

ATTACHMENT 1

EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this 30TH day of SEPT., 2019, by and between Lakeview Covenant Church, a Minnesota nonprofit corporation (“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”):

That part of the South 330 feet of the SW 1/4 of SE 1/4 of Section 1, Township 50 North, Range 14 West, lying Westerly of Jean Duluth Road, except that portion of said South 330 feet lying westerly of the following described line: Beginning at a point on the South line of Section 1, Township 50 North, Range 14 West, 411.05 feet East of the Southwest corner of the SW 1/4 of SE 1/4 of Section 1, Township 50 North, Range 14 West, thence Northeasterly to a point on the Northerly line of said South 330 feet distant 660 feet Easterly of the North/South center line of said Section 1, Township 50 North, Range 14 West and except that portion of Glenwood Street and Jean Duluth Road used for highway purposes, containing approximately 2.59 acres.

EXCEPT all minerals and mineral rights.

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 public 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

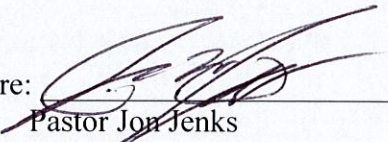
for utility purposes, including the installation and maintenance of sanitary sewer lift station, over the Property, the location of which easement is more particularly described and depicted on the attached Exhibit A.

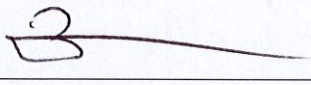
The Easement shall extend to and bind the successors and assigns of Grantor and the City and shall run with the land. This easement document shall be governed by the laws of the State of Minnesota, and all terms, conditions, and covenants herein shall be interpreted in accordance therewith. Grantor represents to the City that the individuals executing this document on behalf of Grantor have the requisite authority to execute this document, and to bind Grantor thereto.

[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the parties have caused this Easement Agreement to be executed on the day and year first written below.

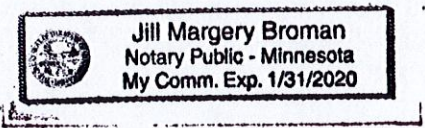
By: LAKEVIEW COVENANT CHURCH

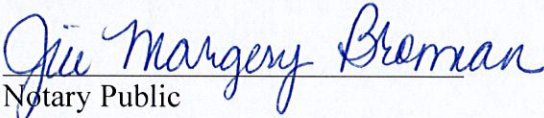
Signature: 
Pastor Jon Jenks
Its: Lead Pastor

Signature: 
Brian Hard
Its: Chairman of Leadership Board

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

The foregoing instrument was acknowledged before me this 30th day of September, 2019 by Pastor Jon Jenks and Brian Hard, the Lead Pastor and Chairman of Leadership Board of Lakeview Covenant Church, a non-profit corporation under Minnesota Statutes Chapter 317A, on behalf of the corporation.

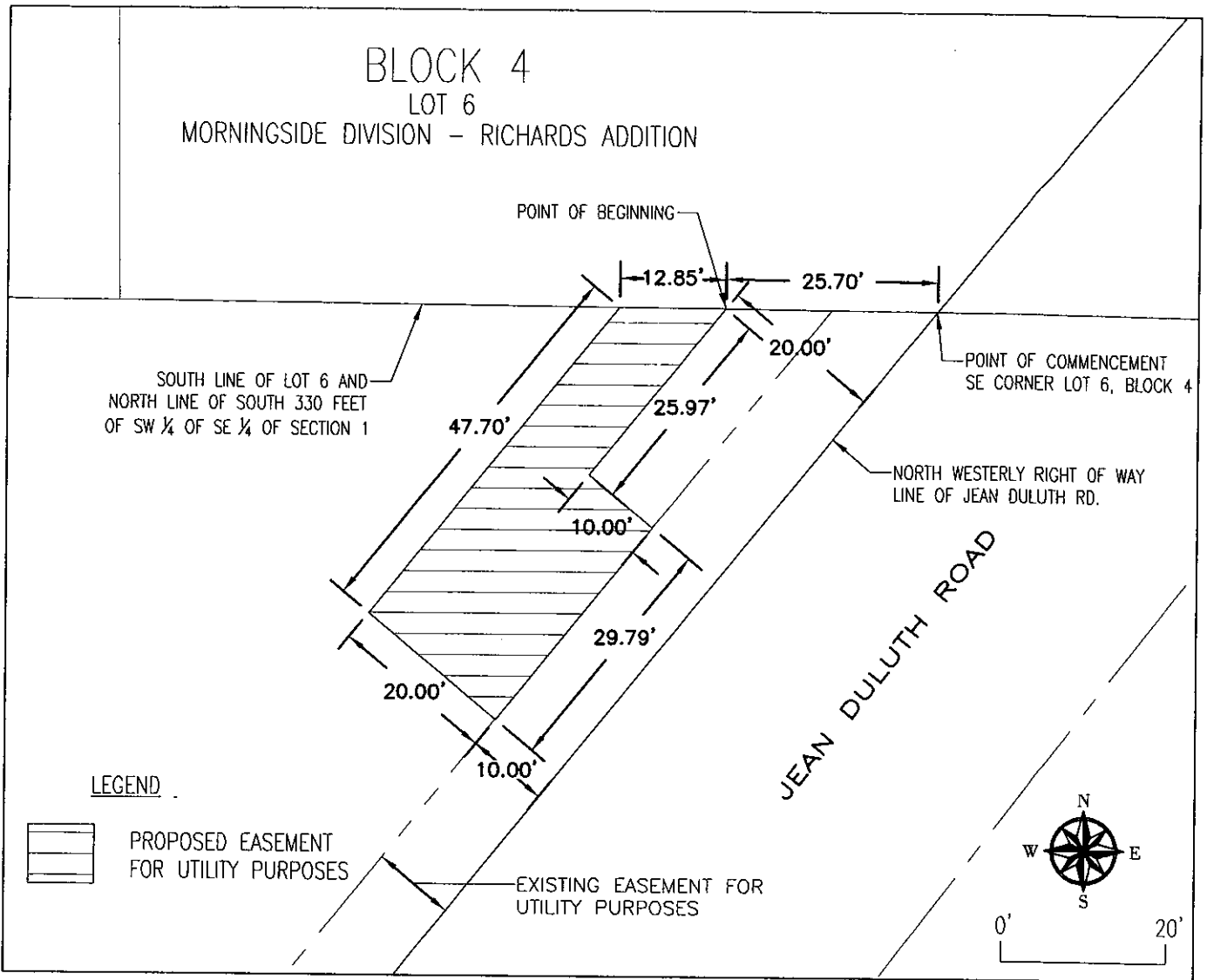



Notary Public

This instrument drafted by:

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

EXHIBIT A



An easement for Utility purposes, more particularly described as follows:

Commencing at the southeast corner of Lot 6, Block 4, Morningside Division—Richards Addition; thence westerly along the south line of said Lot 6, a distance of 25.70 feet to a point, said point being the point of beginning of the easement to be described; thence southwesterly along a line parallel to and 20 feet northwest of the northwesterly right of way line of Jean Duluth Road a distance of 25.97 feet; thence southeasterly on a line perpendicular to the last described line a distance of 10.00 feet; thence southwesterly on a line parallel and 10.00 feet northwest of the northwesterly right of way line of Jean Duluth Road a distance of 29.79 feet; thence northwesterly on a line perpendicular to the previously described line a distance of 20.00 feet; thence northeasterly along a line parallel to and 30.00 feet northwest of the northwesterly right of way line of Jean Duluth Road a distance of 47.70 feet to a point on the south line of said Lot 6; thence easterly along said south line a distance of 12.85 feet to the point of beginning, and there terminating.

<p>I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a Licensed Land Surveyor under the laws of the State of Minnesota.</p> <p style="text-align: center;"><i>Greg Stoewer</i> Greg Stoewer 21774 <u>Sept. 24, 2019</u> License # Date</p>	<p>Approved by the City Engineer of the City of Duluth, MN this the <u>24th</u> day of <u>Sept</u> 2019.</p> <p>By <i>[Signature]</i></p>
---	---