

## Exhibit 1

### **STREET AND UTILITY EASEMENT**

This STREET AND UTILITY EASEMENT is made by NORTHLAND COUNTRY CLUB, a Minnesota non-profit corporation ("Grantor"), in favor of the CITY OF DULUTH, a municipal corporation created and existing under the laws of the State of Minnesota (the "City").

### **RECITALS**

A. Grantor owns the real property in St. Louis County, Minnesota legally described as follows (the "Property"):

NE 1/4 of Section 12, Township 50 North of Range 14 West of the Fourth Principal Meridian, EXCEPTING, however, the following described portions thereof:

A. A triangular tract of land situated in the NW 1/4 of NE 1/4, Section 12, Township 50 North of Range 14 West of the Fourth Principal Meridian, bounded as follows: On the North by the North line of said NW 1/4 of NE 1/4, on the South and East by the center line of Snively Road, as said road was laid out and travelled on the date hereof, viz: March 6, 1962, and on the West by the West Line of said NW 1/4 of NE 1/4.

B. Beginning at the southeast corner of said NE 1/4 of said Section 12; thence North along the East line of said Section 12 a distance of 446 feet; thence West on a line parallel with the South line of said NE 1/4 of Section 12, a distance of 332 feet to a point; thence South on a line parallel with the East line of said section distance of 446 feet to the South line of said NE 1/4 of said section; thence East along the South line of said NE 1/4 of said section to the place of beginning.

B. Grantor wishes to grant the City a street and utility easement over a portion of the Property in trust for the benefit of the public and at no cost to the City (the "Easement").

C. The location of the Easement is that portion of the Property legally described on the attached Exhibit A and depicted on the attached Exhibit B (the "Easement Area").

NOW, THEREFORE, for good and valuable consideration, Grantor grants to the City, in trust for the benefit of the public, a perpetual easement for street and utility purposes over, under and across the Easement Area. The Easement shall extend to and bind the successors and assigns of Grantor and the City and shall run with the land. This easement document 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 the City that the individuals executing this document on behalf of Grantor have the requisite authority to execute this document, and to bind Grantor thereto.

*[Remainder of this page is intentionally left blank.]*

IN WITNESS WHEREOF, Grantor has caused this street and utility easement to be executed effective as of March 9, ~~2020~~. 2021

NORTHLAND COUNTRY CLUB

By [Signature]  
Its Authorized Officer

By \_\_\_\_\_  
Its \_\_\_\_\_

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

This instrument was acknowledged before me this 9th day of March, ~~2020~~ 2021  
by Kyle K. Johnson and \_\_\_\_\_, the Authorized Officer and  
\_\_\_\_\_, respectively, of Northland Country Club, a Minnesota non-profit corporation.

[Signature]  
Notary Public

This instrument was drafted by:  
Office of the City Attorney  
Room 440 City Hall  
411 West 1st Street  
Duluth, MN 55802-1198



## EXHIBIT A

### PERMANENT EASEMENT

A permanent easement over, under and across that part of Northeast One-quarter (NE 1/4) of Section 12, Township 50 North, Range 14 West of the Fourth Principal Meridian, City of Duluth, St. Louis County, Minnesota described as follows:

Commencing at the intersection of the centerlines of Snively Road (as originally laid out and traveled, viz March 6, 1962) and Glenwood Street (f.k.a. Summit Street), as such street was established by an easement for highway and boulevard purposes dated March 19, 1935, as recorded in the Office of the St. Louis County Registrar of Titles on May 8, 1935 as Document No. 128509 and widened through Judgment dated November 4, 1941, as recorded in the Office of the St. Louis County Registrar of Titles on January 7, 1942 as Document No. 159290 ("Glenwood Street"), said intersection being South 89 degree 35 minutes 50 seconds East, 751.18 feet distant of the Northwest Corner of the Northeast 1/4 said Section 12 as measured along the north line of said NE1/4; thence South 89 degree 35 minutes 50 seconds East, along Glenwood Street centerline, a distance of 208.61 feet; thence South 00 degree 24 minutes 10 seconds West, a distance of 40.00 feet to the southern line of Glenwood Street and being the Point of Beginning; thence South 89 degree 35 minutes 50 seconds East along said southern line of Glenwood Street, a distance of 520.44; thence South 00 degree 24 minutes 10 seconds West, a distance of 70.00 feet; thence North 89 degree 35 minutes 50 seconds West, a distance of 352.52 feet; thence South 76 degree 30 minutes 55 seconds West, a distance of 168.24 feet; thence North 01 degree 58 minutes 59 seconds West, a distance of 110.48 feet to the Point of Beginning.

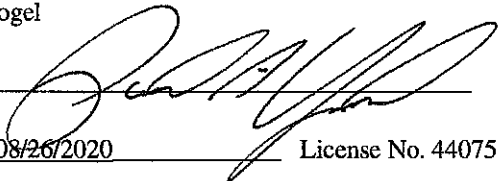
Containing 0.910 acres (39,660 S.F.), more or less.

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

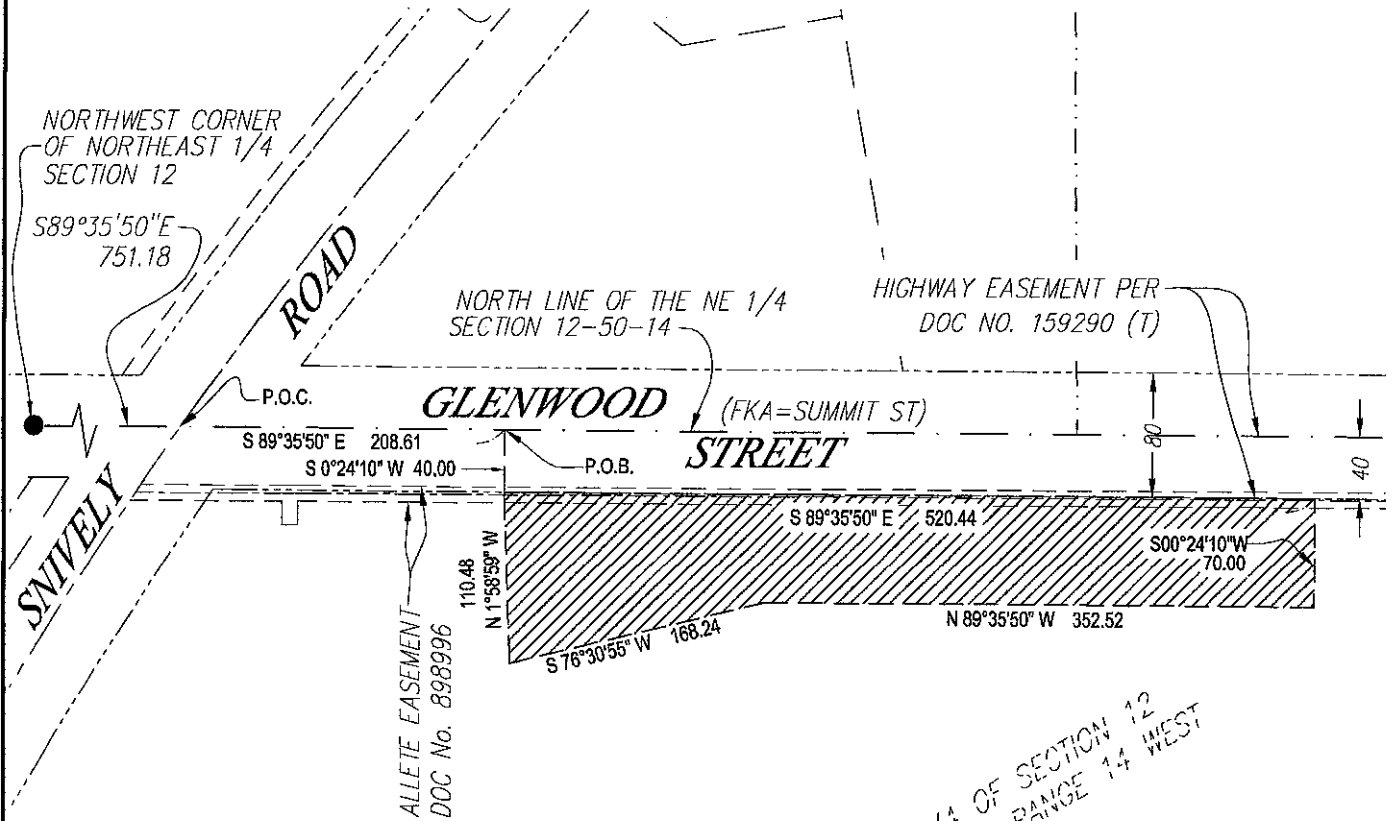
Signed

Date 08/26/2020

  
License No. 44075

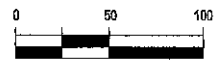
# EXHIBIT B

## NORTHLAND COUNTRY CLUB



PERMANENT EASEMENT  
(CONTAINS 0.910 ACRES (39,660 S.F.))

NORTHEAST 1/4 OF SECTION 12  
TOWNSHIP 50 NORTH RANGE 14 WEST



(SCALE IN FEET)

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: *Paul A. Vogel* Date: 08/26/2020

DATE PREPARED: 08/26/20
PROJ NO: 200235
FILE: 200235vSURV.
SHEET 1 of 1 SHEETS



**PERFORMANCE  
DRIVEN DESIGN.**  
LHBcorp.com

21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.8446