

Attachment 1

**TEMPORARY EASEMENT**

This TEMPORARY EASEMENT, is made into this 2<sup>nd</sup> day of April, 2019, by and between JANHAN LLC, a Minnesota limited liability company ("Grantor") in favor of the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota ("City").

WHEREAS, Grantor is the owner of real property in St. Louis County, Minnesota legally described as Lot 15, INTERSTATE DIVISION (the "Property");

WHEREAS, Grantor wishes to grant to City a temporary construction easement over a portion of the Property at no cost to City as further set forth below;

NOW, THEREFORE, Grantor, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, does grant to City, a temporary construction easement over, under, and across that portion of the Property legally described and depicted on the attached Exhibit A (the "Easement"), for construction relating to the 2019 Citywide Sidewalk and Patch Improvement Project Number 1782 (the "Project"). The Easement shall automatically terminate on the earlier of (i) the completion of the Project, or (ii) December 31, 2019. The Easement shall extend to and bind the successors and assigns of Grantor and City and shall run with the land. This agreement shall be governed by the laws of the State of Minnesota, and all terms, conditions,

and covenants herein shall be interpreted in accordance therewith. Grantor represents to City that the individuals executing this document on behalf of Grantor have the requisite authority to execute this document, and to bind Grantor thereto, and that no additional signatures are required to effectuate the Easement.

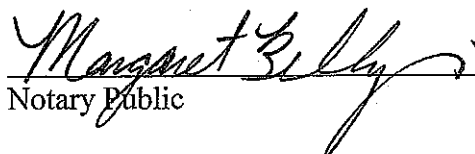
JANHAN LLC

By: 

Its: OWNER

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

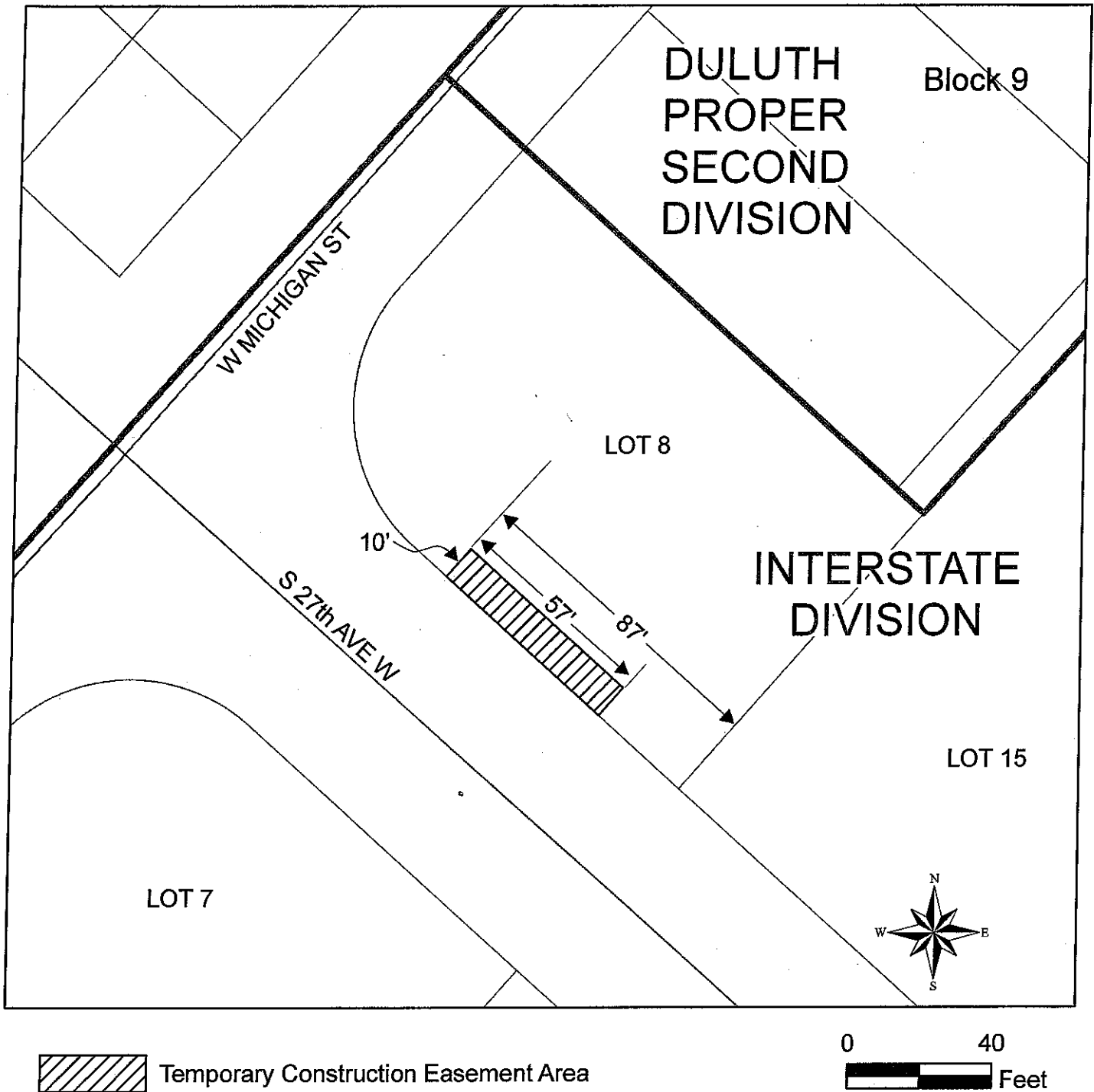
The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of April, 2019, by Thomas Hanson, the Owner of JANHAN LLC, a Minnesota limited liability company.

  
Notary Public




THIS INSTRUMENT WAS DRAFTED BY:  
Assistant City Attorney  
City of Duluth  
411 West First Street, Room 410  
Duluth, MN 55802

# Exhibit A



A strip of land over, under, and across the southwesterly 10 feet of the northwesterly 57 feet of the southeasterly 87 feet of Lot 8, Interstate Division, according to the recorded plat thereof.

  
APPROVED BY CITY ENGINEER

3-27-19  
DATE