

EXHIBIT 1

UTILITY AND DRAINAGE EASEMENT

This UTILITY AND DRAINAGE EASEMENT is made by ALLAN F. PRESTON AND NANCY PRESTON, married to each other (collectively, "Grantor"), in favor of the CITY OF DULUTH, a municipal corporation and political subdivision created and existing under the laws of the State of Minnesota (the "City").

RECITALS

A. Grantor owns the real property in St. Louis County, Minnesota legally described below (the "Property"):

All those parts of Lots 12 and 13, Block 9, CITY HOME ACRES, lying Northeasterly of the line described as follows: Commencing at the most Northerly corner of said Lot 13, thence Southwesterly along the Northwesterly line of said Lot 13 a distance of 160.00 feet to the point of beginning of the line to be described; thence deflect 90 degrees 00 minutes 00 seconds to the left in a Southeasterly direction along a line 160.00 feet distant and parallel with the Northeasterly line of said Lots 12 and 13 a distance of 160.00 feet to the Southeasterly line of said Lot 12, and said line there terminating.

B. Grantor wishes to grant the City a utility and drainage easement over a portion of the Property in trust for the benefit of the public and at no cost to the City (the "Easement").

C. The location of the Easement is that portion of the Property legally described and depicted on the attached Exhibit A (the "Easement Area").

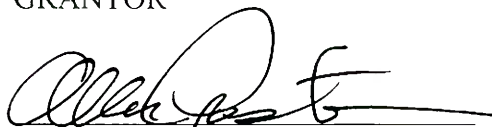
NOW, THEREFORE, for good and valuable consideration, Grantor grants to the City, in trust for the benefit of the public, a perpetual easement for utility and drainage purposes over, under and across the Easement Area. The Easement shall extend to and bind the heirs, successors and assigns of Grantor and the City and shall run with the land. This easement document 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 the City that the individual(s) executing this document on behalf of Grantor has the requisite authority to execute this document and bind Grantor thereto.

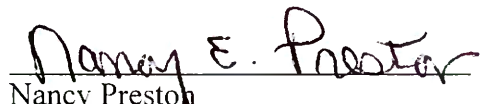
[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, Grantor has caused this utility and drainage easement to be executed effective as of FEB 11TH, 20 25.

GRANTOR



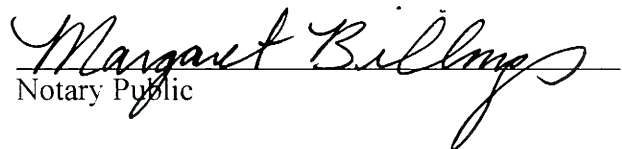
Allan F. Preston



Nancy Preston

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

This instrument was acknowledged before me this 11th day of February, 2025 by Allan F. Preston and Nancy Preston, married to each other.



Notary Public

This instrument was drafted by:
Office of the City Attorney
Room 440 City Hall
411 West 1st Street
Duluth, MN 55802-1198

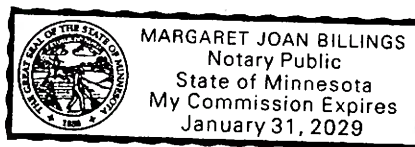


EXHIBIT A

ALLAN F & NANCY PRESTON

APPROVED BY:

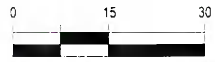
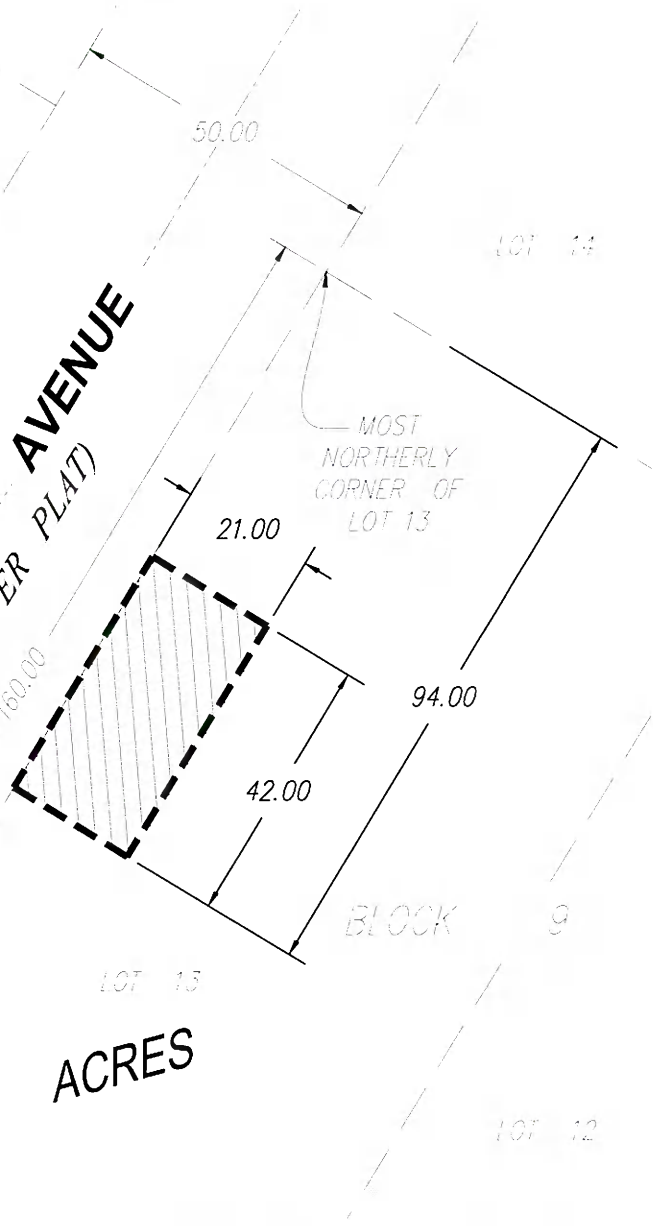
[Signature] 12-3-24
CITY ENGINEER

BLOCK 10

LOT 2

CITY

HOME AVENUE
EKLUND (POPE AVE. PER PLAT)



(SCALE IN FEET)

Basis of Bearing is Grid North,
St. Louis County Transverse
Mercator 96 Coordinate System.



PERMANENT EASEMENT AREA
(CONTAINS 0.020 ACRES (880 S.F.))

PERMANENT EASEMENT

A permanent easement over, under and across the Northwestly 21.00 feet of the Southwestly 42.00 feet of the Northeastly 94.00 feet of Lot Thirteen (13), Block Nine (9), CITY HOME ACRES, City of Duluth, St. Louis County, Minnesota.

Containing 0.020 acres (880 S.F.), more or less.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel License # 44075

Signature: *[Signature]* Date: 11/27/2024

REVISED: 11/27/24
DATE PREPARED: 8/30/24
PROJ NO: 230610
FILE: 230610vEXHIB
SHEET 1 of 1 SHEETS



**PERFORMANCE
DRIVEN DESIGN.**
LHBcorp.com

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