

# Exhibit 1

## UTILITY EASEMENT

This Utility Easement is made by 2700 WEST, LLC, a Minnesota limited liability company (“2700 West”) in favor of the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota (the “City”) for the benefit of the public as set forth herein.

### RECITALS

A. 2700 West owns the real property in St. Louis County, Minnesota legally described as follows (the “Property”):

Lot 16, EXCEPT the Southerly 100 feet thereof, INTERSTATE DIVISION.

B. 2700 West wishes to grant the City a utility easement over a portion of the Property for the benefit of the public (the “Easement”).

C. The location of the Easement is legally described and depicted on the attached Exhibit A (the “Easement Area”).

NOW, THEREFORE, for good and valuable consideration, 2700 West grants to the City, in trust for the benefit of the public, a perpetual easement for utility purposes over, under and across the Easement Area.

The Easement shall be governed by the laws of the State of Minnesota, and all terms, conditions, and covenants herein shall be interpreted in accordance therewith.

IN WITNESS WHEREOF, 2700 West has caused this utility easement to be executed effective as of 9/12, 2018.

2700 WEST, LLC,  
a Minnesota limited liability company

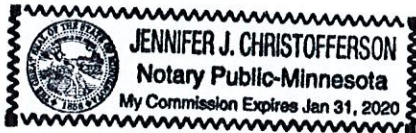
By: Thomas C. Stender

Printed Name: Thomas C. Stender

Its: Chief Manager

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

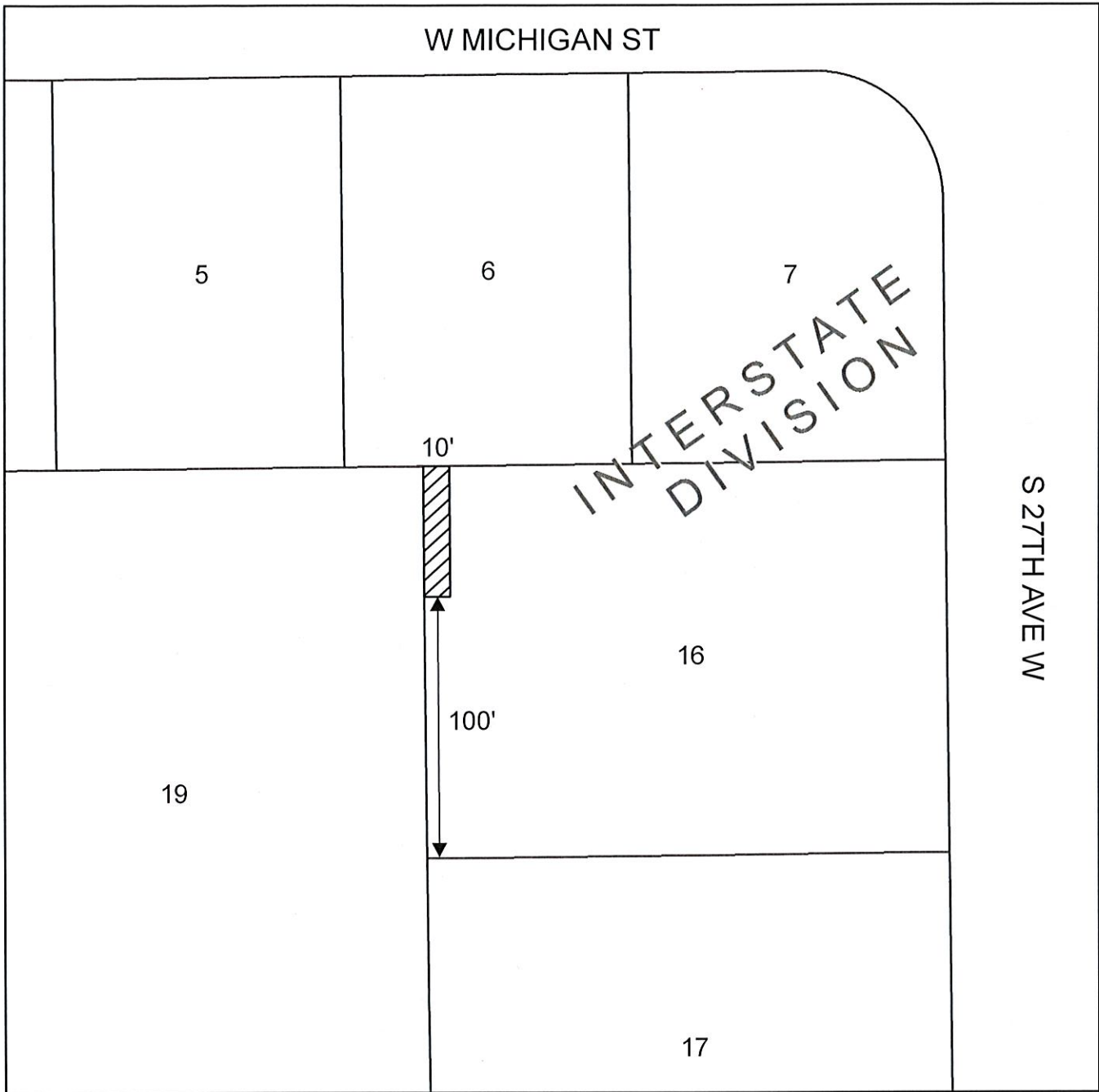
This instrument was acknowledged before me this 12<sup>th</sup> day of September, 2018 by Thomas C. Stender, the Chief Manager of 2700 WEST, LLC, a Minnesota limited liability company.



Jennifer J. Christofferson  
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



 Utility Easement

0 60  
 Feet



A utility easement along the west 10.00 feet of Lot 16, Interstate Division, St Louis County, except the southerly 100.00 feet thereof.

\_\_\_\_\_  
APPROVED BY CITY ENGINEER

\_\_\_\_\_  
DATE