

EXHIBIT 1

CORRECTIVE EASEMENT

PERMANENT EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this 13th day of January, 2016, by and between SPIRIT VALLEY LAND COMPANY, LLC, a Minnesota limited liability company ("Grantor"), and the CITY OF DULUTH, a municipal corporation organized and existing under the laws of the State of Minnesota ("Grantee"), is to correct that certain EASEMENT AGREEMENT purporting to convey certain real property from Grantor to Grantee, signed on April 30, 2015, and recorded with the St. Louis County Recorder on November 23, 2015 as Document No. 01274350.

WITNESSETH:

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

Part of Government Lot 1, Section 23, Township 49 North, Range 15 West, Saint Louis County

WHEREAS, Grantor wishes to convey to the Grantee an easement as hereinafter described for utility purposes over the Property for the benefit of the Property and at no cost to the Grantee.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain, and convey to Grantee and permanent, perpetual, and exclusive easement for the construction, operation, and maintenance of utilities over the Property, the location of said easement is more particularly described on Exhibit A attached hereto and made a part hereof.

The easement intended to be granted is more clearly shown on Exhibit B attached hereto and made a part hereof.

SPIRIT VALLEY LAND COMPANY, LLC,
a Minnesota limited liability company

By: Bradley C. Johnson
Bradley C. Johnson
Its: Chief Manager

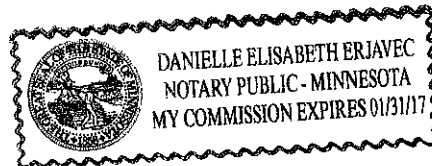
STATE OF MINNESOTA)
) SS
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this 13th day of January, 2016, by Bradley C. Johnson, a member of the Spirit Valley Land Company, LLC, a Minnesota limited liability company.

Danielle Erjavec
Notary Public

This instrument was drafted by:

Robert E. Asleson (#0003347)
Assistant City Attorney
City of Duluth
411 W. First Street, Room 410
Duluth, MN 55802



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Commencing at the Northeast corner of said Section 23; thence southerly along the easterly line thereof for a distance of 1313.9 feet to the intersection of the easterly section line and the centerline of the Fond Du Lac Branch line; thence deflect 33 degrees 2 minutes right in a southwesterly direction along the centerline of said Fond Du Lac branch for a distance of 1542.85 feet to the southerly line of said Government Lot 1; thence deflect 56 degrees 52 minutes right in a westerly direction along the said southerly line of Government Lot 1 for a distance of 121.70 feet; thence deflect 55 degrees 42 minutes 33 seconds right in a northwesterly direction for a distance of 156.84 feet to the westerly line of the Duluth Transfer Railway Right of Way and the POINT OF BEGINNING of the centerline to be described; thence continue along said line for a distance of 131.25 feet; thence deflect 37 degrees 13 minutes 44 seconds right in a northerly direction for a distance of 272.49 feet; thence deflect 25 degrees 56 minutes 42 seconds left in a northwesterly direction for a distance of 51.64 feet; thence deflect 25 degrees 56 minutes 42 seconds left in a northwesterly direction for a distance of 119.18 feet, more or less, to the southeast Right of Way Line of the former Northern Pacific Short Line Railway and there terminating. Subject to restrictions, reservations, and easements of record. The sidelines of said easement shall be prolonged or shortened so as to terminate on the southeasterly line of the former Northern Pacific Short Line Railway and the northwest Right of Way Line of the Duluth Transfer Railway. Containing approximately 0.395 acres.



**EXHIBIT
NO. 1B**

**EXHIBIT
NO. 1A**

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