

STREET AND UTILITY EASEMENT AGREEMENT

This STREET AND UTILITY EASEMENT AGREEMENT (“Easement Agreement”) is made by and between REGENTS OF THE UNIVERSITY OF MINNESOTA, a Minnesota constitutional corporation (“Grantor”), in favor of the CITY OF DULUTH, a municipal corporation and political subdivision 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”):

South half of Northwest Quarter (S 1/2 of NW 1/4), Section 14 Township 50 North of Range 14 West of the Fourth Principal Meridian

B. Grantor wishes to grant the City a street and utility easement over, under and across portions 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 those portions of the Property legally described on the attached Exhibit A and depicted as “Parcel A” and “Parcel E” on the attached Exhibit B (the “Easement Area”).

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

1. 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.

2. The Easement shall extend to and bind the heirs, successors and assigns of Grantor and the City and shall run with the land. This Easement 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 the City that the individual(s) executing this document on behalf of Grantor has the requisite authority to execute this document and bind Grantor thereto.

3. City agrees the following shall be done in consultation with Grantor: (i) cutting, trimming or removing trees, shrubs, or other vegetation from the Easement Area; and (ii) permanently grading or altering the grade of the Easement Area.

4. City's use of the Easement is subject to (i) Grantor's existing utility facilities owned and operated by Grantor; (ii) other existing utilities owned and operated by the Grantor, including without limitation, water, sewer, steam, fiber optic communications, and electrical lines (collectively, (i) and (ii) are "Grantor's Utilities"), and to the right to maintain, repair and replace Grantor's Utilities; and (iii) the right of Grantor to use the Easement Area for any lawful and permitted purpose including, grading, erection of improvements or fixtures, adding additional utilities, and/or access to the public right-of-way (collectively, "Grantor's Work"), so long as such use does not unreasonably interfere with City's Easement or use of the Easement Area. Grantor shall be responsible, at its sole cost, for restoration and repair to City standards, as determined by the City Engineer, following Grantor's Work in the Easement Area. Grantor agrees to apply and obtain permits from City prior to entering onto the Easement Area for any such purposes, and City agrees not to unreasonably withhold or condition approval of such permits. Upon presentment of this Easement Agreement by Grantor with such application, City hereby agrees to waive permit fees for Grantor and its contractors for work on the Easement Area.

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Building a Better World
for All of Us®

EXHIBIT A

City of Duluth
Legal Land Descriptions
West College Street
SEH No.: DULUT 174757

Street and Utility Easement Parcel A:

That part of the Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼) of Section 14, Township 50 North, Range 14 West, Saint Louis County, Minnesota, according to the US Government Survey thereof, described as follows: Commencing at the southwest corner of the said SW ¼ of NW ¼; thence North 00 degrees 11 minutes 59 seconds East, along the west line of said SW ¼ of NW ¼ a distance of 33.00 feet to the north line of the south 33.00 feet of the said SW ¼ of NW ¼ and the POINT OF BEGINNING; thence North 89 degrees 35 minutes 29 seconds East, along said north line, a distance of 83.44 feet; thence North 00 degrees 11 minutes 59 seconds East a distance of 10.00 feet; thence North 84 degrees 46 minutes 52 seconds West a distance of 83.76 feet to the said west line of the SW ¼ of NW ¼; thence South 00 degrees 11 minutes 59 seconds West, along said line, a distance of 18.21 feet to the Point of Beginning and there terminating.

Street and Utility Easement Parcel E:

The South 33.00 feet of the Northwest Quarter (NW ¼) of Section 14, Township 50 North, Range 14 West, Saint Louis County, Minnesota, according to the US Government Survey thereof, EXCEPT the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE ¼ of SE ¼ of SE ¼ of NW ¼) of said Section 14.

CERTIFICATION

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.

Chris A. Larsen, PLS
Minnesota License No. 45848

April 10, 2026
Date

\\CIHL-FILEPR-02\Departments\PUBLICADMIN\Architec\P&FM\Property Services\Miscellaneous\West College St. Easement-UMD\Exhibit A - Street and Utility Easement Legal Description.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, P.O. Box 229, Duluth, MN 55801-0229

218.279.3000 | 888.722.0547 | 888.908.8166 fax | sehinc.com

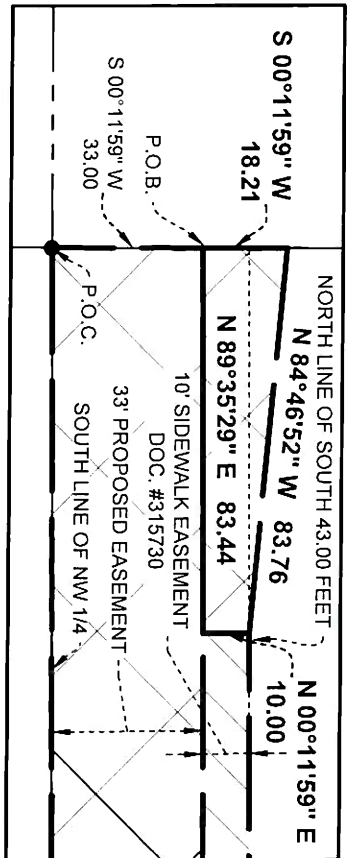
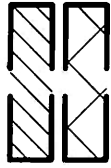
SEH is 100% employee-owned | Affirmative Action–Equal Opportunity Employer

EXHIBIT B

Save: 4/10/2026 3:18 PM bgresczyk Plot: 4:10:2026 3:24 PM X:\AEID\DLUT174757-9-survey\92-CAD\15-dwg\DU174757 EASEMENTS REV1 - PARCELS A AND B.dwg

I hereby certify that this exhibit has been checked and approved this 15th day of MAY, 2026.

Signature: 
City Engineer
Printed Name: Chris A. Larsen Date: 5-1-26

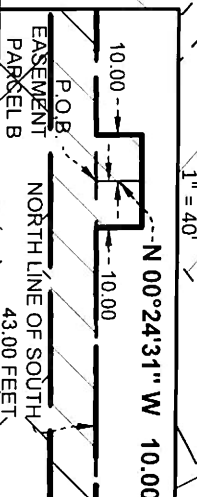
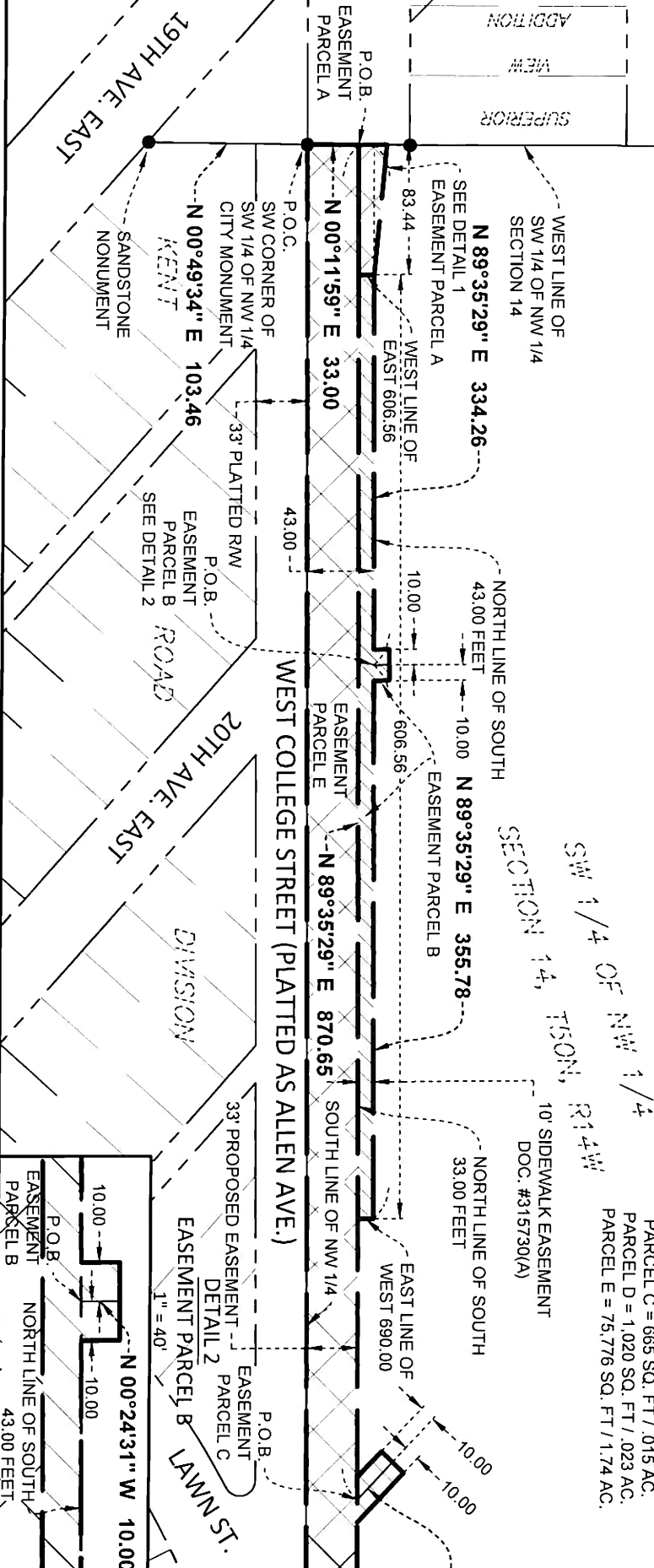


DETAIL 1
EASEMENT PARCEL A
1" = 40'

EASEMENT AREA
PARCEL A = 1,178 SQ. FT / .027 AC.
PARCEL B = 6,265 SQ. FT / .144 AC.
PARCEL C = 665 SQ. FT / .015 AC.
PARCEL D = 1,020 SQ. FT / .023 AC.
PARCEL E = 75,776 SQ. FT / 1.74 AC.



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM, NAD83 (1996 ADJ.)



DETAIL 2
EASEMENT PARCEL B
1" = 40'

STREET AND UTILITY EASEMENT EXHIBIT

DULUTH, MN

SEH Project DULUT 174757
Drawn By KLA
Surveyed By SFY
Checked By CAL

WEST COLLEGE STREET

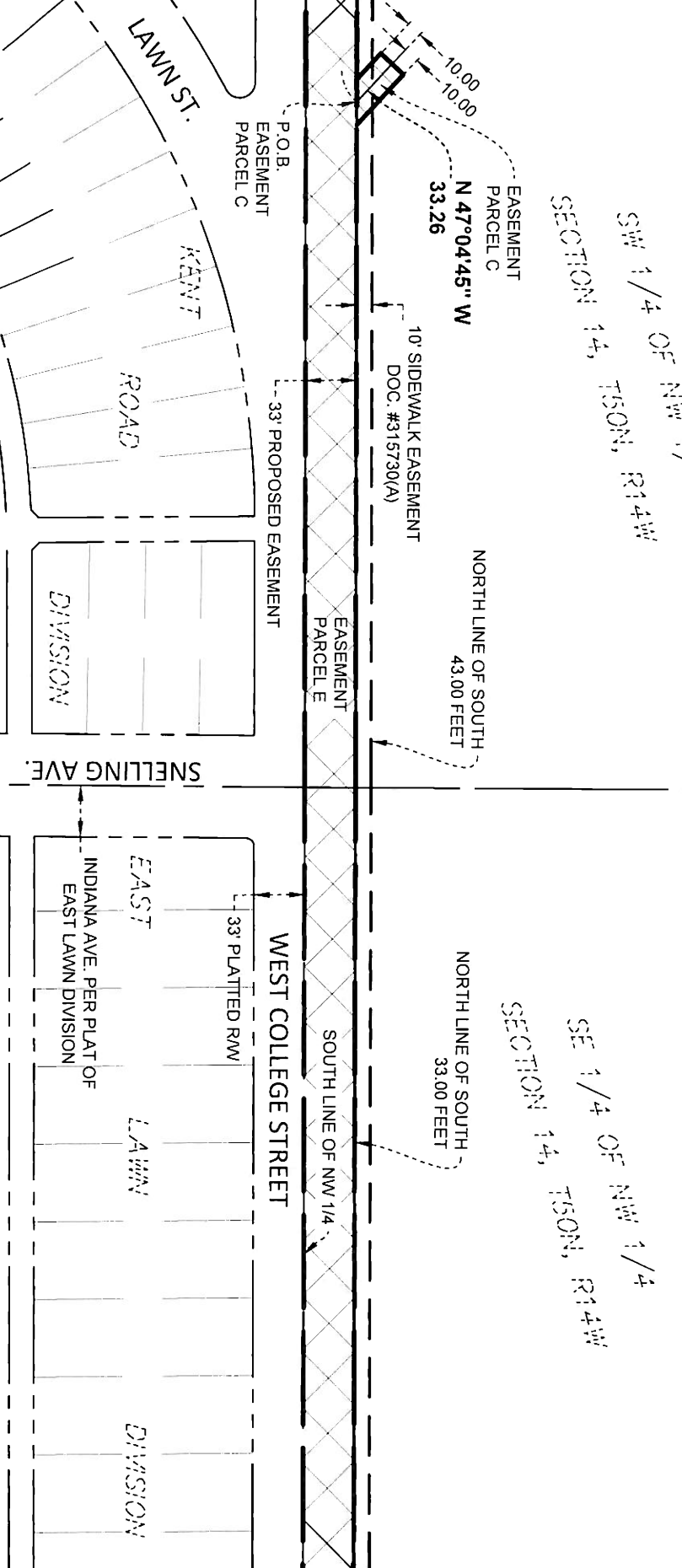
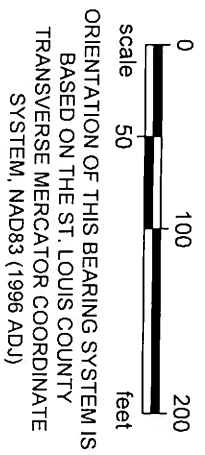
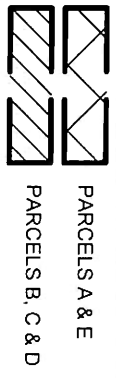
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

CHRIS A. LARSEN, L.S.
DATE 2026-04-10 LICENSE NO. 45848



I hereby certify that this exhibit has been checked and approved this 15th day of MAY, 2026.

Signature: [Signature]
 City Engineer
 Printed Name: CLARK VOGL Date: 5-1-26



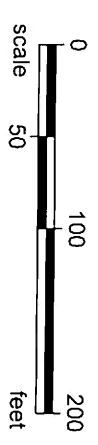
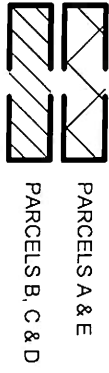
STREET AND UTILITY EASEMENT EXHIBIT

DULUTH, MN
 SEH Project: DULUT 174757
 Drawn By: KLA
 Surveyed By: SFY
 Checked By: CAL

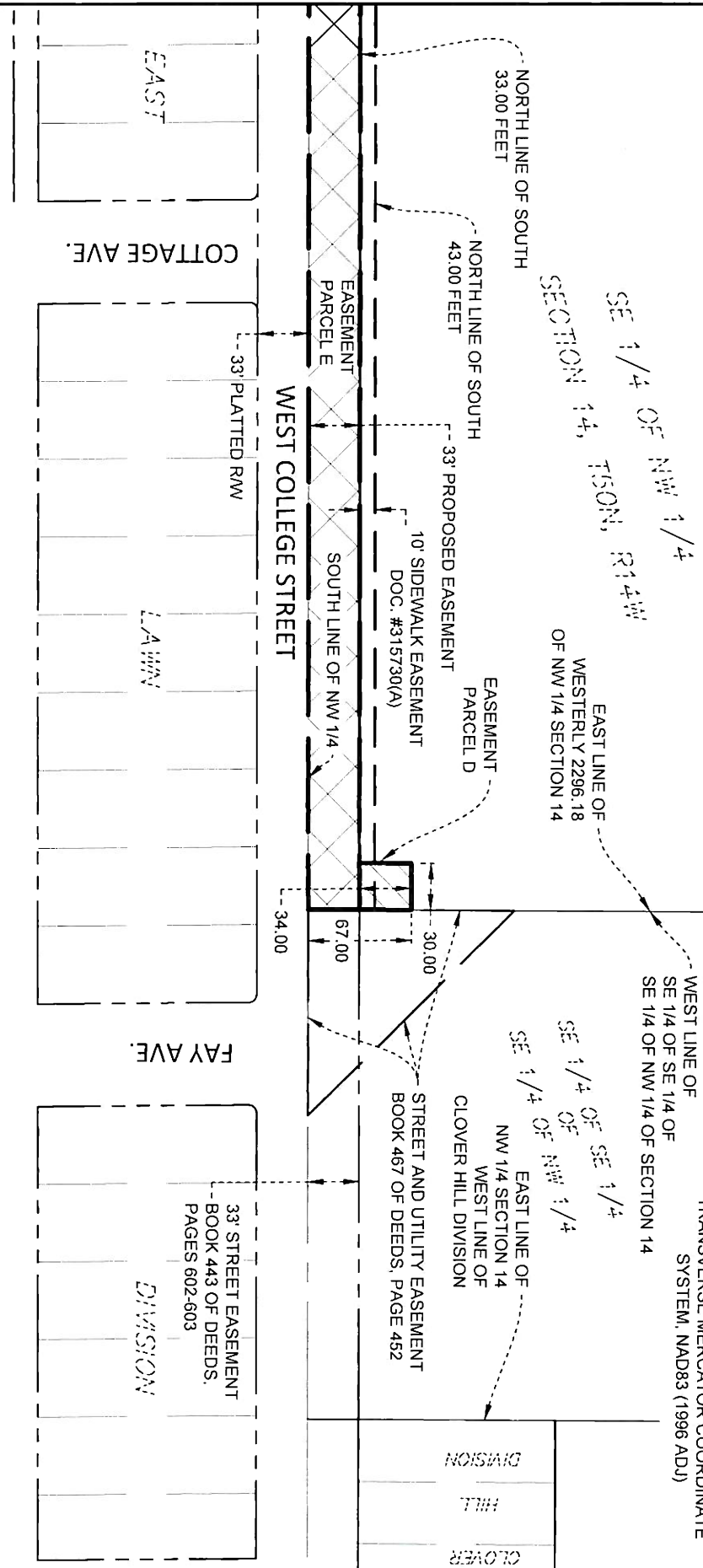
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Signature: [Signature]
 City Engineer
 Printed Name: CAOUC BIKI Date: 5-1-26



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STREET AND UTILITY EASEMENT EXHIBIT

DULUTH, MN

SEH Project DULUT 174757
 Drawn By KLA
 Surveyed By SFY
 Checked By CAL

WEST COLLEGE STREET

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