

Exhibit 1

**DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
SUPPLEMENTAL AGREEMENT NO. 1
TO DEPARTMENT OF THE ARMY RIGHT OF ENTRY
NO. DACW35-9-23-3018**

THIS SUPPLEMENTAL AGREEMENT is entered into this ____ day of June 2024, by and between City of Duluth, hereinafter called the “Owner”, and the UNITED STATES OF AMERICA, hereinafter called the “Government”.

WITNESSETH:

WHEREAS, Department of the Army Right of Entry No. DACW35-9-23-3018 executed 17 August 2023, authorized the Government, its agents, employees, representatives, and contractors, an irrevocable right of enter upon the lands hereinafter described as follows: 504 Canal Park Duluth, MN PIN: 010-4370-00070 and depicted in Exhibit A attached thereto; and

WHEREAS, the Government has requested an extension of the Right of Entry beyond its expiration date; and

WHEREAS, the Owner has no objection to the requested extension.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions contained in the Right of Entry and other good and valuable consideration, the parties agree, effective ____ June 2024, the Right of Entry is modified in the following particulars, but in no others:

1. Condition No. 1 is modified by DELETING therefrom the date “December 31, 2024” and SUBSTITUTING in lieu thereof, “November 31, 2025.”
2. EXCEPT AS MODIFIED ABOVE, all other terms and conditions of the Right of Entry, remain in full force and effect.

[Remainder of this page intentionally left blank. Signature page to follow.]

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental Agreement No. 1 on the date first above written.

UNITED STATES OF AMERICA

CITY OF DULUTH

Michael B. Rohde
Chief, Real Estate
Real Estate Contracting Officer

Its Mayor

Attest: _____
Its City Clerk
Date Attested: _____

Countersigned:

By: _____
Its Auditor

Approved as to form:

By: _____
Its City Attorney