

# **EXHIBIT 1**

## **EASEMENT AGREEMENT**

This EASEMENT AGREEMENT, entered into this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between Pier B Holding, LLC, a Minnesota limited liability company, Grantor and the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota, Grantee:

WITNESSETH:

Whereas, Grantor is the owner of the property in St. Louis County, Minnesota legally described as follows (the Property):

Lots 21 and 23, and vacated Eighth Avenue West accruing thereto, Block Nine (9), BAY FRONT DIVISION OF DULUTH, according to the plat thereof;

and;

Whereas, Grantor wishes to convey to the Grantee a permanent easement for utility purposes over the Property, as hereinafter described, for the benefit of the Property and at no cost to Grantee.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties hereby agree as follows:

Grantor does hereby grant to Grantee a permanent easement for utility purposes over, under and across the Property, the location of which easement is more particularly described as follows:

Commencing at the most easterly corner of Lot 17 as originally platted, said point being on the southwest line of vacated Eighth Avenue West, thence North 48 degrees 21 minutes 32 seconds West, assigned bearing, along said southwest line a distance of 115.50 feet to the northwest line of the southeasterly 15.50 feet of said Lot 21 which is the POINT OF BEGINNING; thence South 41 degrees 38 minutes 10 seconds West along said northwest line a distance of 33.56 feet; thence North 11 degrees 16 minutes 18 seconds West a distance of 55.65 feet to the platted southwest line of vacated Eighth Avenue West, thence South 48 degrees 21 minutes 32 seconds East along said southwest line a distance of 44.39 feet to the Point of Beginning and there terminating.

Containing approximately 745 square feet, or 0.017 acres, subject to restrictions and easements of record.

The easement intended to be granted is more clearly shown on Attachment 1 attached hereto and made a part hereof.

Pier B Holding, LLC

\_\_\_\_\_  
By: Alessandro Giuliani

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by Alessandro Giuliani, the \_\_\_\_\_ of Pier B Holding, LLC, a Minnesota limited liability company.

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

This instrument drafted by:

Robert E. Asleson  
Assistant City Attorney  
City of Duluth  
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