hall  
411 West 1st Street  
Duluth, MN 55802-1198

# EXHIBIT A

COPY

LEGAL DESCRIPTION FOR 20 FOOT PEDESTRIAN EASEMENT

A 20.00 foot wide pedestrian easement lying over, under and across Lot 5, Block 2, GLEN PLACE DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota; the centerline of said easement is described as follows:

Commencing at a Northwesterly corner of said Lot 5, Block 2; thence on an assumed bearing of South 48 degrees 21 minutes 04 seconds East, along the Southerly line of said Lot 5, Block 2, a distance of 86.11 feet to the Point of Beginning of the centerline to be described; thence North 41 degrees 38 minutes 56 seconds East, a distance of 71.93 feet; thence North 24 degrees 02 minutes 13 seconds West, a distance of 111.03 feet; thence North 24 degrees 38 minutes 25 seconds East, a distance of 155.71 feet; thence North 41 degrees 44 minutes 57 seconds East, a distance of 222.05 feet; thence South 48 degrees 24 minutes 55 seconds East, a distance of 108.20 feet; thence North 88 degrees 35 minutes 13 seconds East, a distance of 152.12 feet to the Easterly line of said Lot 5 and there terminating.

The side lines of said easement are to be prolonged or shortened to terminate on the Southerly line of said Lot 5, Block 2 and the Easterly line of said Lot 5, Block 2.

Said easement contains 16,421.9 sq. ft or 0.38 acres.

SHEET 1 OF 2 SHEETS

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.

Date: 4-6-15

*David R. Evanson*

David R. Evanson MN License No. 49505

**EASEMENT EXHIBIT FOR PEDESTRIAN EASEMENT**

CLIENT: SDM&H, LLC	REVISIONS: REVISE EASEMENT BOUNDARY 2-24-2015
DATE: 2-5-15	REVISE EASEMENT BOUNDARY & LEGAL 4-6-2015
ADDRESS: XXX	
JOB NUMBER: 15-014 A	

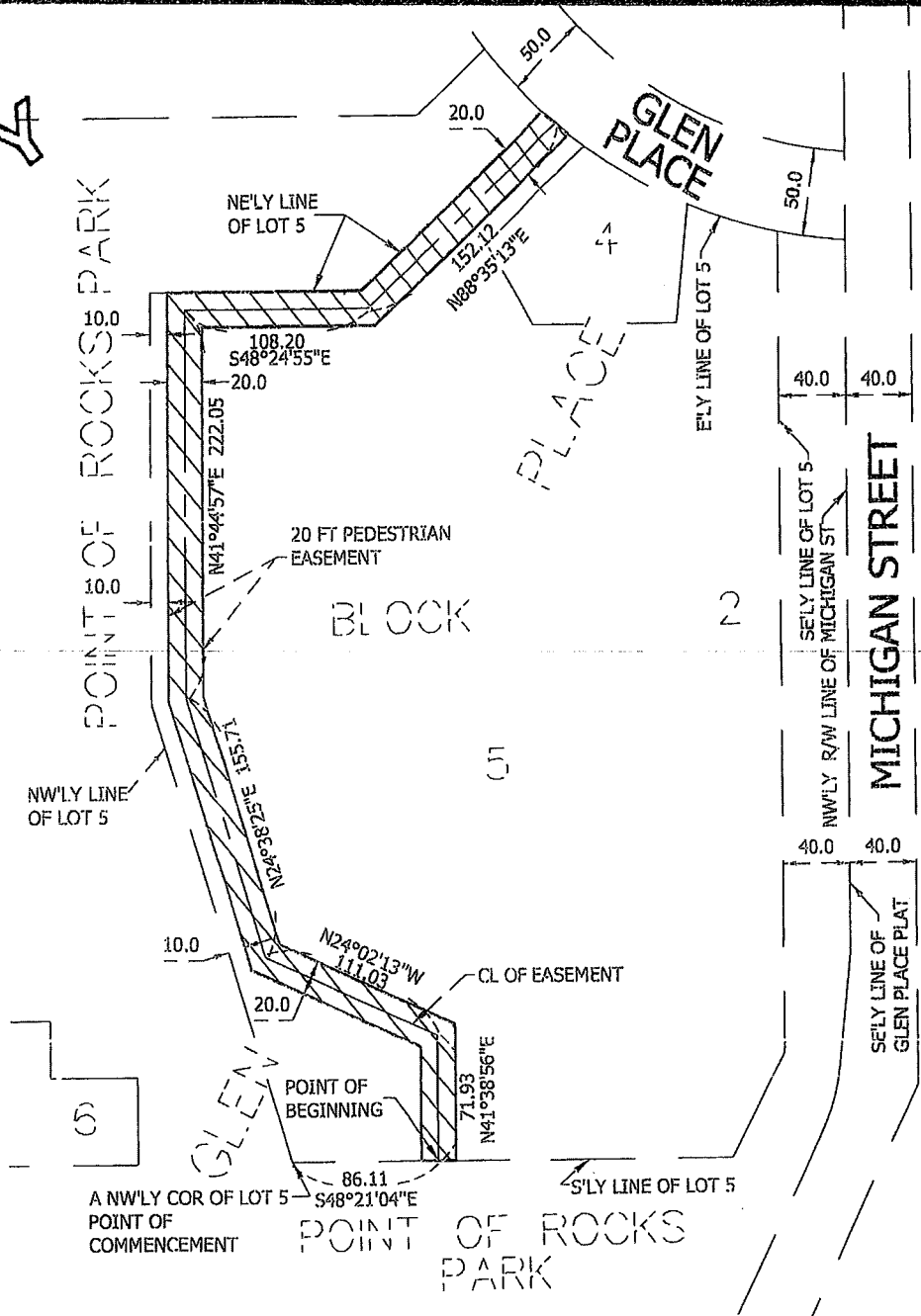
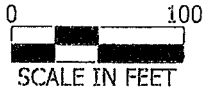
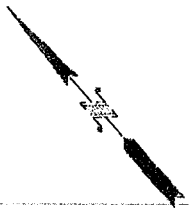


**LAND SURVEY COMPANY**

\* LAND SURVEYING      PHONE: 218-727-5211  
 \* LAND DEVELOPMENT      FAX: 218-727-3798  
 \* PLATTING      LICENSED IN MN & WI  
 \* LEGAL DESCRIPTIONS      CERTIFIED FEDERAL SURVEYOR  
 \* CONSTRUCTION STAKING      WWW.ALTA LANDSURVEYDULUTH.COM

# EXHIBIT B

COPY



Approved by the City Engineer of the City of Duluth, MN. this 13 day of April 20 15

By [Signature]

THIS IS NOT A BOUNDARY SURVEY.

THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY.

SHEET 2 OF 2 SHEETS

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.

Date: 4-6-15  
David R. Evanson  
 David R. Evanson MN License No. 49505

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CLIENT: SDM&H, LLC	REVISIONS: REVISE EASEMENT BOUNDARY 2-24-2015 REVISE EASEMENT BOUNDARY & LEGAL 4-6-2015
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## ALTA

LAND SURVEY COMPANY

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  - \* LAND DEVELOPMENT
  - \* PLATTING
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