

EXHIBIT 1

(Space above this line for Recorder's use.)

UNDERGROUND GAS UTILITY EASEMENT AGREEMENT

2nd This UNDERGROUND GAS UTILITY EASEMENT AGREEMENT, entered into this day of October, 2015, is by and between PLB Miller Hill LLC, a Minnesota limited liability company, "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 St. Louis County, Minnesota legally described as follows (the "Property"):

Lots 1, 2, 18 EXCEPT the South 15 feet thereof, and Lot 19, Block 2, HANDY GARDEN TRACTS EXCEPT that part lying E'y and NE'y of the following described line:
Commencing at the Southwest corner of Lot 2, Block 2, of said Handy Garden Tracts; thence on an assumed bearing of North 89 degrees 44 minutes 05 seconds East along the South line of said Lot 2 a distance of 79.23 feet to the point of beginning of the line to be described; thence North 00 degrees 45 minutes 44 seconds West a distance of 154.17 feet; thence South 89 degrees 04 minutes 32 seconds West a distance of 97.82 feet; thence North 00 degrees 48 minutes 44 seconds West a distance of 43.49 feet; thence North 23 degrees 45 minutes 44 seconds West a distance of 89.31 feet; thence North 00 degrees 30 minutes 24 seconds West a distance of 15.42 feet to the South right of way line of Maple Grove Road and said line there terminating.

and;

Whereas, Grantor wishes to convey to the Grantee an easement as hereinafter described for underground gas utility easement 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 a permanent, perpetual and non-exclusive easement for underground gas utility easement purposes over the Property, including the installation and maintenance of utility wires, cables, conduits, and pipes, and ingress and egress thereto, the location of which easement is more particularly described as follows:

(Easement Description)

A 10.00 foot wide right of way for underground gas utility easement purposes over, under and across those portions of Lot 2 and Lot 18, both in Block 2, Handy Garden Tracts, according to the recorded plat thereof, St. Louis County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southwest corner of said Lot 2, thence North 89 degrees 45 minutes 05 seconds East along the South line of said Lot 2, a distance of 64.82 feet; thence North 0 degrees 36 minutes 48 seconds West, a distance of 46.00 feet to the Point of Beginning of the centerline to be described; thence South 89 degrees 23 minutes 12 seconds West, a distance of 35.00 feet; thence South 44 degrees 38 minutes 48 seconds West, a distance of 24.00 feet; thence South 89 degrees 23 minutes 12 seconds West, a distance of 327.53 feet to the West line of said Lot 18 and said centerline there terminating.

The sidelines of said right of way shall be shortened or lengthened to terminate at said West line of Lot 18.

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

GRANTOR:

PLB Miller Hill LLC,
a Minnesota limited liability company

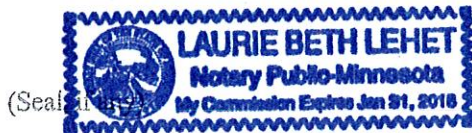
By: 

Name: Ryan Roman

Its: Chief Manager

STATE OF MINNESOTA)
COUNTY OF St. Louis) ss.

The foregoing instrument was acknowledged before me this 2nd day of October, 2015, by Ryan Roman, the Chief Manager of PLB Miller Hill LLC, a Minnesota limited liability company, on behalf of the limited liability company.



Laurie Beth Lehet
Signature of Person Taking Acknowledgment

Title or rank

Serial Number, if any

DRAFTED BY
AND RETURN TO:

City of Duluth
411 West First Street
Duluth, MN 55802

EXHIBIT A

See Attached Depiction of Easement