

EXHIBIT 1

DECLARATION

The undersigned has the following interest in the real property legally described in **Exhibit A** attached hereto and all facilities situated thereon (the “Restricted Property”):

(Check the appropriate box.)

- a fee simple title,
- a lease, or
- an easement,

and as owner of such fee title, lease or easement, does hereby declare that such interest in the Restricted Property is subject to those provisions, requirements, restrictions, and encumbrances contained in the “General Fund Appropriation Bond Proceeds Master Grant Agreement Construction Grant for the Duluth Regional Exchange District Project” dated June 24, 2019, as amended from time to time, between the City of Duluth and the Minnesota Department of Employment and Economic Development. The Restricted Property shall remain subject to such provisions, requirements, restrictions, and encumbrances until it is released therefrom by a written release in recordable form signed by the Commissioner of Minnesota Management and Budget, and such written release is recorded in the real estate records relating to the Restricted Property.

CITY OF DULUTH

By: _____
Mayor

By: _____
City Clerk

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

The foregoing was acknowledged before me this ____ day of _____, 2023, by Emily Larson, the Mayor of the City of Duluth, a municipal corporation and political subdivision under the laws of Minnesota.

Notary Public

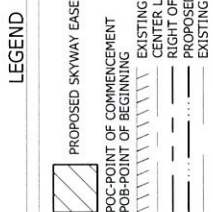
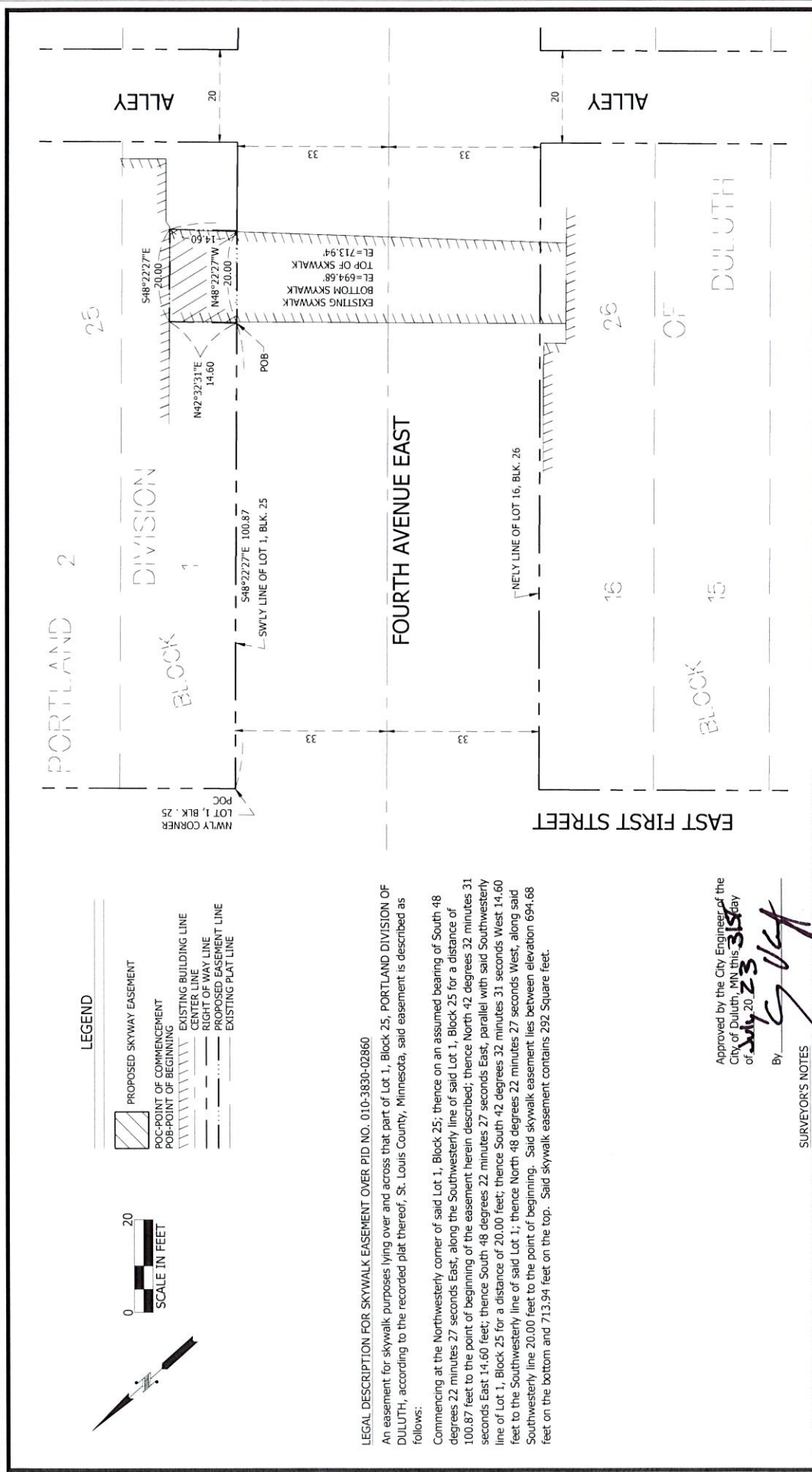
STATE OF MINNESOTA }
 } ss.
COUNTY OF ST. LOUIS }

The foregoing was acknowledged before me this ____ day of _____, 2023, by Ian Johnson, the City Clerk of the City of Duluth, a municipal corporation and political subdivision under the laws of Minnesota.

Notary Public

This declaration was drafted by:
City of Duluth
411 W. First St.
Duluth, MN 55802

EXHIBIT A



LEGAL DESCRIPTION FOR SKYWALK EASEMENT OVER PID NO. 010-3830-02860
 An easement for skywalk purposes lying over and across that part of Lot 1, Block 25, PORTLAND DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, said easement is described as follows:
 Commencing at the Northwest corner of said Lot 1, Block 25; thence on an assumed bearing of South 48 degrees 22 minutes 27 seconds East, along the Southwesterly line of said Lot 1, Block 25 for a distance of 100.87 feet to the point of beginning of the easement herein described; thence North 42 degrees 32 minutes 31 seconds East, 14.60 feet; thence South 48 degrees 22 minutes 27 seconds East, parallel with said Southwesterly line of Lot 1, Block 25 for a distance of 20.00 feet; thence South 42 degrees 32 minutes 31 seconds West 14.60 feet to the Southwesterly line of said Lot 1; thence North 48 degrees 22 minutes 27 seconds West, along said Southwesterly line 20.00 feet to the point of beginning. Said skywalk easement lies between elevation 694.68 feet on the bottom and 713.94 feet on the top. Said skywalk easement contains 292 Square feet.

Approved by the City Engineer of the City of Duluth, MN this 31st day of July 23
 By: *[Signature]*

- SURVEYOR'S NOTES**
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NAD83 DATUM AS MEASURED FROM NAD83 CONTROL POINT "EDGE" WHICH HAS A PUBLISHED 2021 ELEVATION OF 694.693 FEET.
 - 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. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
 - BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
 - THIS IS NOT A BOUNDARY SURVEY.

ALTA
 LAND SURVEY COMPANY
 LICENSED IN MN & WI
 WWW.ALTAANDSURVEY.COM

SKYWALK EASEMENT EXHIBIT

CLIENT: JOHNSON, KILLEN & SELLER PA
 ADDRESS: 4TH AVE EAST, DULUTH, MN
 MN License #49505
 DATE: 09-06-2022

REVISIONS:

David R. Egan
 David R. Egan
 MN License #49505
 DATE: 09-06-2022

308-NO-22-138 - SHEET 1 OF 1

I hereby certify that this survey, plat, 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.