

# **EXHIBIT 1**

## **UTILITY AND DRAINAGE EASEMENT**

This UTILITY AND DRAINAGE EASEMENT is made by and between REGENTS OF THE UNIVERSITY OF MINNESOTA, a Minnesota constitutional corporation (“Grantor”) and the CITY OF DULUTH, a municipal corporation and political subdivision created and existing under the laws of the State of Minnesota (the “City”).

### **RECITALS**

A. Grantor owns the real property in St. Louis County, Minnesota legally described and depicted on the attached Exhibit A (the “Easement Area”).

B. Grantor wishes to grant the City a utility and drainage easement over the Easement Area in trust for the benefit of the public and at no cost to the City (the “Easement”).

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

1. Grantor grants to the City, in trust for the benefit of the public, a perpetual, non-exclusive easement for utility and drainage purposes over, under and across the Easement Area. The Easement shall extend to and bind the heirs, 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 individual(s) executing this document on behalf of Grantor have the requisite authority to execute this document, and to bind Grantor thereto.

2. City agrees that the following shall be done in consultation with Grantor:  
(i) cutting, trimming or removing trees, shrubs, or other vegetation from the Easement Area, and  
(ii) permanently grading or altering the grade of the Easement Area.

IN WITNESS WHEREOF, Grantor has caused this utility and drainage easement to be executed effective as of \_\_\_\_\_, 2025.

REGENTS OF THE UNIVERSITY  
OF MINNESOTA

By: \_\_\_\_\_

Its: \_\_\_\_\_

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

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by \_\_\_\_\_, the \_\_\_\_\_ of REGENTS OF THE UNIVERSITY OF MINNESOTA, a Minnesota constitutional corporation.

\_\_\_\_\_  
Notary Public

CITY OF DULUTH

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025, by Roger J. Reinert, Mayor of the City of Duluth, a municipal corporation and political subdivision created and existing under the laws of the State of Minnesota

\_\_\_\_\_  
Notary Public

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025, by \_\_\_\_\_, City Clerk of the City of Duluth, a municipal corporation and political subdivision created and existing under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

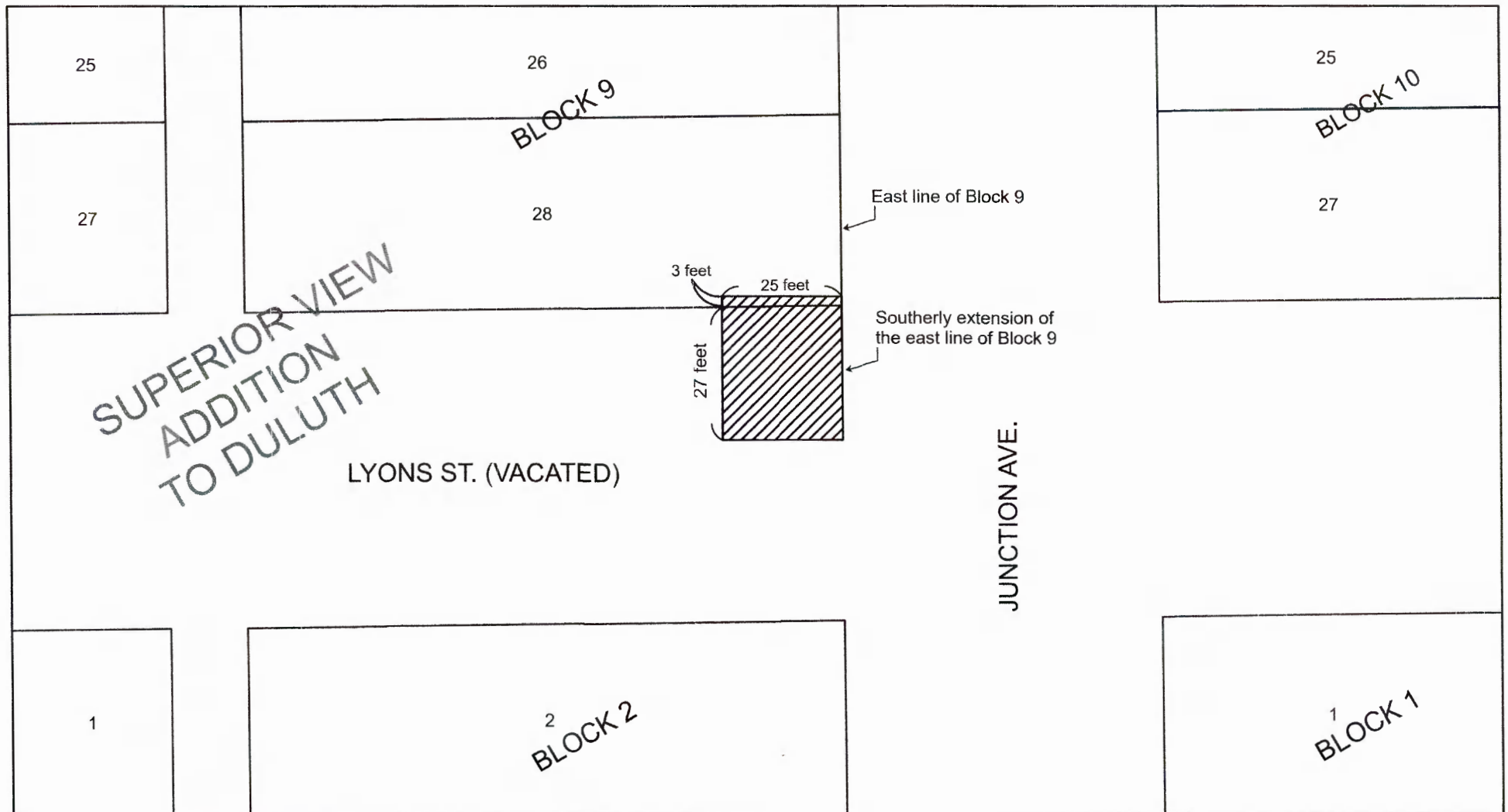
This instrument was drafted by:  
Office of the City Attorney  
Room 440 City Hall  
411 West 1st Street  
Duluth, MN 55802-1198

## **EXHIBIT A**

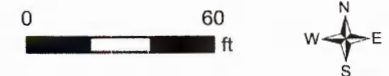
An easement over, under, and across that part of Lot 28, Block 9, and vacated Lyons St. accruing thereto, Superior View Addition to Duluth, according to the recorded plat thereof, in St. Louis County, Minnesota, described as follows:

The south 3.00 feet of the east 25 feet of said Lot 28;

and the north 27.00 feet of said vacated Lyons St. that is bounded on the east by the southerly extension of the east line of said Block 9, and is bounded on the west by a line that is 25.00 feet west of and parallel to said southerly extension of the east line of said Block 9.



Easement Area



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.

Greg Stoewer 21774 May 30, 2025  
Greg Stoewer MN. License # Date

Approved by the City Engineer of the City of Duluth, MN  
this the 30th day of MAY 2025.

By [Signature]