

# 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

That portion of the following-described parcel within Lot 16, Block 26, PORTLAND DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, lying between elevation 694.68 feet on the bottom and 713.94 feet on the top:

A parcel of land lying over and across that part of Lot 1, Block 25, Lot 16, Block 26 and Fourth Avenue East as delineated and dedicated on PORTLAND DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, said parcel is described as follows:

Commencing at the Northwesterly 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 parcel 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 86.21 feet; thence North 48 degrees 22 minutes 27 seconds West, parallel with the Northeasterly line of said Lot 16, Block 26 for a distance of 20.00 feet; thence North 42 degrees 32 minutes 31 seconds East 71.61 feet to the point of beginning. Said parcel lies between elevation 694.68 feet on the bottom and 713.94 feet on the top.

ELEVATIONS ARE BASED ON THE NAVD88 DATUM AS MEASURED FROM MN/DOT CONTROL POINT "EDGE MNDT" WHICH HAS A PUBLISHED 2021 ELEVATION OF 698.693 FEET.

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)