

# Exhibit 1

EASEMENT NO. 14180004

## **EASEMENT**

THIS EASEMENT, is made this 5th day of July, 2018, 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 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. 18-87 dated February 13, 2018, of the St. Louis County Board of Commissioners, and in consideration of the sum of one hundred ninety-six dollars (\$196) 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 utility purposes over, under, and across the lands described on Exhibit A and illustrated on Exhibit B (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 \_\_\_\_\_, 2018, 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 s/he is 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 s/he 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  
City of Duluth  
411 W. First Street, Room 410  
Duluth, Minnesota 55802

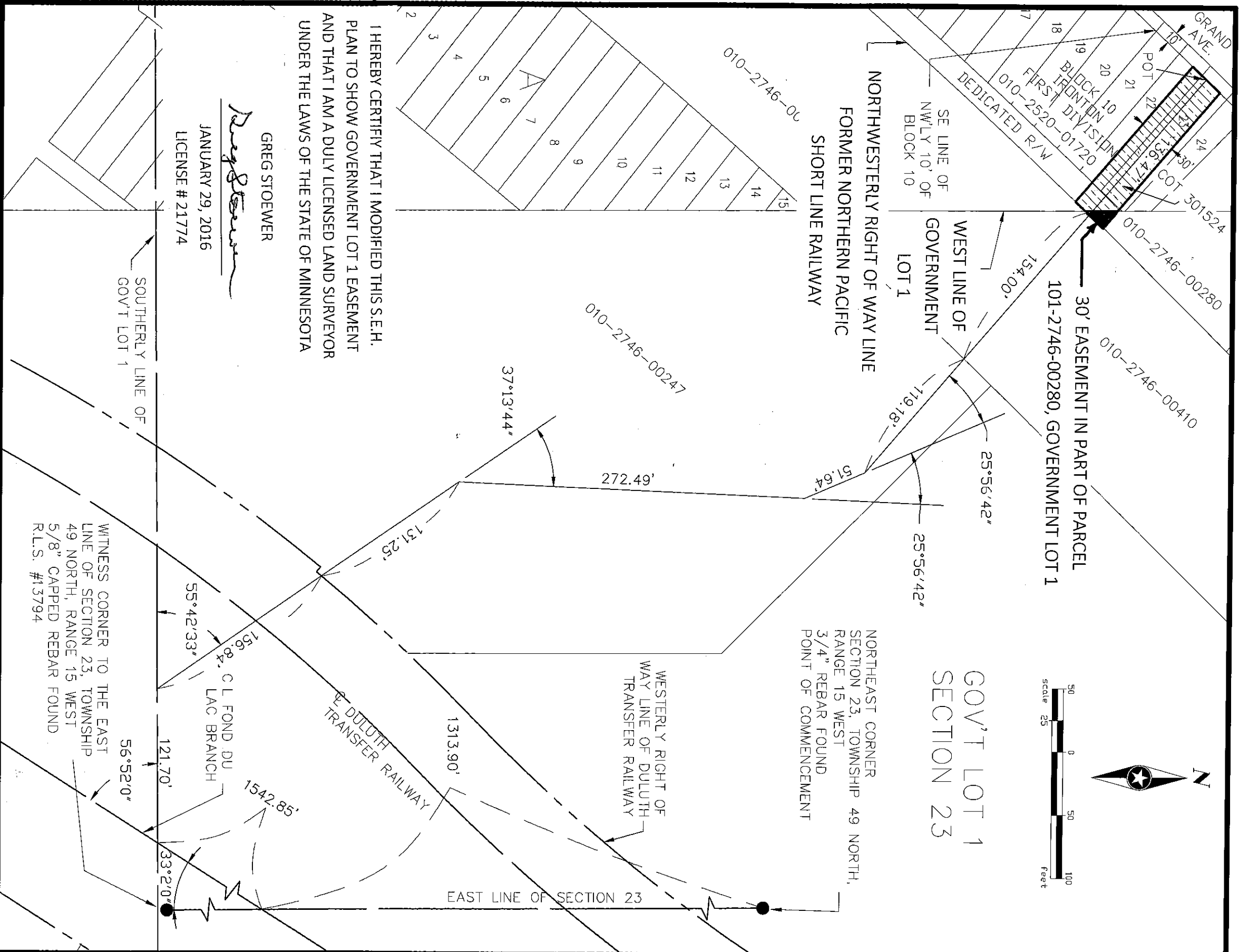
## EXHIBIT A

An easement for utility purposes over, under and across that part of Government Lot 1, Section 23, Township 49 North, Range 15 West, St. Louis County, Minnesota, that lies northwest of the former Northern Pacific Short line Railway and within 15 feet on either side of the centerline described as follows:

Commencing at the Northeast corner of said Section 23; thence southerly along the easterly line thereof for a distance of 1313.90 feet to the intersection of the easterly section line and the centerline of the Fond du Lac Branch line; thence deflect 33 degrees 2 minutes right in a southwesterly direction along the centerline of said Fond du Lac branch for a distance of 1542.85 feet to the southerly line of said Government Lot 1, thence deflect 56 degrees 52 minutes right in a westerly direction along the said southerly line of Government Lot 1 for a distance of 121.70 feet; thence deflect 55 degrees 42 minutes 33 seconds right in a northwesterly direction for a distance of 156.84 feet to the westerly line of the Duluth Transfer Railway Right of Way; thence continuing along said line for a distance of 131.25 feet; thence deflect 37 degrees 13 minutes 44 seconds right in a northerly direction for a distance of 272.49 feet, thence deflect 25 degrees 56 minutes 42 seconds left in a northwesterly direction for a distance of 51.64 feet; thence deflect 25 degrees 56 minutes 42 seconds left in a northwesterly direction for a distance of 119.18 feet to the southeast Right of Way Line of the former Northern Pacific Short Line Railway; thence continuing on said line 154.00 feet to the west line of Government Lot 1; thence continuing on said line for a distance of 136.47 feet more or less to the southeasterly line of the northwesterly 10 feet of said Block 10, and there terminating. The sidelines of said easement shall be prolonged or shortened so as to terminate on the west line of said Government Lot 1, and the northwest right of way of said Northern Pacific Short Line Railroad. Containing approximately 200 square feet.

# EXHIBIT B


S:\F\J\J\JCCDN\106141\dgn\exhibits\Spirit Valley Land Company easement Torrens.dwg 1/7/2016 4:06 PM clarsen



I HEREBY CERTIFY THAT I MODIFIED THIS S.E.H. PLAN TO SHOW GOVERNMENT LOT 1 EASEMENT AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

GREG STOEWER  
*Greg Stoewer*  
 JANUARY 29, 2016  
 LICENSE # 21774

WITNESS CORNER TO THE EAST LINE OF SECTION 23, TOWNSHIP 49 NORTH, RANGE 15 WEST 5/8" CAPPED REBAR FOUND R.L.S. #13794



PHONE: 218-279-3000  
 418 W SUPERIOR ST STE 200  
 DULUTH, MN 55802-1512  
 www.sehinc.com

FILE NO.	FDSJJ 129137
DATE:	1-7-2016

**UTILITY EASEMENT**  
 DULUTH, MN