

Attachment 1

**ROAD AND UTILITY EASEMENT**

THIS ROAD AND UTILITY EASEMENT is made this 2 day of April, 2019, by JANHAN LLC, a Minnesota limited liability company ("Grantor"), in favor of CITY OF DULUTH, a municipal corporation under the laws of the State of Minnesota ("City").

WHEREAS, Grantor is the owner of real property in St. Louis County, Minnesota legally described as Lot 15, INTERSTATE DIVISION (the "Property");

WHEREAS, Grantor wishes to grant to City a permanent easement for roadway and utility purposes over a portion of the Property at no cost to City;

NOW, THEREFORE, Grantor, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, does grant to City, its successors and assigns, forever, in trust for the benefit of the public, a permanent easement for roadway and utility purposes over, under, and across that portion of the Property legally described and depicted on the attached Exhibit A (the "Easement"). The Easement shall extend to and bind the successors and assigns of Grantor and City and shall run with the land. This agreement shall be governed by the laws of the State of Minnesota, and all terms, conditions, and covenants herein shall be interpreted in accordance therewith. Grantor represents to City that the individuals executing this document on behalf of Grantor have the requisite authority to execute this document, and to bind Grantor thereto, and that no additional signatures are required to effectuate the Easement.

IN WITNESS WHEREOF, the foregoing has been executed as of the day and year first above written.

JANHAN LLC

By: [Signature]

Its: OWNER

STATE OF MINNESOTA    )  
                                  ) SS  
COUNTY OF St. Louis    )

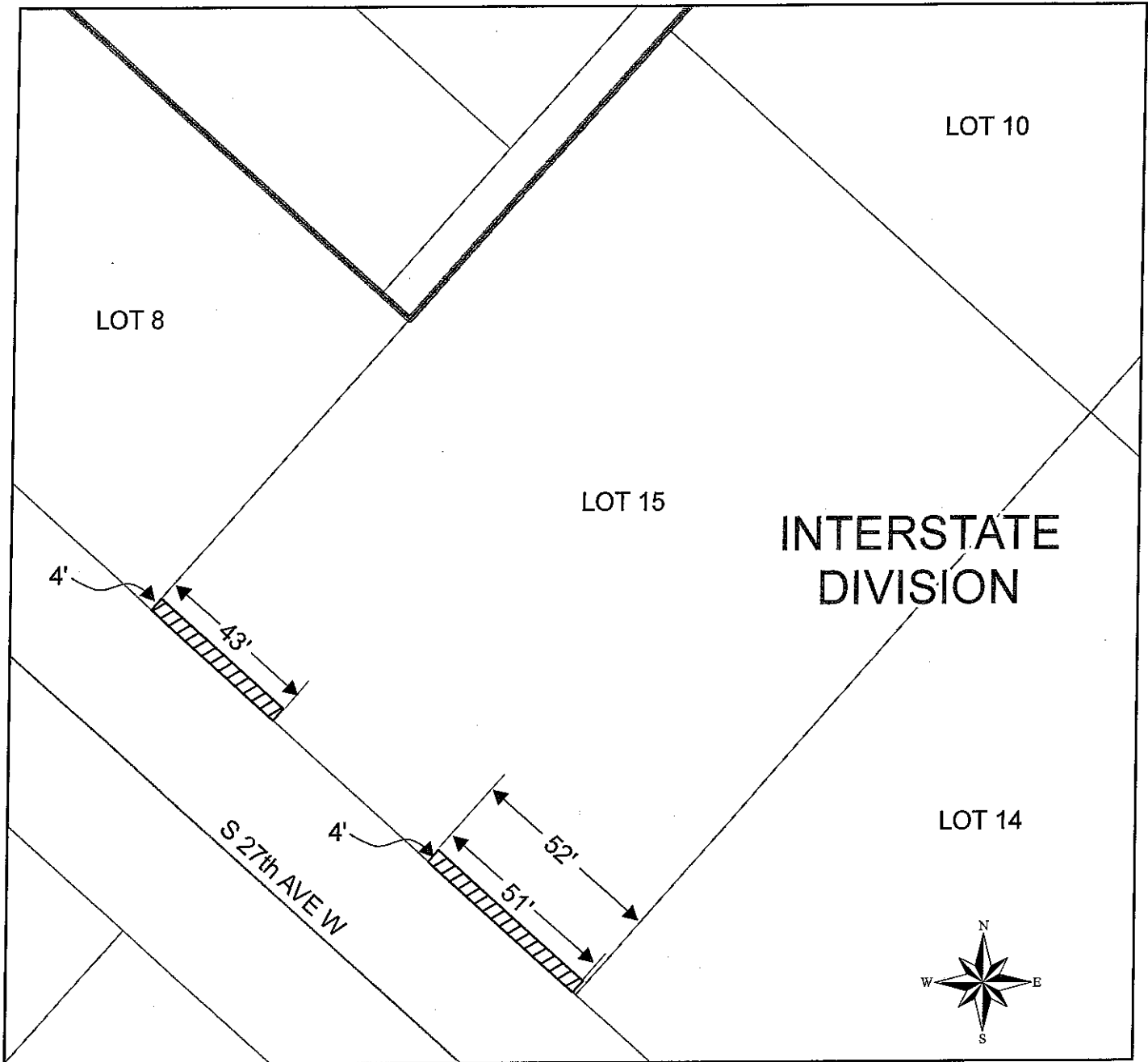
The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of April, 2019, by Thomas Hanson, the Owner of JANHAN LLC, a Minnesota limited liability company.

[Signature]  
Notary Public



THIS INSTRUMENT WAS DRAFTED BY:  
Assistant City Attorney  
City of Duluth  
411 West First Street, Room 410  
Duluth, MN 55802

# Exhibit A



Easement Area

A strip of land over, under, and across the southwesterly 4 feet of the northwesterly 43 feet of Lot 15, Interstate Division, according to the recorded plat thereof.

AND

A strip of land over, under, and across the southwesterly 4 feet of the northwesterly 51 feet of the southeasterly 52 feet of said Lot 15 of said Interstate Division.



APPROVED BY CITY ENGINEER

3-27-19

DATE