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## **GRANT OF EASEMENT**

This easement agreement is made this 26<sup>th</sup> day of March 2025, by and between the following:

Independent School District No. 316, a body politic under the laws of Minnesota, hereinafter referred to as **GRANTOR**; and

Cory J. Troumbly and Melanie N. Troumbly, spouses married to each other, and Joseph S. Pollard, a single person, hereinafter referred to as **GRANTEES**.

## **RECITALS**

WHEREAS, **GRANTOR** is the owner of real estate located in Itasca County, Minnesota, described on attached Exhibit A, and

WHEREAS, **GRANTEES** are the owners of real estate located in Itasca County, Minnesota, described as follows:

That part of Government Lot 4, Section 32, Township 56 North, Range 24 West of the Fourth Principal Meridian, more fully described on attached Exhibit B and C, and

WHEREAS, access to **GRANTEE'S** property is over and across the **GRANTOR'S** property over a bituminous driveway running from the south line of Morrison Avenue and Cole Avenue as shown on the plat of Coleraine, and

WHEREAS, the **GRANTOR** and **GRANTEES** have agreed upon an easement documenting the rights and obligations of **GRANTEES** to use the existing bituminous driveway for ingress and egress to their lands described herein.

THEREFORE, it is agreed that **GRANTOR** hereby grants unto **GRANTEES**, their heirs and assigns, a NONEXCLUSIVE easement, only for ingress and egress, over the following described real estate of the **GRANTOR**:

A 25 foot wide easement in that part of Government Lot 4, Section 32, Township 56 North, Range 24 West, Itasca County, Minnesota, more particularly described on Exhibit A, the east line of said easement being described as follows: a straight line parallel to and 46 feet westerly of the extended east line of Morrison Avenue in the said plat of Coleraine for a distance of 210 feet and there terminating (the "Easement") subject to the following conditions:

1. The Easement shall be appurtenant to the lands of the **GRANTEES** and shall run in favor of his heirs and assigns.
2. There is an existing bituminous driveway (the "Driveway") on the Easement.
3. If the **GRANTEES** damage the Driveway, they shall be responsible for repairing the Driveway to its original condition, as soon as practical, depending on the season. In the event that the **GRANTEES** do not repair the Driveway as required herein, the **GRANTOR** shall be entitled to repair the Driveway and invoice the **GRANTEES** for any and all costs and expenses associated with the repair.
4. **GRANTEES** shall indemnify, defend, and hold **GRANTOR** and **GRANTOR'S** successors, assigns, representatives, agents, employees, students, officers, and board members harmless from and against any and all damage or personal injuries (including death) resulting from the **GRANTEES'** (and their successors and assigns) and their invitees, guests, agents, and their successors and assigns use of the Easement.
5. **GRANTEES** shall not obstruct, park, store, and/or place any objects (whether temporary or permanent) in the Easement. **GRANTOR** shall have the unilateral right to remove any objects located in the Easement.

AS GRANTOR:

Independent School District No. 316

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By: Robert Schwartz  
It's: Board Chair

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By: LaNea Randall-Johnson  
It's: Clerk

STATE OF MINNESOTA            )  
  ) ss.  
COUNTY OF ITASCA            )

On this \_\_\_\_ day of \_\_\_\_\_ 2025, before me a Notary Public within and for said County and State, personally appeared School Board Chair Robert Schwartz and Clerk LaNea Randall-Johnson, as representatives of Independent School District No. 316, who executed the foregoing instrument and acknowledged to me that they executed the same as their free act and deed.

(stamp)

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Notary public

AS GRANTEE:

\_\_\_\_\_  
Cory J. Troumbly

\_\_\_\_\_  
Melanie N. Troumbly

STATE OF MINNESOTA            )  
  ) ss.  
COUNTY OF ITASCA            )

On this \_\_\_\_ day of \_\_\_\_\_ 2025, before me a Notary Public within and for said County and State, personally appeared Cory J. Troumbly and Melanie N. Troumbly, spouses married to each other, who executed the foregoing instrument and acknowledged to me that they executed the same as their free act and deed.

(stamp)

\_\_\_\_\_  
Notary public

AS GRANTEE:

\_\_\_\_\_  
Joseph S. Pollard

STATE OF MINNESOTA            )  
  ) ss.  
COUNTY OF ITASCA            )

On this \_\_\_\_ day of \_\_\_\_\_ 2025, before me a Notary Public within and for said County and State, personally appeared Joseph S. Pollard, a single person, who executed the foregoing instrument and acknowledged to me that he executed the same as their free act and deed.

(stamp)

\_\_\_\_\_  
Notary public

*This document was drafted by:*

Kent E. Nyberg Law Office  
20 NE 4<sup>th</sup> Street, Suite 101  
Grand Rapids, MN 55744

Exhibit A

That part of Government Lot Four (4) in Section Thirty-two (32), Township Fifty-six (56) North, Range Twenty-four (24) West, according to the United States Government survey thereof, that lies South of the south line of the plat of COLERAINE, according to the plat on file and of record in the office of the Registrar of Deeds of said Itasca County, and between the following described two lines:

Line 1: A straight line perpendicular to and intersecting said south line of the plat of COLERAINE at a point 648.93 feet East of the Southwest corner of said plat;

Line 2: A straight line parallel to and 46 feet westerly of the extended east line of Morrison Avenue in the said plat of COLERAINE.

## Exhibit B

### Parcel 1:

That part of Government Lot 4, Section 32, Township 56 North, Range 24 West of the Fourth Principal Meridian, described as follows:

Commencing at the intersection of the Southerly extension of the East line of Morrison Avenue with the South line of Cole Avenue, according to the Plat of Coleraine, of record in the office of the County Recorder, Itasca County, Minnesota, and assuming said East line of said extension to bear North 3 degrees 09 minutes 31 seconds West from said point of intersection; thence South 86 degrees 50 minutes 13 seconds West a distance of 46.00 feet along said South line of Cole Avenue to the point of beginning of the tract to be described; thence South 3 degrees 09 minutes 31 seconds East 170.04 feet; thence North 88 degrees 52 minutes 07 seconds East, 274 feet, more or less to the shore of Trout Lake; thence Northerly along said shore to its intersection with said South line of Cole Avenue; thence South 86 degrees 50 minutes 13 seconds West along said South line to the point of beginning, Itasca County, Minnesota.

### Parcel 2:

That part of Government Lot 4, Section 32, Township 56 North, Range 24 West of the Fourth Principal Meridian, described as follows:

Commencing at the intersection of the Southerly extension of the East line of Morrison Avenue with the South line of Cole Avenue, according to the Plat of Coleraine, of record in the office of the County Recorder, Itasca County, Minnesota, and assuming said East line of said extension to bear North 3 degrees 09 minutes 31 seconds West from said point of intersection; thence South 86 degrees 50 minutes 13 seconds West a distance of 46.00 feet along said South line of Cole Avenue; thence South 3 degrees 09 minutes 31 seconds East 170.04 feet to the point of beginning of the tract described; thence continuing South 3 degrees 09 minutes 31 seconds East 17.52 feet; thence North 88 degrees 52 minutes 07 seconds East 60.08 feet; thence South 03 degrees 09 minutes 31 seconds East 28.02 feet; thence North 88 degrees 52 minutes 07 seconds East 183 feet more or less to the shore of Trout Lake; thence northerly along said shore to its intersection with a line commencing at the point of beginning, bearing North 88 degrees 52 minutes 07 seconds East; thence South 88 degrees 52 minutes 07 seconds West 274 feet more or less to the point of beginning.

## Exhibit C

That part of Government Lot 4, Section 32, Township 56 North, Range 24 West of the Fourth Principal Meridian, described as follows:

Commencing at the intersection of the Southerly extension of the East line of Morrison Avenue with the South line of Cole Avenue, Itasca County, Minnesota, and assuming said East line of said extension to bear North 3 degrees 09 minutes 31 seconds West from said point of intersection; thence South 86 degrees 50 minutes 13 seconds West a distance of 46.00 feet along said South line of Cole Avenue; thence South 3 degrees 09 minutes 31 seconds East 170.04 feet to the point of beginning of the tract described; thence South 3 degrees 09 minutes 31 seconds East 188 feet more or less to the shore of Trout Lake; thence Easterly and North-Easterly along said shore to the point which bears North 88 degrees 52 minutes 07 seconds East from the point of beginning; thence South 88 degrees 52 minutes 07 seconds West to the point of beginning.

Except

That part of Government Lot 4, Section 32, Township 56 North, Range 24 West of the Fourth Principal Meridian, described as follows:

Commencing at the intersection of the Southerly extension of the East line of Morrison Avenue with the South line of Cole Avenue, Itasca County, Minnesota, and assuming said East line and said extension to bear North 3 degrees 09 minutes 31 seconds West from said point of intersection; thence South 86 degrees 50 minutes 13 seconds West a distance of 46.00 feet along said South line of Cole Avenue; thence South 3 degrees 09 minutes 31 seconds East 170.04 feet to the point of beginning of the tract described; thence South 3 degrees 09 minutes 31 seconds East 170.04 feet to the point of beginning of the tract described; thence continuing South 3 degrees 09 minutes 31 seconds East 17.52 feet; thence North 88 degrees 52 minutes 07 seconds East 60.08 feet; thence South 03 degrees 09 minutes 31 seconds East 28.02 feet; thence North 88 degrees 52 minutes 07 seconds East 183 feet more or less to the shore of Trout Lake; thence Northerly along said shore to its intersection with a line commencing at the point of beginning, bearing North 88 degrees 52 minutes 07 seconds East; thence South 88 degrees 52 minutes 07 seconds West 274 feet more or less to the point of beginning.