

# Exhibit 1

EASEMENT NO. \_\_\_\_\_

## **EASEMENT**

THIS EASEMENT, is made this \_\_\_\_ day of \_\_\_\_\_, 2022, by the State of Minnesota in trust for the taxing districts, by and through the Auditor of the County of St. Louis, hereinafter called the "Grantor," in favor of the City of Duluth, Minnesota, hereinafter called the "Grantee."

WITNESSETH, whereas the Grantee has applied to the Grantor for the granting of an easement for street and utility purposes over certain tax forfeited lands owned by the State of Minnesota in trust for the taxing districts, situated in the County of St. Louis, and administered by the Grantor.

NOW, THEREFORE, the Grantor, pursuant to the authority of Minn. Stat. § 282.04, Subd. 4, and Resolution No. \_\_\_\_\_ dated \_\_\_\_\_, 2022, of the St. Louis County Board of Commissioners, and in consideration of the sum of One Hundred Fifty and no/100ths Dollars (\$150.00) to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, which amount constitutes full payment for the rights and interests herein conveyed including payment for any improvements, timber and forest growth that will be destroyed on the Easement Area (defined below), does hereby grant and convey unto the Grantee, its heirs, assigns, successors, executors, administrators, tenants and licensees, a perpetual easement for street and utility purposes over, under, and across the lands described and depicted on Exhibit A (the "Easement Area"). The easement granted herein shall extend to and bind the successors and assigns of the Grantor and the Grantee and shall run with the land.

IN TESTIMONY WHEREOF, the Grantor has caused this easement to be executed by the Auditor, County of St. Louis, the day and year first above written.

ST. LOUIS COUNTY,  
STATE OF MINNESOTA

\_\_\_\_\_  
Jason Meyer  
DEPUTY AUDITOR

STATE OF MINNESOTA     )

SS.

COUNTY OF ST. LOUIS     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public within and said County, personally appeared Jason Meyer, to me personally known, who, being by me duly sworn did say that they are the Auditor (Deputy) of the County of St. Louis, State of Minnesota, and the foregoing instrument was signed and sealed on behalf of the State of Minnesota by its authority, and they acknowledged said instrument to be the free act and deed of the State of Minnesota.

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

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

# EXHIBIT A

## LEGAL DESCRIPTION FOR STREET AND UTILITY EASEMENT

An easement for street and utility purposes lying over, under and across that part of the Southeast Quarter of the Southeast Quarter of Section 11, Township 49 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, described as follows:

Commencing at the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence on an assumed bearing of South 89 degrees 52 minutes 26 seconds East, along the South line of said Southeast Quarter of Southeast Quarter 32.42 feet to the point of beginning of the easement herein described; thence South 89 degrees 52 minutes 26 seconds East, along said South line 161.12 feet; thence North 00 degrees 07 minutes 34 seconds East 41.02 feet; thence South 89 degrees 52 minutes 26 seconds East 20.00 feet; thence North 00 degrees 07 minutes 34 seconds East 30.00 feet; thence North 89 degrees 52 minutes 26 seconds West 20.00 feet; thence North 00 degrees 07 minutes 34 seconds East 192.06 feet to the intersection with the Southeasterly line of the parcel described in the Order, Judgement and Decree recorded on August 18, 1934, in Book No. 625, Pages 273 thru 279, in the Office of the St. Louis County Recorder; thence South 31 degrees 36 minutes 40 seconds West, along said Southeasterly line 308.50 feet to the point of beginning.

Said utility easement contains 21,794 Sq. Feet or 0.50 Acres.

## SURVEYOR'S NOTES

1. 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. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
2. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
3. THIS IS NOT A BOUNDARY SURVEY.

## LEGEND



EASEMENT AREA

POC-POINT OF COMMENCEMENT

POB-POINT OF BEGINNING

SECTION SUBDIVISION LINE

RIGHT OF WAY LINE

EASEMENT LINE

ALUM CAPPED MONUMENT

FOUND SANDSTONE MONUMENT

Approved by the City Engineer of the  
City of Duluth, MN this 4 day  
of April 2022

By

I hereby certify that this survey, plan, 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.

David R. Evanson  
MN License #49505  
DATE: 03-08-2022

## EASEMENT EXHIBIT

CLIENT: CRAWFORD EXCAVATING, LLC

REVISIONS:

ADDRESS: WEST SKYLINE PARKWAY,  
DULUTH, MN 55810  
DATE: 03-03-2022

JOB NO: 21-252 SHEET 1 OF 2

**ALTA**  
LAND SURVEY COMPANY

PHONE: 218-727-5211  
LICENSED IN MN & WI  
WWW.ALTLANDSURVEYDULUTH.COM

SEC. 11

1/4

1/4

SE

SE

OF

OF

1/4

1/4

SW

SE

SW COR OF SE 1/4 OF  
SE 1/4 SEC. 11, TWP.  
49N, RGE. 15W, POC

TWP. 49N

SELY LINE OF  
CONDEMNATION

CONDEMNATION FOR  
PUBLIC PURPOSES  
PER BOOK NO. 625,  
PAGES 273-279

S31°36'40"W 308.50

S LINE OF SE  
1/4 OF SE 1/4

S89°52'26"E 161.12

100

N00°07'34"E  
192.06

W SKYLINE  
PARKWAY

N89°52'26"W  
20.00

N00°07'34"E  
30.00

S89°52'26"E  
20.00

RGE. 15W

N00°07'34"E  
41.02

POB

32.42

26TH AVE. W.  
(NOT BUILT)

FIRST STREET N. (NOT BUILT)

SECOND DIVISION  
STRYKER &  
ADDITION TO

S89°52'26"E 1335.53

OF  
MANLEY'S  
DULUTH

SE COR OF  
SEC. 11,  
TWP. 49N,  
RGE. 15W

0 60  
SCALE IN FEET

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