

# Exhibit 1

## EASEMENT

THIS EASEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the CITY OF DULUTH, MINNESOTA, a municipal corporation, hereinafter referred to as “Grantor”, in favor of the COUNTY OF SAINT LOUIS, MINNESOTA, a body politic and corporate and political subdivision, hereinafter referred to as “Grantee”.

WITNESSETH:

WHEREAS, Grantor is the owner of real property situated in St. Louis County, Minnesota, legally described on the attached Exhibit A and depicted on the attached Exhibit B (the “Grantor Property”);

WHEREAS, Grantor has agreed to grant Grantee an easement for highway purposes over, under and across the Grantor Property.

NOW, THEREFORE, Grantor, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the COUNTY OF SAINT LOUIS, as grantee, its successors and assigns, an easement more particularly described as follows, to-wit:

A PERMANENT EASEMENT for HIGHWAY PURPOSES, over, under, and across the Grantor Property.

INCLUDING the rights of the COUNTY OF SAINT LOUIS, its contractors, agents, servants, and assigns, to enter upon the Grantor Property at all reasonable times to install, reinstall, inspect, repair, and maintain said public highway system over, across, on, under, and through the Grantor Property, together with the right to grade, level, fill, drain, pave, and excavate the Grantor Property, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction and maintenance of the public highway system. Election by Grantee to not exercise all or any part of its rights at any time shall not constitute forfeiture of any such rights.

It is understood that the right, privilege and easement herein granted and the provisions hereof shall extend to and bind the heirs, personal representatives, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the day and year first above written.

CITY OF DULUTH

By: \_\_\_\_\_  
Emily Larson  
Its: Mayor

And By: \_\_\_\_\_  
Ian B. Johnson  
Its: City Clerk

STATE OF MINNESOTA        )  
  )ss  
COUNTY OF SAINT LOUIS    )

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Emily Larson, the Mayor of the City of Duluth, and fully authorized to execute the document contained herewith on behalf of the City of Duluth, Grantor.

(Notarial Stamp or Seal)

\_\_\_\_\_  
Signature of Person taking Acknowledgement

STATE OF MINNESOTA        )  
  )ss  
COUNTY OF SAINT LOUIS    )

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Ian B. Johnson, the City Clerk of the City of Duluth, and fully authorized to execute the document contained herewith on behalf of the City of Duluth, Grantor.

(Notarial Stamp or Seal)

\_\_\_\_\_  
Signature of Person taking Acknowledgement

This Instrument was drafted by:

Office of the City Attorney  
Room 440 City Hall  
411 West 1st Street  
Duluth, MN 55802-1198

This conveyance is entitled to recording  
without payment of fee, pursuant to  
Minnesota Statutes Section 386.77, it being  
for the benefit of the County of St. Louis

## EXHIBIT A

A PERMANENT EASEMENT for highway purposes over, under and across that part of Government Lot 3, Section 2, Township 51 North, Range 12 West of the 4th Principal Meridian easterly of the following described Line A and southerly of the following described Line B:

### LINE A

Commencing at the West Quarter Corner of said Section 2; thence South 01 degrees 11 minutes 02 seconds East, 1224.24 feet along the West line of Government Lot 4 of said Section 2 to the southerly Right of Way line of C.S.A.H. 61, as now laid out and platted; thence North 68 degrees 57 minutes 06 seconds East along said southerly line of C.S.A.H. No. 61, a distance of 499.73 feet; thence along a tangential curve to the right having a radius of 2517.38 feet, a distance of 546.47 feet, whose chord is described as bearing North 75 degrees 10 minutes 14 seconds East having a distance of 545.40 feet; thence North 01 degrees 10 minutes 59 seconds West, a distance of 100.81 feet; thence along a non-tangential curve to the right have a radius of 2617.38 feet, a distance of 5.52 feet and whose chord is described as bearing North 81 degrees 44 minutes 06 seconds East having a distance of 5.52 feet to the southwest Right of Way line of Congdon Boulevard, per plat, which plat is on file in the office of St. Louis County Recorder in BOOK N OF DEEDS, Page 21; thence continuing along a curve having a radius of 2617.38 feet, a distance of 327.85 feet and whose chord is described as bearing North 85 degrees 23 minutes 02 seconds East having a distance of 327.64 feet; thence tangent to said curve North 88 degrees 58 minutes 20 seconds East, a distance of 237.73 feet to the East Right of Way of said Congdon Boulevard; thence along the easterly and northeasterly Right of Way of said Congdon Boulevard being a non-tangential curve to the left having a radius of 135 feet, a distance of 195.02 feet, whose chord is described as bearing South 27 degrees 23 minutes 09 seconds East having a distance of 178.50 feet; thence along a non-tangential curve to the left having a radius of 1119.08 feet, a distance of 509.04 feet, whose chord is described a bearing South 73 degrees 12 minutes 52 seconds East having a distance of 504.66 feet; thence tangent to said curve South 86 degrees 14 minutes 44 seconds East, 191.57 feet to the easterly line of Lot 8, Block 1, STONEY POINT COTTAGES, on file in the office of St. Louis County Recorder, St. Louis County, Minnesota to a point hereinafter referred to as Point "A" and being the Point of Beginning of Line A to be described; thence South 15 degrees 19 minutes 15 seconds East 183.4 feet, more or less, to the shore of Lake Superior and said Line A there terminating.

### Line B

Beginning at the aforementioned Point A; thence South 86 degrees 14 minutes 44 seconds East along the northerly line of said Congdon Boulevard, a distance of 138.43 feet; thence continuing along said northerly line and being a tangential curve to the right having a radius of 573.69 feet, a distance of 205.75 feet, whose chord is described as bearing South 74 degrees 13 minutes 14 seconds East having a distance of 204.65 feet to the east line of said Government Lot 3 and said Line B there terminating.

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.

Paul A. Vogel

Signed

Date

04/07/2022

License No. 44075

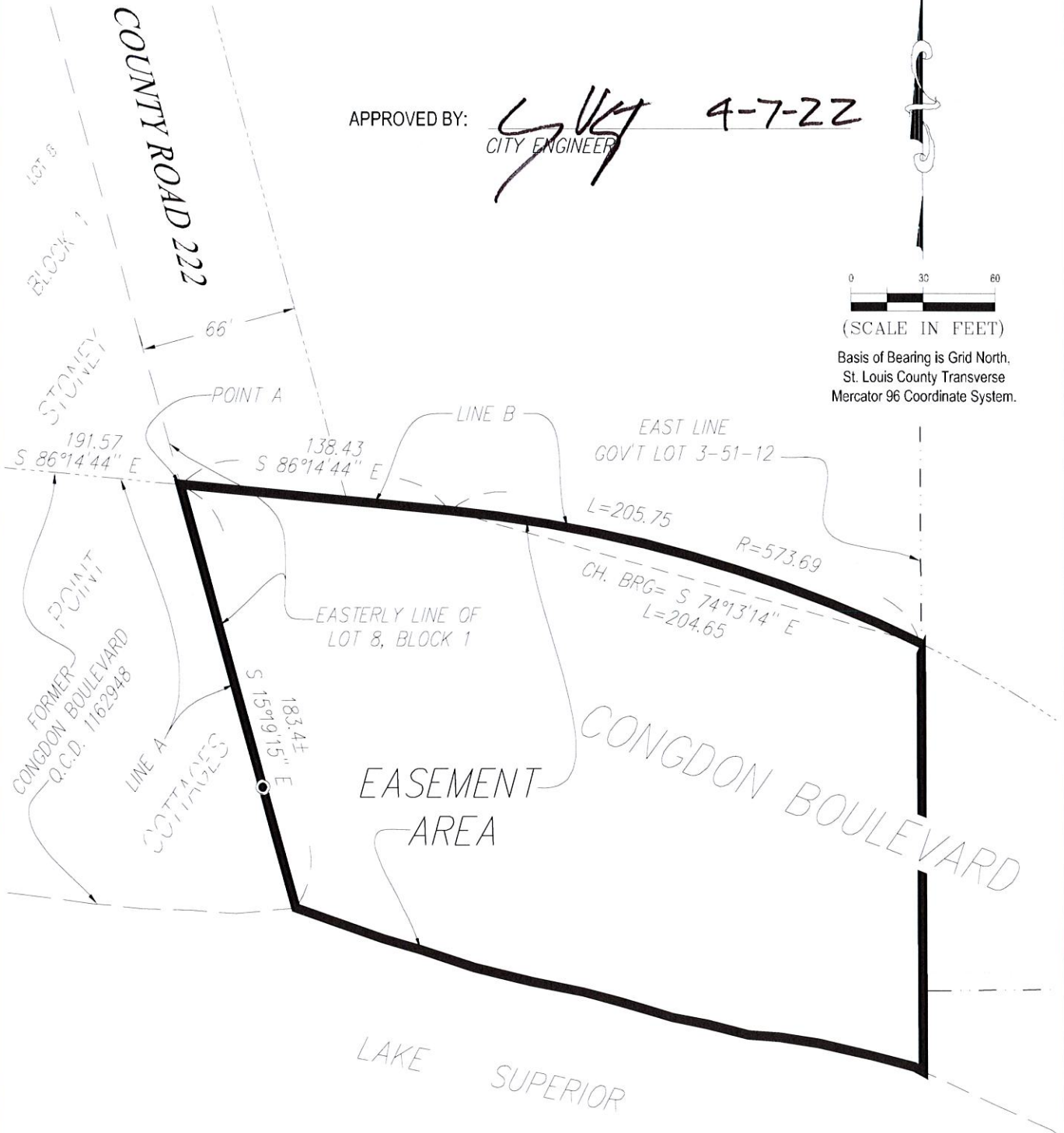
# EXHIBIT B

APPROVED BY:

*[Signature]* 4-7-22  
CITY ENGINEER



Basis of Bearing is Grid North,  
St. Louis County Transverse  
Mercator 96 Coordinate System.



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.

Print Name: Paul A. Vogel

License # 44075

Signature: *[Signature]*

Date: 04/01/2022

DATE PREPARED: 4/01/22

PROJ NO: 180917

FILE: 180917vSURV-

SHEET 1 of 1 SHEETS



PERFORMANCE  
DRIVEN DESIGN.  
LHBcorp.com

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