

EXHIBIT 1

STREET, SIDEWALK, AND UTILITY EASEMENT

This STREET, SIDEWALK, AND UTILITY EASEMENT (this “Agreement”) is made by and between KT REAL ESTATE HOLDINGS, LLC, a Delaware limited liability company, successor to Convenience Store Investments (“Grantor”), and 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 on the attached Exhibit A (the “Property”).

B. Grantor wishes to grant the City a street, sidewalk, 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 and depicted on the attached Exhibit B (the “Easement Area”).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the following grants, agreements and covenants are made:

Grantor grants to the City, in trust for the benefit of the public, a perpetual, non-exclusive easement for street, sidewalk, and utility purposes over, under and across the Easement Area. Following any disturbance of the surface within the Easement Area by the City or its agents, the City will restore the surface to the condition existing immediately prior to such entry, or better, as reasonably practicable. Restoration shall occur prior to reopening the Easement Area to public use.

The Easement shall extend to and bind the heirs, successors and assigns of Grantor and the 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 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.

[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed effective as of _____, 2025.

GRANTOR
KT REAL ESTATE HOLDINGS, LLC

By: _____
David P. Wagner, CFO and Treasurer of Kwik
Trip, Inc., its Manager

STATE OF WISCONSIN)
) ss
COUNTY OF LA CROSSE)

This instrument was acknowledged before me this _____ day of _____, 2025 by David P. Wagner, the CFO and Treasurer of Kwik Trip, Inc., Manager of KT REAL ESTATE HOLDINGS, LLC, a Delaware limited liability company.

Notary Public

CITY OF DULUTH

By: _____
Roger J. Reinert, Mayor

Attest: _____
Alyssa Denham, City Clerk

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

This instrument was acknowledged before me this ____ day of _____, 2025 by Roger J. Reinert, the Mayor of the City of Duluth, a municipal corporation and political subdivision created and existing under the laws of the State of Minnesota.

Notary Public

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

This instrument was acknowledged before me this ____ day of _____, 2025 by Alyssa Denham, the City Clerk of the City of Duluth, a municipal corporation and political subdivision created and existing under the laws of the State of Minnesota.

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

THE PROPERTY

Parcel 1 and 2;
Block 44, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

(Abstract Property)

Parcel 3 and 4;
Block 1, HELM ADDITION TO DULUTH, St. Louis County, Minnesota.

(Abstract Property)

Parcel 5 and 6;
Fractional Lots 3, 4, 5 and 6 EXCEPT the NW'ly 98.54 feet of Lots 3 – 6, Block 17, thereof
MARINE DIVISION OF
DULUTH, St. Louis County, Minnesota.

SUBJECT to an easement in favor of the City of Duluth for slopes on Superior Street from 21st Avenue West to Grand Avenue, as shown by condemnation plat on file in the office of the Register of Deeds in and for said County and State, filed November 24th, 1896, bearing number 5765.

(as to Certificate No. 331352.0)

NW'ly 98.54 feet of Fractional Lots 3, 4, 5 and 6 Block 17 MARINE DIVISION OF DULUTH, St. Louis County, Minnesota.

EXCEPT minerals.

SUBJECT to an easement in favor of the City of Duluth for slopes on Superior Street from 21st Avenue West to Grand Avenue, as shown by the condemnation plat on file in the office of the Register of Deeds, filed November 24th, 1896, bearing number 5765.

(as to Certificate No. 331353.0)

(Torrens Property)

Block 17, EXCEPT Lots 3, 4, 5 and 6, MARINE DIVISION OF DULUTH, St. Louis County, Minnesota.

(Abstract Property)



Building a Better World
for All of Us®

EXHIBIT B

Proposed Easement Description
West Superior Street
SEH No. DULUT 171078

Street and Utility Easement Description:

A parcel of land over, under, and across that part of Lots 434 and 436, Block 44, DULUTH PROPER SECOND DIVISION, according to the recorded plat thereof, Saint Louis County, Minnesota, described as follows:

Commencing at the most northerly corner of said Lot 434; thence South 48 degrees 19 minutes 45 seconds East, assigned bearing, along the northeasterly line of said Lot 434, a distance of 15.00 feet to the southerly line of an existing highway easement according to Document No. 324780, on file in the Office of the County Recorder of said Saint Louis County, and the POINT OF BEGINNING; thence continuing South 48 degrees 19 minutes 45 seconds East, along said northeasterly line of Lot 434, a distance of 58.43 feet; thence North 59 degrees 39 minutes 12 seconds West, a distance of 69.78 feet; thence South 41 degrees 38 minutes 57 seconds West, a distance of 40.32 feet; thence North 48 degrees 21 minutes 03 seconds West, a distance of 5.00 feet to the southeasterly line of West Superior Street; thence North 41 degrees 38 minutes 57 seconds East, along said southeasterly line of West Superior Street, a distance of 39.02 feet to said southerly line of existing highway easement according to Document No. 324780; thence North 86 degrees 39 minutes 36 seconds East, along said southerly line, a distance of 21.21 feet to the POINT OF BEGINNING and there terminating.

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

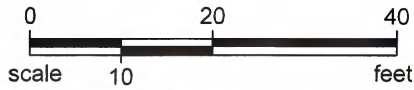
July 29, 2025
Date

X:\AE\ID\ULUT\171078\9-survey\93-doc\15-proposed-desc\DU171078 CONVENIENCE STORE INVESTMENTS RW Descriptions.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, Duluth, MN 55802-1512

SEH is 100% employee-owned | sehinc.com | 218.279.3000 | 888.722.0547 | 888.908.8166 fax



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

I hereby certify that this exhibit has been checked
and approved this 18th day
of AUGUST, 2025.

Signature: [Signature]
City Engineer

Printed Name: CINDY VOIGT Date: 8-18-25

WEST SUPERIOR
STREET

S'LY LINE OF EXISTING EASEMENT
FOR HIGHWAY PURPOSES PER
DOC. NO. 324780 (A)

SE'LY LINE OF WEST
SUPERIOR STREET

N 41°38'57" E 39.02

S 41°38'57" W 40.32

N 48°21'03" W
5.00

N 86°39'36" E
21.21

P.O.C.
MOST N'LY CORNER
OF LOT 434, BLOCK 44,
DULUTH PROPER
SECOND DIVISION
AS PLATTED

S 48°19'45" E
15.00

P.O.B.

N 59°39'12" W 69.78

S 48°19'45" E 58.43

DULUTH PROPER SECOND DIVISION

436

434

BLOCK 44

SOUTH 27TH
AVENUE WEST

NE'LY LINE OF
LOT 434
AS PLATTED

WEST MICHIGAN
STREET



STREET AND UTILITY
EASEMENT AREA =
0.014 AC. (626 S.F.)

EASEMENT EXHIBIT FOR: W SUPERIOR STREET RECONSTRUCTION

DULUTH,
MINNESOTA

SEH Project DULUT 171078

Drawn By BMG

Surveyed By JAH

Checked By CAL

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 PROFESSIONAL LAND SURVEYOR UNDER
THE LAWS OF THE STATE OF MINNESOTA.

[Signature]

CHRIS A. LARSEN, L.S.

DATE 7-29-2025

LICENSE NO. 45848



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of 1