

UTILITY EASEMENT AGREEMENT

This 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 utility easement for gas purposes over, under and across a portion of the Property in trust for the benefit of the public and at no cost to the City (the “Gas Easement”).

C. The location of the Gas Easement is that portion of the Property legally described on the attached Exhibit A and depicted as “Easement Parcel B” on the attached Exhibit C (the “Gas Easement Area”).

D. Grantor wishes to grant the City a utility easement for stormwater and drainage purposes over, under and across portions of the Property in trust for the benefit of the public and at no cost to the City (the “Stormwater Easement”). The Gas Easement and the Stormwater Easement are collectively referred to as the “Easements.”

C. The locations of the Stormwater Easement are those portions of the Property legally described on the attached Exhibit B and depicted as “Easement Parcel C” and “Easement Parcel D” on the attached Exhibit C (the “Stormwater Easement Area”). The Gas Easement Area and the Stormwater Easement Area are collectively referred to as the “Easement Areas.”

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 utility easement for gas purposes over, under and across the Gas Easement Area.

2. Grantor grants to the City, in trust for the benefit of the public, a perpetual utility easement for stormwater and drainage purposes over, under and across the Stormwater Easement Area.

3. The Easements 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.

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

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EXHIBIT A

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

Utility Easement Parcel B:

The easterly 606.56 feet of the westerly 690.00 feet of the northerly 10.00 feet of the southerly 43.00 feet of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 14, Township 50 North, Range 14 West, Saint Louis County, Minnesota, according to the US Government Survey thereof;

TOGETHER WITH

A 20.00 foot wide strip of land over, under, and across part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 14, Township 50 North, Range 14 West, Saint Louis County, Minnesota, according to the US Government Survey thereof, the centerline of which is described as follows: Commencing at the southwest corner of the said SW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence North 00 degrees 11 minutes 59 seconds East, along the west line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 43.00 feet to the north line of the south 43.00 feet of the said SW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence North 89 degrees 35 minutes 29 seconds East, along said north line, a distance of 334.26 feet to the POINT OF BEGINNING of said strip of land; thence North 00 degrees 24 minutes 31 seconds West a distance of 10.00 feet and there terminating.

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

Engineers | Architects | Planners | Scientists

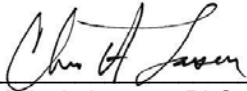
Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, Duluth, MN 55803

218.279.3000 | 888.722.0547 | 888.908.8166 fax | sehinc.com

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

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



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EXHIBIT B

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

Utility Easement Parcel C:

A 20.00 foot wide strip of land over, under, and across part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 14, Township 50 North, Range 14 West, Saint Louis County, Minnesota, according to the US Government Survey thereof, the centerline of which is described as follows: Commencing at the southwest corner of the said SW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence North 00 degrees 11 minutes 59 seconds East, along the west line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 33.00 feet to the north line of the south 33.00 feet of the said SW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence North 89 degrees 35 minutes 29 seconds East, along said north line, a distance of 870.65 feet to the POINT OF BEGINNING of said strip of land; thence North 47 degrees 04 minutes 45 seconds West a distance of 33.26 feet and there terminating. The sidelines of said strip of land shall be shortened or extended so as to terminate on the said north line of the south 33.00 feet.

Utility Easement Parcel D:

The North 34.00 feet of the South 67.00 feet of the east 30.00 feet of the West 2296.18 feet of the Northwest Quarter (NW $\frac{1}{4}$) of Section 14, Township 50 North, Range 14 West, Saint Louis County, Minnesota, according to the US Government Survey thereof.

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

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, Duluth, MN 55803

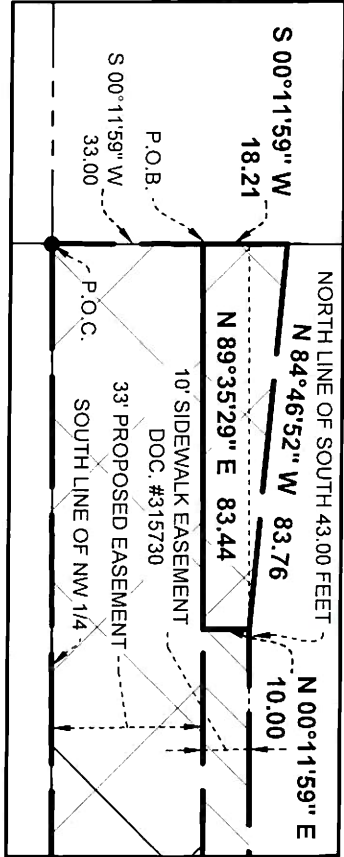
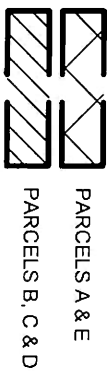
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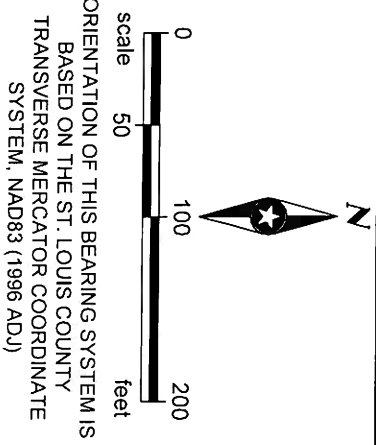
EXHIBIT C

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

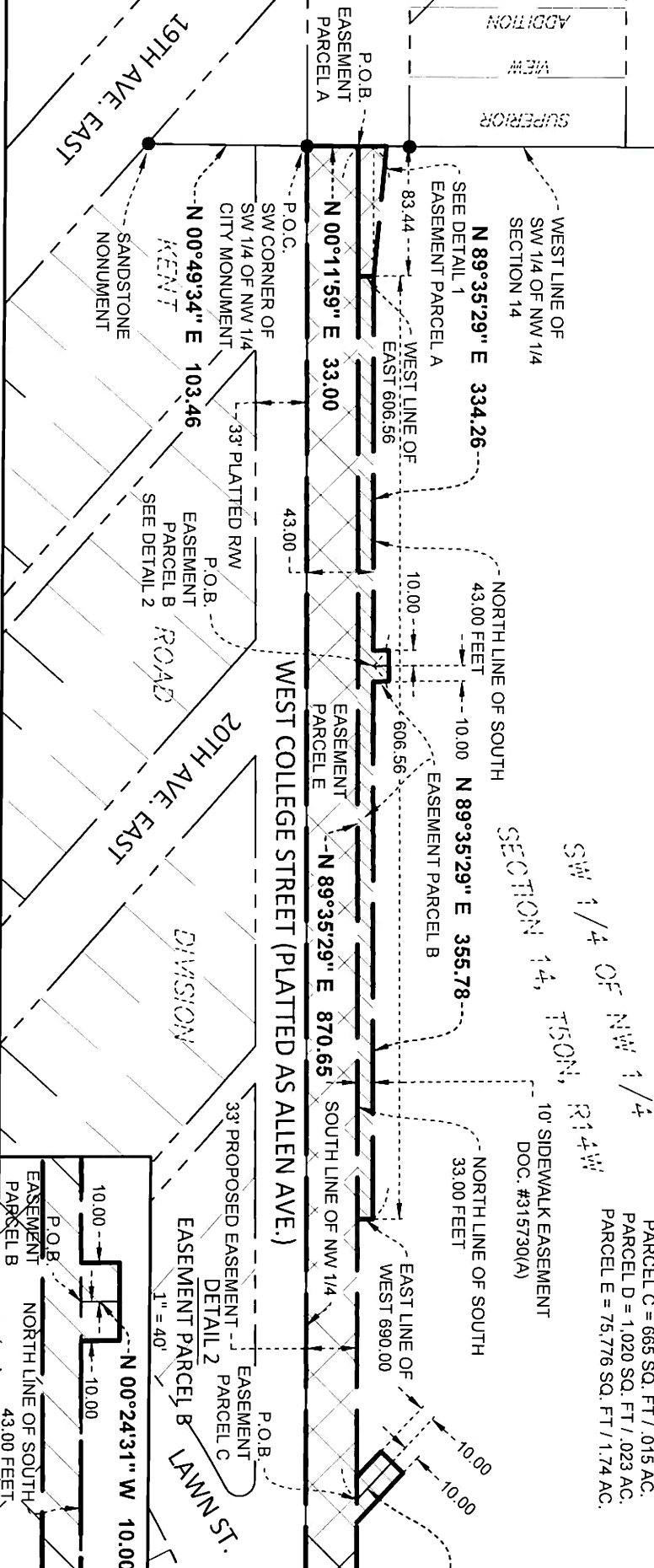
Signature: 
 City Engineer
 Printed Name: Chris A. Larsen Date: 5-1-26



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.



STREET AND UTILITY EASEMENT EXHIBIT

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.

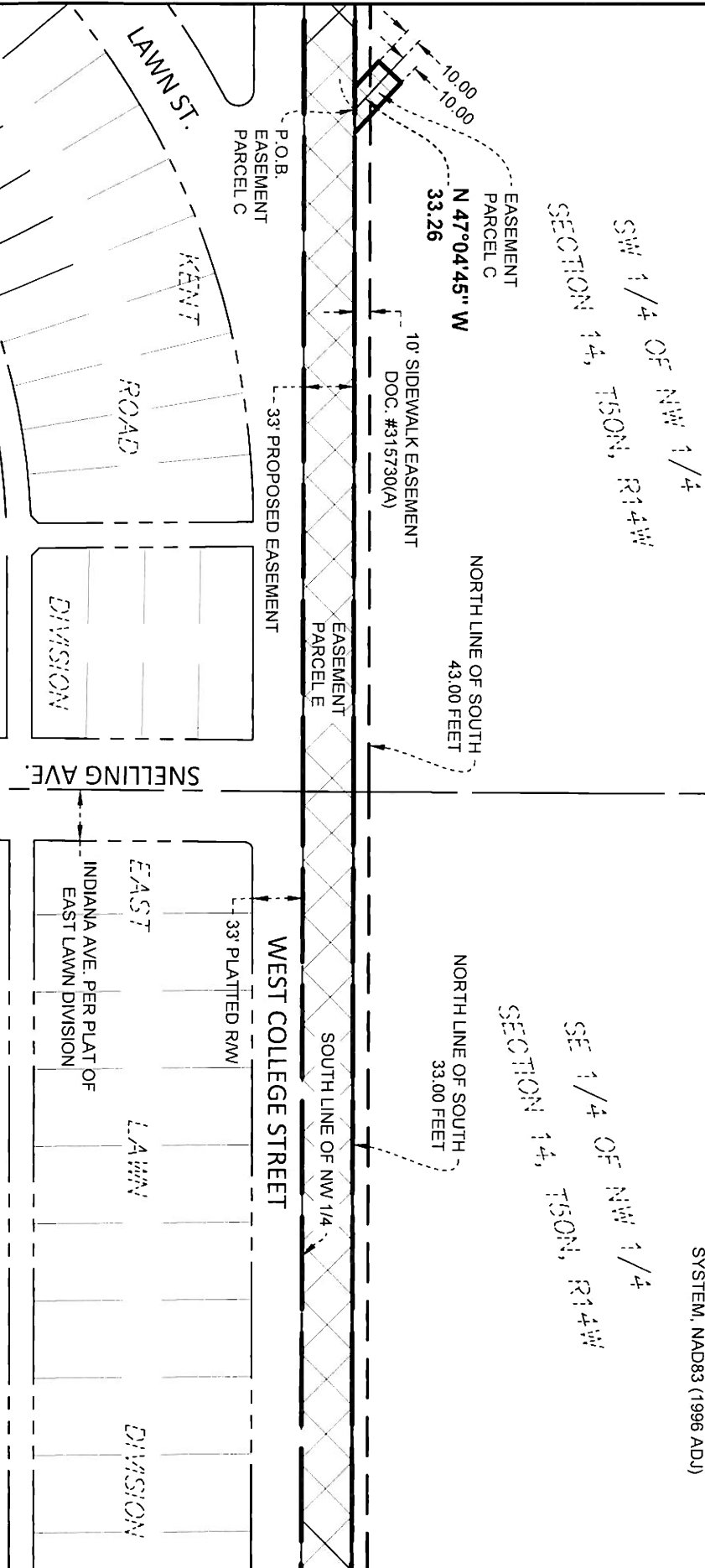
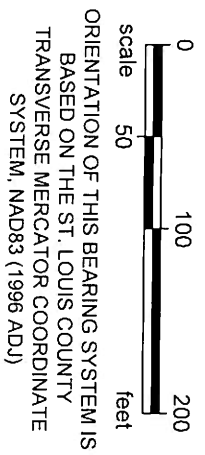
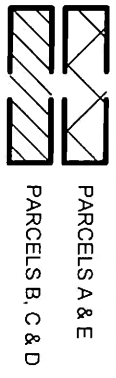
PHONE 318.279.3000
 418 W SUPERIOR ST
 STE 200
 DULUTH, MN 55802-1512
 www.sehinc.com

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

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

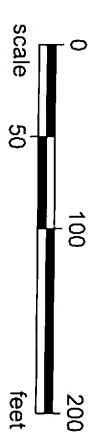
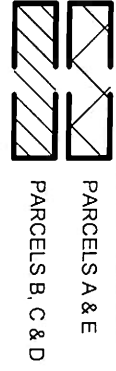
DULUTH, MN
 SEH Project: DULUT 174757
 Drawn By: KLA
 Surveyed By: SFY
 Checked By: CAL

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

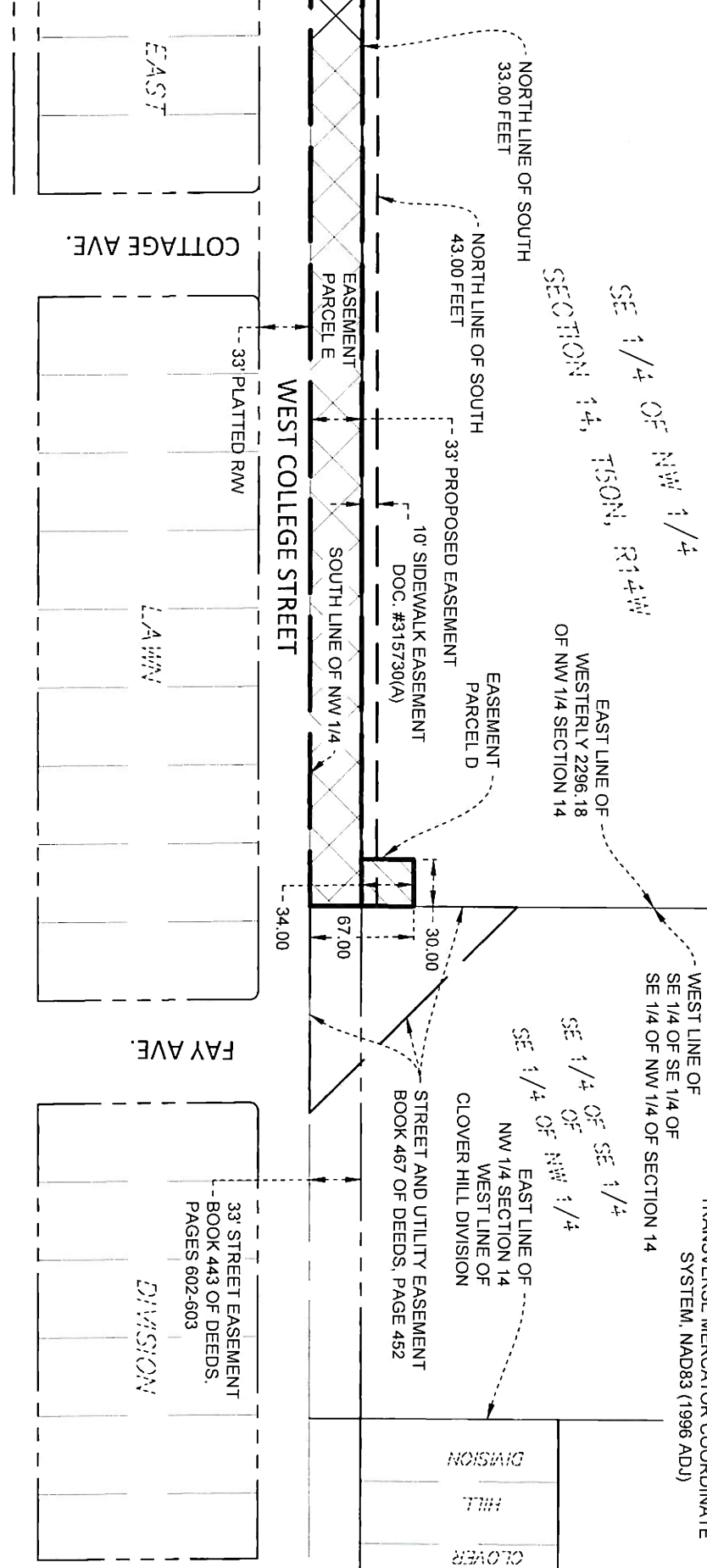


I hereby certify that this exhibit has been checked and approved this 15th day of MAY, 2026.

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



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



STREET AND UTILITY EASEMENT EXHIBIT

DULUTH, MN

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

WEST COLLEGE STREET

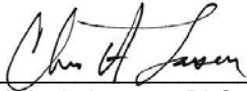
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

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



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