### **EXHIBIT 1**

#### EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this 8 day of 2018, by and between Lift Bridge Partners, 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):

Lot Fifteen (15), Block Twenty-Five (25), ENDION DIVISION OF DULUTH, according to the recorded plat thereof, together with the Northwesterly Thirty-three feet (33') of vacated South Street lying adjacent thereto.

and:

Whereas, Grantor wishes to convey to the Grantee in trust for the general public a permanent easement for utility purposes over the Property, as hereinafter described, at no cost to Grantee.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

Grantor does hereby grant to Grantee in trust for the general public a permanent easement for utility purposes under, over, across and along the Property, together with the right to enter upon and occupy so much of such Property as may be necessary in constructing, repairing or

otherwise maintaining any public utility contained thereon or therein, the location of which easement is more particularly described as follows:

Over, under and across the Southeasterly 100.00 feet of the Southwesterly 8.00 feet of Lot 15, Block 25 in ENDION DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota;

**AND** 

Across that part of the Northwesterly 33.00 feet of vacated South Street as dedicated in said ENDION DIVISION OF DULUTH, lying Northeasterly of the Southeasterly extension of the Southwesterly line of Lot 15, Block 25, said ENDION DIVISION OF DULUTH and lying Southwesterly of a line which is parallel with and distant 8.00 feet Northeasterly of said line.

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

By: LIFT BRIDGE PARTNERS, LLC

Mark J. Bell Its: Manager

STATE OF ILLINOIS	)
COUNTY OF COOK DUPAGE	) ss

The foregoing instrument was acknowledged before me this Stay of JANNALY 2018 by Mark J. Bell, the Manager of Lift Bridge Partners, LLC, a Minnesota limited liability company, on behalf of said company.

OFFICIAL SEAL
C A STOPKA
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/09/20

Notary Public

#### CONSENT AND JOINDER

The undersigned hereby certifies that it is the holder of the Mortgage, Security Agreement and Fixture Financing Statement effective May 28, 2015 and recorded on June 2, 2015 in the office of the St. Louis County Registrar of Titles as Document No. 957910 and in the office of the St. Louis County Recorder as Document No. 1261502 ("Mortgage"), encumbering the lands described in the above easement ("Easement") and hereby joins and consents to the Easement and subordinates its Mortgage encumbering said lands to the Easement.

By: FIRST NATIONAL BANK OF OMAHA

Print Name: Dan Holoch

Its: Vice President

This instrument drafted by:

Joan M. Christensen Assistant City Attorney City of Duluth 411 W. 1st St. Room 411 City Hall Duluth, MN 55802 (218)730-5490

# **ATTACHMENT 1**

## LEGAL DESCRIPTION OF EASEMENT CONVEYED FROM LIFT BRIDGE PARTNERS LLC TO THE CITY OF DULUTH An easement in favor of the City of Duluth for utility purposes over, under, and across the Southeasterly 100.00 feet of the Southwesterly 8.00 feet of Lot 15, Block 25 in ENDION DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. AND Across that part of the Northwesterly 33.00 feet of vacated South Street as dedicated in said ENDION DIVISION OF DULUTH, lying Northeasterly of the Southeasterly extension of the Southwesterly line of Lot 15, Block 25, said ENDION DIVISION OF DULUTH and lying Southwesterly of a line which is parallel with and distant 8.00 feet Northeasterly of said line. Said easement contains 1,064 square feet. WARA CHAIS PC 144 GURROUN STREET PER ENDOWN DIVISION OF DULUTH) 100 SCALE IN FEET 66.0 COREGON WE TER EMOTOR ON ON OUTLINE LEGEND These standard symbols will be found in the drawing CONVEYED UTILITY SE'LY EXTENSION OF A **EASEMENT** Approved by the City Engineer LINE PARALLEL WITH AND (M) **MEASURED DIMENSION** of the City of Duluth, MN. DISTANT 8 FT NE'LY FROM **PLAT DIMENSION** this ZS day of DEC 201 THE SWILY LINE OF LOT 15 SE'LY EXTENSION OFTHE SW'LY LINE OF LOT 15 EXHIBIT OF EASEMENT CONVEYED FROM LIFT BRIDGE PARTNERS TO CITY OF DULUTH I hereby certify that this plan, specification, or report wa CUENTUST SRIDGE PARTNERS LLC DATE: 4-6-2015 FEET -22-2015-REVISE PLAT NAME/8-1-1 AND SURVEY COMPANY REVISE EASEMENT WIDTH AND LEGAL DESC./8-9-17-REVISE EASEMENT WIDTH ADDRESS: 2120 LONDON ROAD PHONE: 218-727-5211 LAND DEVELOPMENT LICENSED IN MN & WI CERTIFIED FEDERAL SURVEYOR WWW. ALTALANDSURVEYDULUTH.COM DULUTH, MN PLATTING JOB NUMBER: 14-487(A) LEGAL DESCRIPTIONS