

DECLARATION OF RESTRICTIVE COVENANT

This Declaration of Restrictive Covenant is made this _____ day of _____, 2026, by the City of Duluth, a Minnesota municipal corporation (“City”).

WHEREAS, City is the owner of certain real property located in the State of Minnesota, County of St. Louis, legally described on the attached Exhibit A (the “Property”); and

WHEREAS, the City has entered into a grant agreement #236676 dated September 1, 2023 with the State of Minnesota, acting through its Commissioner of Natural Resources, Division of Ecological and Water Resources and Minnesota’s Lake Superior Coastal Program (“State”), as amended (the “Grant Agreement”); and

WHEREAS, as a requirement of Grant Agreement, City is required to place a deed restriction on the Property;

NOW, THEREFORE, in order to comply with the Grant Agreement, the City does hereby impose the following restriction on the Property:

This Property has been acquired [in part] with funds from federal financial assistance award NA 23NOS 41902113 through Section 306A of the United States’ National Oceanic and Atmospheric Administration’s (“NOAA”) Coastal Zone Management Program. Title to the Property is subject to the conditions that the Property shall be managed consistent with the purposes for which it was acquired through the Coastal Zone Management Act. The City must not dispose of, exchange, encumber its title or other interests in, or convert the use of this property without the approval of NOAA or its successor agencies.

This restrictive covenant shall run with the land.

EXHIBIT A

THAT PART OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SW 1/4 OF NW 1/4) OF SECTION ONE (1), TOWNSHIP FIFTY (50) NORTH, RANGE FOURTEEN (14) WEST OF THE FOURTH PRINCIPAL MERIDIAN LYING SOUTHERLY OF A LINE 33.00 FEET SOUTHERLY OF, AND PARALLEL WITH, LINE "A" TO BE DESCRIBED AND EASTERLY OF LINE "B" TO BE DESCRIBED.

LINE "A"

BEGINNING AT A POINT ON THE EAST AND WEST QUARTER LINE OF SAID SECTION 1 DISTANT 503.04 FEET EAST FROM THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE AT A DEFLECTION OF 41 DEGREES 19 MINUTES 30 SECONDS TO THE NORTH, A DISTANCE OF 527.20 FEET TO A POINT; THENCE AT A DEFLECTION OF 29 DEGREES 28 MINUTES 50 SECONDS TO THE RIGHT A DISTANCE OF 413.60 FEET TO A POINT ON THE EAST LINE OF SAID SW 1/4 OF NW 1/4, 433.0 FEET NORTH OF THE SE CORNER OF SAID SW 1/4 OF NW 1/4.


LINE "B"

COMMENCING AT A POINT ON THE EAST AND WEST QUARTER LINE OF SAID SECTION 1 DISTANT 503.04 FEET EAST FROM THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE AT A DEFLECTION OF 41 DEGREES 19 MINUTES 30 SECONDS TO THE NORTH, A DISTANCE OF 480.00 FEET TO THE POINT OF BEGINNING OF LINE "B" TO BE DESCRIBED; THENCE AT A DEFLECTION OF 90 DEGREES 00 MINUTES 00 SECONDS TO THE RIGHT A DISTANCE OF 422.06 FEET TO THE SOUTH LINE OF SAID SW 1/4 OF NW 1/4 AND SAID LINE "B" THERE TERMINATING.

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

10/24/2025

License No. 44075

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: *[Signature]* Date: 10/24/2025

REVISED:
DATE PREPARED: 10/24/25
PROJ NO: 240855
FILE: 240855vSURV-
SHEET 1 of 1 SHEETS

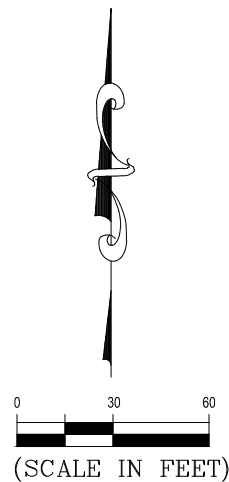
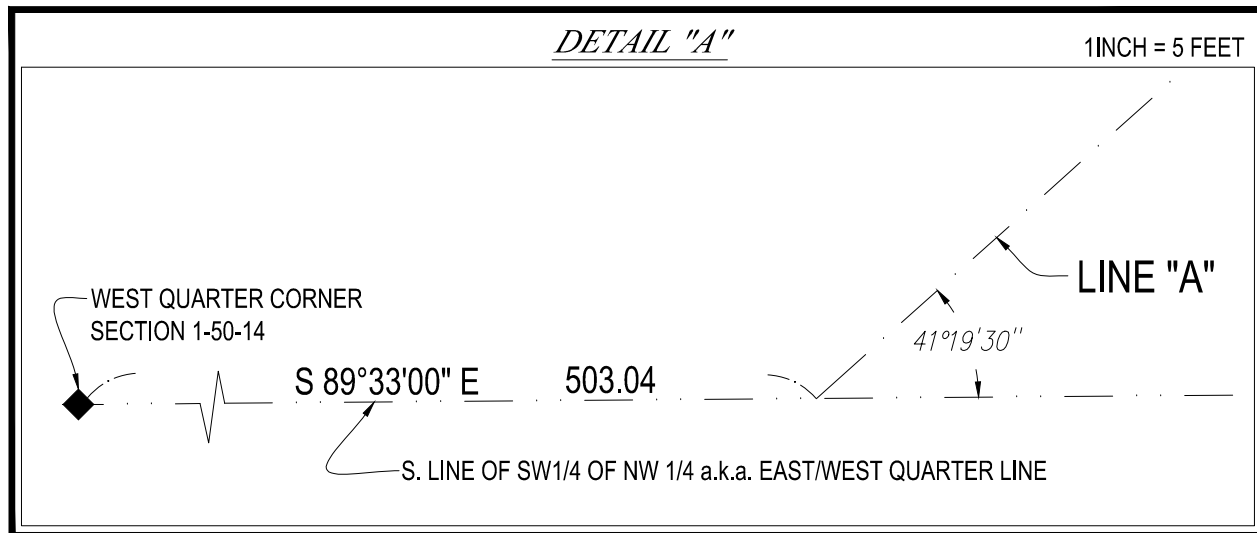


21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.8446

part of the SW 1/4 of the NW 1/4
Section 1, T50N, R14W of the 4th P.M.
City of Duluth
St. Louis County, Minnesota

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Basis of Bearing is assumed with the south line of the Southwest Quarter of the Northwest Quarter bearing S 89°33'00" E.

SEE DETAIL "A"

WEST QUARTER CORNER SECTION 1-50-14

