

Exhibit A

**EASEMENT AGREEMENT**

THIS EASEMENT AGREEMENT, entered into this 18<sup>th</sup> day of September, 2015 and having an effective date of May 1<sup>st</sup>, 2015, by and between **Pier B Holding, 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 that certain real estate located in the City of Duluth, County of St. Louis, more particularly described on the attached Exhibit A, (the "Property").

WHEREAS, Grantor wishes to convey to Grantee, to be dedicated for public utility purposes, a utility easement as hereinafter described over the Property for the benefit of the Property.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant to Grantee as follows:

1. To be dedicated for public utility purpose, a permanent, perpetual and non-exclusive easement for utility purposes over, under and across that portion of the Property depicted on the plan attached hereto as Exhibit B and legally described on Exhibit C, which exhibits are incorporated herein by reference.

2. This Agreement and the easement granted herein shall be deemed to be covenants running with the land and shall be binding upon Grantor, its successors and/or assigns, and inure to the benefit of Grantee.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Grantor has executed this Agreement the day and year first written above.

**PIER B HOLDING, LLC,**  
a Minnesota limited liability company

By   
Alessandro Giuliani  
Its Chief Manager

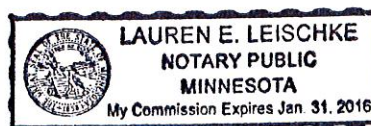
STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF ST. LOUIS    )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of September, 2015, by Alessandro Giuliani, the Chief Manager of Pier B Holding, LLC, a limited liability company under the laws of the State of Minnesota, on behalf of the company.

  
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

Mark D. Pilon  
HANFT FRIDE,  
A Professional Association  
1000 U.S. Bank Place  
130 West Superior Street  
Duluth, MN 55802-2094  
Tel. (218) 722-4766



## EXHIBIT A

### PARCEL I:

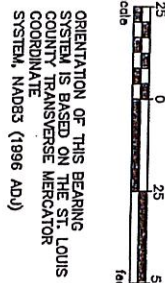
Lot 5 and all that part of Lot 7 lying South of a line drawn parallel to and 25 feet distant Northerly from the boundary line between said Lots 5 and 7, all in Block 9, Bay Front Division of Duluth.

### PARCEL II:

Lots 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31 and 33, Block 9; also Lot 4, Block 10; all in Bay Front Division of Duluth.

### PARCEL III:

Lot 7, EXCEPT that part lying South of a line drawn parallel to and 25 feet distant Northerly from the boundary line between said Lots 5 and 7 and all of Lot 9, all in Block 9, Bay Front Division of Duluth.





## EXHIBIT C

### UTILITY EASEMENT

A permanent utility easement over, under and across Lots 7, 9, 11, 13, 15, 17, 19 and 21 and vacated 8<sup>th</sup> Avenue West accruing thereto, Block 9, BAY FRONT DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota more particularly described as follows:

The southwesterly 17.00 feet of vacated 8<sup>th</sup> Avenue West, as originally platted in said plat of said BAY FRONT DIVISION OF DULUTH, lying southeasterly of the southeast line of said Lot 17 extended, and northwesterly of the southeast line of said Lot 7 extended;

AND

The northeasterly 23.00 feet of said Lots 7, 9, 11, 13, 15, 17, and 19, Block 9;

AND

That part of said Lots 17, 19 and the southeasterly 15.50 feet of Lot 21, Block 9, lying northerly of the following-described line: Commencing at the most easterly corner of Lot 17 as originally platted, said point being on the southwest line of vacated 8<sup>th</sup> Avenue West, thence North 48 degrees 21 minutes 32 seconds West along said southwest line a distance of 115.50 feet; thence South 41 degrees 38 minutes 10 seconds West a distance of 80.00 feet to the point of beginning of the line to be described; thence South 48 degrees 21 minutes 32 seconds East a distance of 73.30 feet; thence North 41 degrees 38 minutes 10 seconds East a distance of 57.00 feet to a point on a line running parallel to and 23.00 feet southwesterly of the platted southwest line of vacated 8<sup>th</sup> Avenue West.

Containing approximately 16,834 square feet, or 0.39 acres, subject to restrictions and easements of record.