

# EXHIBIT 1

## PEDESTRIAN EASEMENT AGREEMENT

This Pedestrian Easement Agreement (this "Agreement") is made by and between JANET E. BLATNIK, a single person ("Blatnik") and the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota (the "City") for the benefit of the public as set forth herein.

### RECITALS

A. Blatnik owns the real property in St. Louis County, Minnesota legally described as follows (the "Property"):

- The Easterly 16.00 feet of Lot 1, Block 4 and the vacated 20.00 foot wide alley lying between Block 3 and Block 4, LAKESIDE GARDENS, St. Louis County, Minnesota.

B. Blatnik has agreed to grant a pedestrian easement over a portion of the Property and the City wishes to accept such pedestrian easement for the benefit of the public.

C. The pedestrian easement area (the "Easement Area") is depicted on the attached Exhibit A and legally described on the attached Exhibit B.

NOW, THEREFORE, for good and valuable consideration, including the City's vacation of an alley easement, Blatnik grants to the City, in trust for the benefit of the public, a perpetual easement for the construction, maintenance, inspection, operation, protection, repair, replacement, and/or removal of a pedestrian walking path within the Easement Area.

Blatnik reserves the right to use the Easement Area for purposes that will not interfere with the City's full enjoyment of the rights granted in this Agreement; provided Blatnik shall not erect or construct any buildings or other structures in the Easement Area. This Agreement shall be governed by the laws of the State of Minnesota, and all terms, conditions, and covenants herein shall be interpreted in accordance therewith.





EXHIBIT A  
EASEMENT DRAWING

**STRAIGHTLINE SURVEYING, INC.**

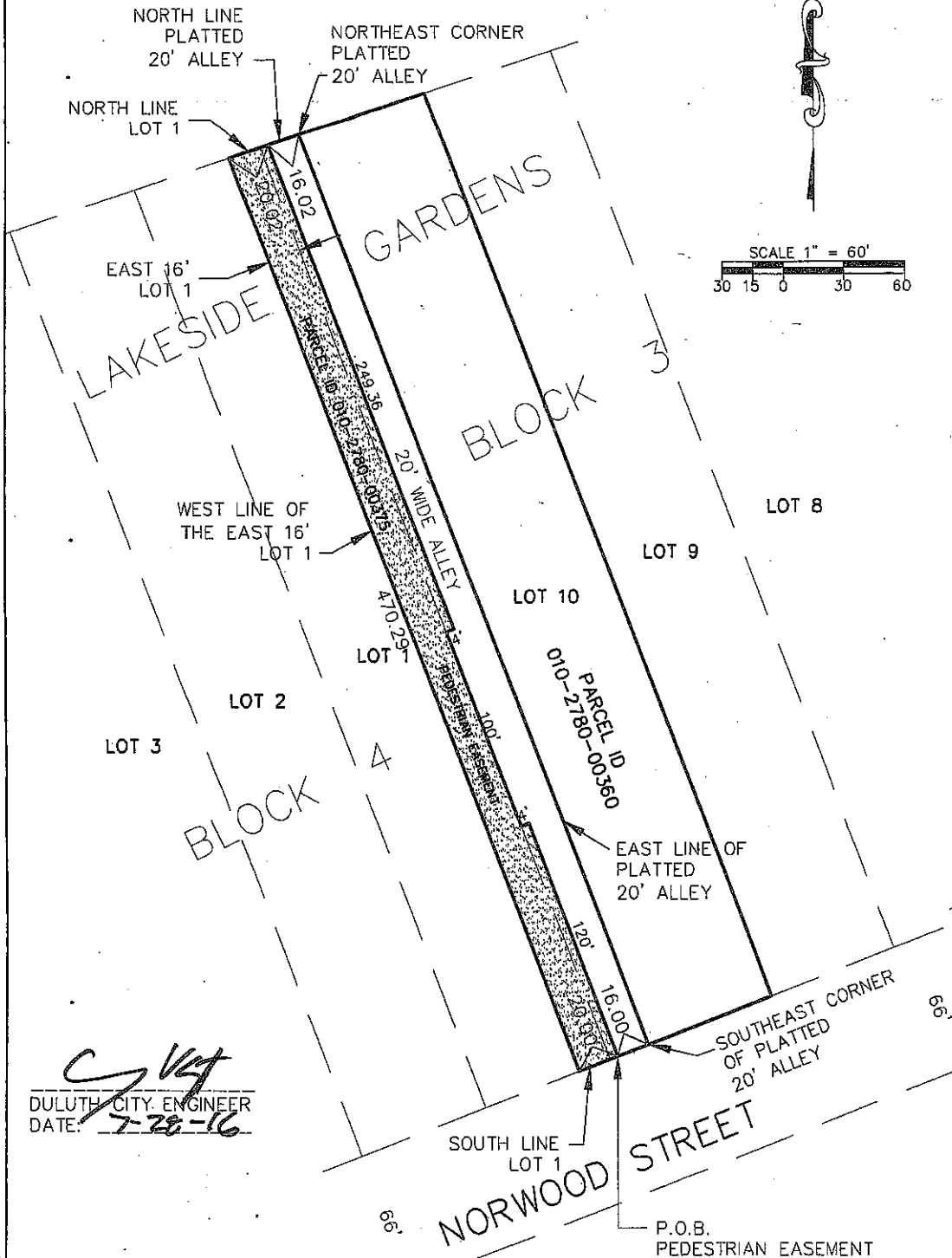
P.O. Box 510, 500 Foiz Blvd  
Moose Lake, MN 55767

Telephone: (218)-485-4811  
Fax: (218)-485-4811

E-MAIL: bonderson@straightlinesurveying.com

EXHIBIT A

PEDESTRIAN  
EASEMENT



*Benjamin H. Anderson*  
DULUTH CITY ENGINEER  
DATE: 7-28-16

I hereby certify that this survey, plan, 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.

<i>Benjamin H. Anderson</i>	45498	07-26-2016	2016-092	NONE
Benjamin H. Anderson	License No.	Date	Job No.	Book No.

## **EXHIBIT B**

### **EASEMENT AREA LEGAL DESCRIPTION**

Those parts of the Easterly 16.00 feet of Lot 1, Block 4 and the Westerly 4.00 feet of the vacated 20.00 foot wide alley lying between Block 3 and Block 4, of the recorded plat of "LAKESIDE GARDENS" on file and of record in the office of the St Louis County Registrar of Titles, St Louis County, Minnesota, described as follows:

Commencing at the southeasterly corner of said vacated 20.00 foot wide alley; thence westerly, along the southerly line of said vacated 20.00 foot wide alley, a distance of 16.00 feet to the actual point of beginning of the tract of land herein described; thence northerly, parallel with the easterly line of the vacated 20.00 foot wide alley, a distance of 120.00 feet; thence westerly, parallel with said southerly line of the vacated 20.00 foot wide alley, a distance of 4.00 feet; thence northerly, parallel with said easterly line of the vacated 20.00 foot wide alley, a distance of 100.00 feet; thence easterly, parallel with said southerly line of the vacated 20.00 foot wide alley, a distance of 4.00 feet; thence northerly, parallel with said easterly line of the vacated 20.00 foot wide alley, a distance of 249.36 feet to the northerly line of said vacated 20.00 foot wide alley; thence westerly, along last described northerly line and the northerly line of said Lot 1, a distance of 20.02 feet to the westerly line of the Easterly 16.00 feet of Lot 1; thence southerly, along last described westerly line, a distance of 470.29 feet to the southerly line of said Lot 1; thence easterly, along last described southerly line and the southerly line of the vacated 20.00 foot wide alley, a distance of 20.00 feet to said point of beginning.