

EXHIBIT 1

DECLARATION

The undersigned has the following interest in the real property legally described in **Exhibit A** attached hereto and all facilities situated thereon (the “Restricted Property”):

(Check the appropriate box.)

- a fee simple title,
- a lease, or
- an easement,

and as owner of such leasehold interest, does hereby declare that such interest in the Restricted Property is subject to those provisions, requirements, restrictions, and encumbrances contained in the “General Fund Appropriation Bond Proceeds Master Grant Agreement Construction Grant for the Duluth Regional Exchange District Project” dated June 24, 2019, as amended from time to time, between the City of Duluth and the Minnesota Department of Employment and Economic Development. The Restricted Property shall remain subject to such provisions, requirements, restrictions, and encumbrances until it is released therefrom by a written release in recordable form signed by the Commissioner of Minnesota Management and Budget, and such written release is recorded in the real estate records relating to the Restricted Property.

CITY OF DULUTH

By: _____
Mayor

By: _____
City Clerk

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

The foregoing was acknowledged before me this _____ day of _____, 2023, by Emily Larson, the Mayor of the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota.

Notary Public

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

The foregoing was acknowledged before me this ____ day of _____, 2023, by Ian Johnson, the City Clerk of the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota.

Notary Public

This declaration was drafted by:
City of Duluth
411 W. First St.
Duluth, MN 55802

EXHIBIT A TO DECLARATION

LEGAL DESCRIPTION OF RESTRICTED PROPERTY

A leasehold interest in the following described real property, as created in that certain Ground Lease dated April 30, 2023 between St. Luke's Hospital of Duluth, a Minnesota nonprofit corporation, and the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota, which lease was evidenced in the real estate records of St. Louis County, Minnesota by a Short Form Ground Lease dated June 28, 2023 and recorded on July 12, 2023 with the St. Louis County Registrar of Titles:

All that part of Blocks Eighteen (18) and Nineteen (19), in Portland Division of Duluth, according to the plat thereof, on file and of record in the office of the Register of Deeds, St. Louis County, Minnesota, in Book A of Plats, page 91, included within the following described boundaries, to-wit:

The centerline of East First Street; the Westerly line as extended of Lot Five (5) in said Block 19; the centerline of the alley between said Block 19 and Block 16; and the extended Westerly line of Lot One (1) in said Block 18.

All assuming First Street to run East and West.

Subject to the dedication of public use of avenues, streets, squares and places designated as public grounds on the Plat of Portland Division of Duluth, recorded in the office of the County Recorder, St. Louis County, Minnesota, in Book A of Plats, page 91, filed April 23, 1870, except as the same may have been properly vacated.

St. Louis County, Minnesota