

Exhibit 1

**FIRST AMENDMENT TO  
EASEMENT AGREEMENT**

THIS FIRST AMENDMENT TO EASEMENT AGREEMENT (this "First Amendment"), effective as of the date of attestation by the City Clerk, is by and between the City of Duluth, a municipal corporation under the laws of the State of Minnesota ("City"), and Laurel Ann Sanders, also known as Laurel A. Sanders, formerly known as Laurel Howes, and John Donahue, also known as John R. Donahue, a married couple (collectively, "Owner").

WHEREAS, on June 10, 2004, Owner granted to City an easement for roadway and utility purposes (the "Easement") over and across a portion of the following real property: the Northerly 70 feet of Lot 92, and all of Lots 94 and 96, Cass Street, Fond Du Lac, St. Louis County, Minnesota pursuant to an easement agreement recorded in the Office of the Registrar of Titles on October 20, 2004 as Document No. 786323 (the "Easement Agreement").

WHEREAS, the location of the Easement is legally described in the Easement Agreement.

WHEREAS, Owner and City wish to amend the Easement Agreement as set forth in this First Amendment.

NOW, THEREFORE, City and Owner agree to amend the Easement Agreement as follows:

1. Capitalized terms used in this First Amendment that are not defined in this First Amendment have the meanings set forth in the Easement Agreement.
2. The legal description for the Easement is amended and replaced in its entirety with the legal description set forth on Exhibit A attached to this First Amendment.
3. Exhibit A of the Easement Agreement is amended and replaced with Exhibit A attached to this First Amendment.

4. Except as specifically amended pursuant to this First Amendment, the Easement Agreement remains in full force and effect. In the event of a conflict between the provisions of this First Amendment and the provisions of the Easement Agreement, the provisions of this First Amendment shall govern.

5. This First Amendment may be executed, acknowledged and delivered in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

*[Signature pages follow]*

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first shown above.

CITY OF DULUTH,  
a Minnesota Municipal Corporation

By: \_\_\_\_\_  
Roger J. Reinert, Mayor

Attest: \_\_\_\_\_  
\_\_\_\_\_, City Clerk

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by Roger J. Reinert, the Mayor of the City of Duluth, a municipal corporation under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by \_\_\_\_\_, City Clerk of the City of Duluth, a municipal corporation under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

Laurel Ann Sanders, also known as Laurel A. Sanders, formerly known as Laurel Howes

John Donahue, also known as John R. Donahue

STATE OF MINNESOTA )  
COUNTY OF ST. LOUIS ) SS

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by Laurel Ann Sanders, also known as Laurel A. Sanders, formerly known as Laurel Howes, married to John Donahue, also known as John R. Donahue.

Notary Public

[illegible]

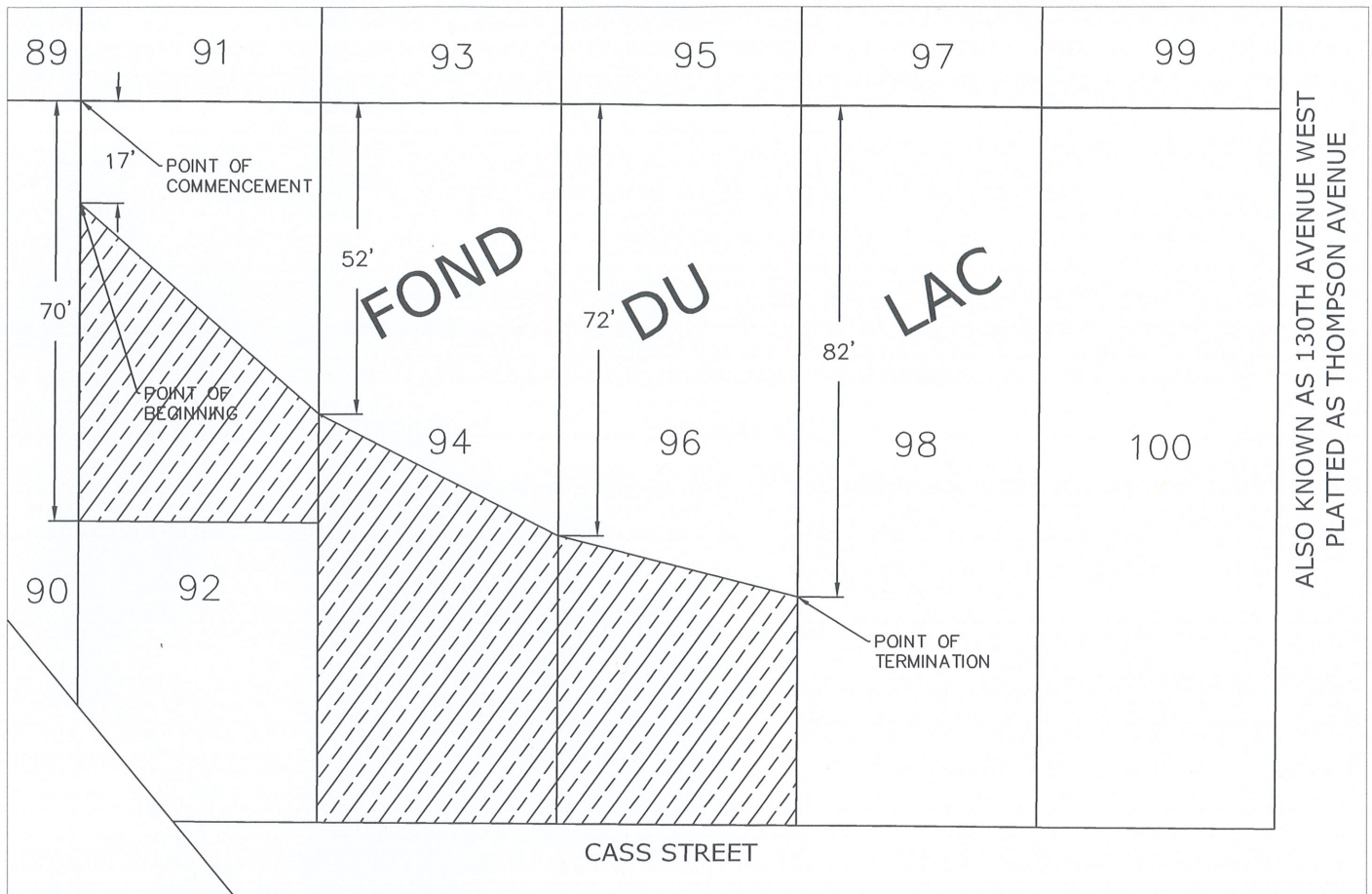
This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by John Donahue, also known as John R. Donahue, married to Laurel Ann Sanders, also known as Laurel A. Sanders, formerly known as Laurel Howes.

Notary Public

This instrument drafted by:

Office of the City Attorney  
411 West First Street  
Duluth, MN. 55802

# EXHIBIT A



EASEMENT

0 15 30 Feet



THOSE PARTS OF LOTS NINETY-FOUR (94) AND NINETY-SIX (96) AND THE NORTHERLY SEVENTY (70) FEET OF LOT NINETY-TWO (92), CASS STREET, FOND DU LAC, ACCORDING TO THE RECORDED PLAT THEREOF, LYING SOUTHWEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 92, CASS STREET, FOND DU LAC, THENCE RUNNING SOUTH 17 FEET ALONG THE WEST LINE OF SAID LOT 92 TO THE POINT OF BEGINNING OF THE LINE HEREIN DESCRIBED, THENCE RUNNING SOUTHEAST TO A POINT ON THE LOT LINE BETWEEN SAID LOTS 92 AND 94, DISTANT 52 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 94, THENCE RUNNING SOUTHEAST TO A POINT ON THE LOT LINE BETWEEN SAID LOTS 94 AND 96, DISTANT 72 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 96, THENCE RUNNING SOUTHEAST TO A POINT ALONG THE EAST LINE OF SAID LOT 96, DISTANT 82 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 96 AND THERE TERMINATING.

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.

*Greg Stoewer*  
Greg Stoewer

21774 MN. License #  
Mar. 15, '24 Date

Approved by the City Engineer of the City of Duluth, MN

this the 14th day of March 2024.

By *[Signature]*