

UTILITY EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this ____ day of _____, 2015, by and between RMN, LLLP a Minnesota limited partnership, "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 the property in St. Louis County, Minnesota legally described as follows (the "Property"): SEE ATTACHED **EXHIBIT A**

and;

Whereas, Grantor wishes to convey to the Grantee an easement as hereinafter described for UTILITY purposes over the Property for the benefit of the Property and at no cost to Grantee.

NOW THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain and convey to Grantee in trust for the general public a permanent, perpetual and exclusive easement for UTILITY purposes, over the Property, the location of which easement is more particularly described as follows: See **EXHIBIT A** attached hereto and made a part hereof.

Grantor RMN, LLLP

By _____
Douglas Nelson, Managing Partner

STATE OF MINNESOTA)
)ss:

COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me on _____, 2015, by Douglas Nelson, the managing partner of RMN, LLLP, a Minnesota limited partnership, on behalf of the partnership.

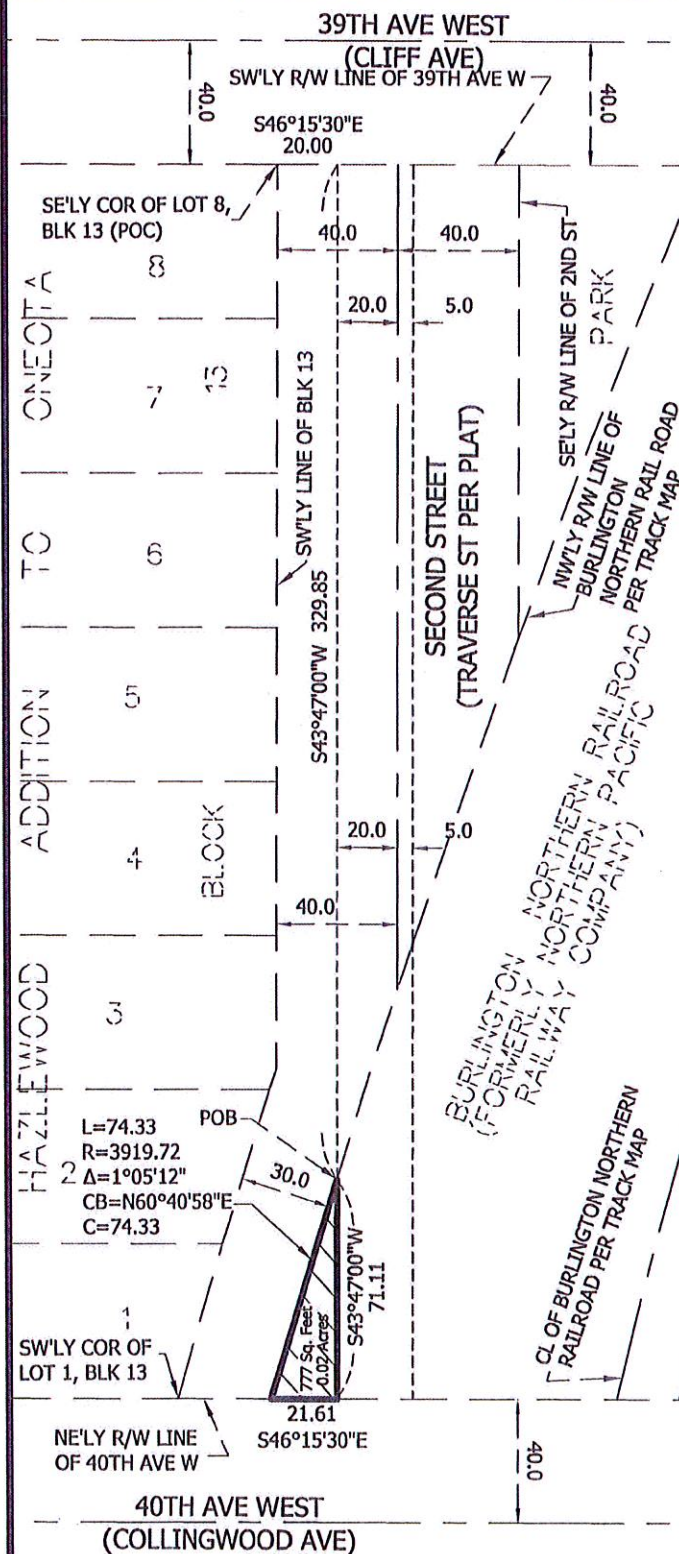
Notarial Stamp or Seal (or other title or rank)

signature of person taking acknowledgment

This Instrument Was Drafted By:
Roy J. Christensen, Esq. ID# 0302508
Johnson, Killen & Seiler, P.A.
230 W. Superior St., Suite 800
Duluth, Minnesota 55802
Telephone: 218-722-6331

Check here if all or part of the land is Registered (Torrens) _____

EXHIBIT A TO UTILITY EASEMENT AGREEMENT



CITY UTILITY EASEMENT OVER RMN, LLLP PROPERTY

All that portion of the Southwest Quarter of the Southwest Quarter of Section 5, Township 49 North, Range 14 West of the Fourth Principal Meridian, in St. Louis County,, Minnesota, described as follows:

Commencing at the Southeasterly corner of Lot 8, Block 13, said HAZLEWOOD ADDITION TO ONEOTA, according to the recorded plat thereof, St. Louis County, Minnesota; thence on an assumed bearing of South 46 degrees 15 minutes 30 seconds East, along the Southwesterly right of way line of 39th Avenue West said HAZLEWOOD ADDITION TO ONEOTA, a distance of 20.00 feet to a line 20 feet Northwesterly of and parallel with the centerline of Second Street (Traverse Street) said HAZLEWOOD ADDITION TO ONEOTA; thence South 43 degrees 47 minutes 00 seconds West, along said parallel line, a distance of 329.85 feet to the Point of Beginning of the land herein described; thence South 43 degrees 47 minutes 00 seconds West, along said parallel line, a distance of 71.11 feet to the Northeasterly right of way line of 40th Avenue West (Collingwood Avenue) said HAZLEWOOD ADDITION TO ONEOTA; thence North 46 degrees 15 minutes 30 seconds West, along said Northeasterly right of way line, a distance of 21.61 feet to the Northwesterly right of way line of the Burlington Northern Rail Road (Formerly Northern Pacific Railway Company); thence Northeasterly, a distance of 74.33 feet, along said Northwesterly right of way line of the Burlington Northern Rail Road (Formerly Northern Pacific Railway Company), along a non-tangential curve, concave to the Southeast, having a central angle of 01 degrees 05 minutes 12 seconds, a radius of 3919.72 feet, a chord bearing of North 60 degrees 40 minutes 58 seconds West and a chord length of 74.33 feet to the Point of Beginning.

Said parcel contains 777 sq. ft. or 0.02 acres.

Approved by the City Engineer of the City of Duluth, MN.
this 7th day of July, 2015

By [Signature]

LEGEND



UTILITY EASEMENT

POC= POINT OF COMMENCEMENT

POB= POINT OF BEGINNING

THIS IS NOT A BOUNDARY SURVEY.

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.

THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY.

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.

Date: MAY 11, 2015

David R. Evanson
David R. Evanson MN License No. 49505

CITY UTILITY EASEMENT OVER RMN, LLLP PROPERTY

CLIENT: ST. GERMAIN'S GLASS

REVISIONS: XXX

DATE: 4-30-2015

ADDRESS: XXX

JOB NUMBER: 15-094

ALTA

LAND SURVEY COMPANY

* LAND SURVEYING
* LAND DEVELOPMENT
* PLATTING
* LEGAL DESCRIPTIONS
* CONSTRUCTION STAKING

PHONE: 218-727-5211
FAX: 218-727-3798

LICENSED IN MN & WI

CERTIFIED FEDERAL SURVEYOR

WWW.ALTLANDSURVEYDULUTH.COM