

EXHIBIT 2

QUIT CLAIM DEED

eCRV Number: N/A

Deed Tax Due: \$1.65

Date: November 27, 1989

FOR VALUABLE CONSIDERATION, the CITY OF DULUTH, a municipal corporation organized and existing under the laws of the State of Minnesota (“Grantor”), hereby conveys and quitclaims to MINNESOTA POWER, a division of ALLETE, Inc., a Minnesota corporation, real property in St. Louis County, Minnesota, legally described on the attached Exhibit 1, together with all hereditaments and appurtenances belonging thereto.

Grantor certifies that the Grantor does not know of any wells on the described real property.

The purpose of this deed is to replace and correct errors in the unrecorded warranty deed executed on November 27, 1989 and attached to this deed as Exhibit 2.

CITY OF DULUTH:

By: _____
Mayor

By: _____
City Clerk

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

The foregoing instrument was subscribed and sworn before me this ____ day of _____, 2020, by Emily Larson and Chelsea Helmer, Mayor and City Clerk, respectively, of the City of Duluth, a municipal corporation organized and existing under the laws of the State of Minnesota.

Notary Public

MINNESOTA POWER, a division of ALLETE,
Inc.:

By: _____

Its: _____

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

The foregoing instrument was subscribed and sworn before me this ____ day of _____, 2020, by _____, _____, of Minnesota Power, a division of ALLETE, Inc., a Minnesota corporation.

Notary Public

This Instrument was drafted by:

City of Duluth
Office of the City Attorney
411 W. First Street, Room 410
Duluth, Minnesota 55802

Tax Statements should be sent to:

EXHIBIT 1

The Land referred to herein below is situated in the County of St. Louis, State of MN, and is described as follows:

PARCEL 1

All that part of Lot 4, Block 4, Central Division of Duluth, that lies Easterly of a line drawn through said lot parallel with and fifty feet distant from the Westerly line of said Lot 4, St. Louis County, Minnesota.

PARCEL 2

Tract A

Lot A, Lot 2 and the westerly half of Lot 4, all in Block 3, Central Division of Duluth, according to the plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota;

Tract B

That part of platted Lake Avenue in the City of Duluth, described as follows: Beginning at the most westerly corner of Lot A, Block 3, Central Division of Duluth; thence run southwesterly along the southwesterly extension of the northwesterly line of said Lot A to its intersection with the most northerly corner of Lot 4, Block 4, Central Division of Duluth; thence run southeasterly along the northeasterly line of said Lot 4 to the most easterly corner of said Lot 4; thence run northeasterly to the most southerly corner of Block 3, Central Division of Duluth; thence run northwesterly along the southwesterly line of said Block 3 to the point of beginning, St. Louis County, Minnesota.

EXCEPT

Those portions of vacated Lake Avenue described as follows:

Commencing at the Southeasterly corner of Lot 4, Block 4, Central Division of Duluth, then Northerly along the Northeast line of said Lot 4 a distance of 17.00 feet to the point of beginning; thence deflect 66 degrees 46 minutes 00 seconds to the right and proceeding Northeasterly parallel to the Southeast line of said Lot 4 a distance of 6.10 feet; thence deflect 90 degrees 00 minutes 00 seconds to the left and proceeding Northwesterly a distance of 14.20 feet; thence deflect 156 degrees 46 minutes 00 seconds to the left and proceeding in a Southerly direction along the Northeast line of said Lot 4 a distance of 15.45 feet to the point of beginning;

and

Commencing at the Southeasterly corner of Lot 4, Block 4, Central Division of Duluth, then Northerly along the Northeast line of said Lot 4 a distance of 52.00 feet to the point of beginning; then deflect 66 degrees 46 minutes 00 seconds to the right and proceeding Northeasterly parallel to the Southeast Line of said Lot 4 a distance of 6.10 feet; thence deflect 90 degrees 00 minutes 00 seconds to the left and proceeding Northwesterly a distance of 14.20 feet; thence deflect 156 degrees 46 minutes 00 seconds to the left and proceeding in a Southerly direction along the Northeast line of said Lot 4 a distance of 15.45 feet to the point of beginning.

EXHIBIT A

Tract I. Lot A, Lot 2 and the westerly half of Lot 4, all in Block 3, Central Division of Duluth, according to the plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota;

Tract II. That part of Lake Avenue and Superior Street in the City of Duluth, described as follows: Beginning at the most northerly corner of the westerly half of Lot 4, Block 3, Central Division of Duluth; thence run northwesterly along the northwesterly extension of the northeasterly line of said westerly half of Lot 4, to its intersection with a line run parallel with and distant 12 feet northwesterly of the southeasterly line of Superior Street; thence run southwestwardly on said 12 foot parallel line to its intersection with the northwesterly extension of the northeasterly line of Lot 4, Block 4, Central Division of Duluth; thence run southeasterly on the northwesterly extension of the northeasterly line of said Lot 4 and on the northeasterly line of said Lot 4 to the most easterly corner of said Lot 4; thence run northeasterly to the most southerly corner of Block 3, Central Division of Duluth; thence run northwesterly, northerly and northeasterly along the southwestwardly, westerly and northwesterly lines of said Block 3 to the point of beginning.

EXHIBIT B

Subject to the following easements and reservations:

1. Reservation by the City of easements for public pedestrian plaza purposes at and above the Superior Street elevation.
2. Reservation to the State of Minnesota in trust for the taxing districts concerned of minerals and mineral rights in those portions of the Site, the title to which may have at any time heretofore been forfeited to the State of Minnesota for nonpayment of general property taxes.
3. Any law, ordinance or government regulation including but not limited to building and zoning ordinances restricting, regulating or prohibiting the occupancy, use, enjoyment, improvement or subdivision of the Site.
4. The State of Minnesota shall retain a perpetual easement for the maintenance of, improvements to and reconstruction of the Lake Avenue Bridge as now located and established on and over the lands herein conveyed, above an elevation of 575 feet, elevation based on U.S.C. and G.S. 1929 mean sea level datum adjusted.
5. The State of Minnesota shall retain the right of reversion of the lands herein conveyed, should the Duluth City Council determine that the lands are no longer needed for public purposes by the City of Duluth.
6. No advertising devices of any form or size shall be permitted upon the lands herein conveyed.

No storage or manufacturing of any flammable, explosive, or hazardous materials or construction of any non-fireproof structure shall be permitted on the lands herein conveyed.

7. Any use or development of the lands herein conveyed for the parking of motor vehicles must be laid out to an orderly and functional design and must provide suitable fire lanes for the access of firefighting equipment and shall also provide for selective planting or other screening to maintain the aesthetic appearance of said lands; also any use for parking must include adequate bridge pier protection of the Lake Avenue Bridge.
8. The Grantee, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns (a) that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed; and (b) that the Grantee shall use the lands conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assigned programs of the Department of Transportation, effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.