

EXHIBIT 1

EASEMENT

THIS EASEMENT is made and entered into this ____ day of _____, 20____, by the CITY OF DULUTH, MINNESOTA, a municipal corporation, hereinafter referred to as “Grantor”, in favor of the COUNTY OF SAINT LOUIS, MINNESOTA, a body politic and corporate and political subdivision, hereinafter referred to as “Grantee”.

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in St. Louis County, Minnesota, described as follows, to-wit (the “Grantor Property”):

That part of Congdon Boulevard, as described in the Condemnation filed for record with the St. Louis County Register of Deeds on August 11, 1915 in Book 394, Page 418, located in Government Lot 3 of Section 17, Township 51 North, Range 12 West of the Fourth Principal Meridian.

WHEREAS, Grantor has agreed to grant Grantee an easement for highway purposes across a portion of the Grantor Property.

NOW, THEREFORE, said Grantor, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the COUNTY OF SAINT LOUIS, as Grantee, its successors and assigns, an easement more particularly described as follows, to-wit:

A PERMANENT EASEMENT for HIGHWAY PURPOSES, over, under, and across, all that part of the Grantor Property lying between the southeasterly boundary lines of Blocks 8 and 9, GREENWOOD BEACH, and the southeasterly boundary lines of Lots 43 and 44, EVERETT AND WADE ALLOTMENT, St. Louis County, Minnesota, and a line drawn 50.00 feet southeasterly of, and parallel to the following described line:

Commencing at the west quarter corner of Section 17, Township 51 North, Range 12 West of the Fourth Principal Meridian, and assuming the west line of the southwest quarter of said Section 17 from there bears South 01 degree 11 minutes 10 seconds East; thence South 52

degrees 09 minutes 54 seconds East a distance of 1858.89 feet to the point of beginning of the line to be described; thence North 48 degrees 47 minutes 49 seconds East a distance of 414.47 feet; thence along a tangential curve, concave to the northwest, having radius of 2300 feet and central angle of 15 degrees 48 minutes 40 seconds for a distance of 634.70 feet; thence North 33 degrees 43 minutes 08 seconds East a distance of 11.72 feet and there terminating.

TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT, which shall terminate automatically on December 31, 2022, over a 60.00 foot wide strip of land lying southeast of and adjacent to the above described permanent easement and lying between lines drawn perpendicular to the highway center line from engineer's stations 54+00 and 61+50.

INCLUDING the rights of the COUNTY OF SAINT LOUIS, its contractors, agents, servants, and assigns, to enter upon the easement premises at all reasonable times to install, reinstall, inspect, repair, and maintain said public highway system over, across, on, under, and through the easement premises, together with the right to grade, level, fill, drain, pave, and excavate the easement premises, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction and maintenance of the public highway system. Election by Grantee to not exercise all or any part of its rights at any time shall not constitute forfeiture of any such rights.

It is understood that the right, privilege and easement herein granted and the provisions hereof shall extend to and bind the heirs, personal representatives, successors and assigns of the respective parties hereto.

[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed on the day and year first above written.

CITY OF DULUTH

By: _____
Emily Larson
Its: Mayor

And By: _____
Chelsea Helmer
Its: City Clerk

STATE OF MINNESOTA)
)ss
COUNTY OF SAINT LOUIS)

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by Emily Larson and Chelsea Helmer, the Mayor and the City Clerk of the City of Duluth, and fully authorized to execute the document contained herewith on behalf of the City of Duluth, Grantor.

(Notarial Stamp or Seal)

Signature of Person taking Acknowledgement

This Instrument was drafted by:

Steven J. Kniefel
Right of Way Agent
St. Louis County Public Works Department

This conveyance is entitled to recording without payment of fee, pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the County of St. Louis

Signature of Person taking
Acknowledgement