

EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this ___ day of _____, 2018, by **Independent School District #709**, "Grantor," and the **City of Duluth**, a municipal corporation created and existing under the laws of the State of Minnesota, "Grantee":

WITNESSETH:

Whereas, Grantor is the owner of the property in St. Louis County, Minnesota legally described as follows (the "Property"):

The North Half of the East Half of the West Half of the Northwest Quarter (N 1/2 of E 1/2 of W 1/2 of NW 1/4) of Section Five (5), Township Forty-Nine (49) North, Range Fourteen (14) West of the Fourth (4th) Principal Meridian

and;

Whereas, Grantor wishes to convey to the Grantee, at no cost to Grantee, an easement for road and utility purposes over the Property for the benefit of the Property more particularly described as follows (the "Easement"):

Beginning at the southeast corner of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5; thence north 30.00 feet along the east line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 to a point; thence southwesterly to a point on the south line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 that is 35.00 feet west of said southeast corner; thence east 35.00 feet along the south line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 to the point of beginning.

NOW THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain and convey to Grantee the Easement in trust for the general public a permanent, perpetual and

exclusive easement for road and utility purposes.

The easement intended to be granted is more clearly shown on **Exhibit A** attached hereto and made a part hereof.

INDEPENDENT SCHOOL DISTRICT #709

By: _____
Name: David Kirby
Title: Chair

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

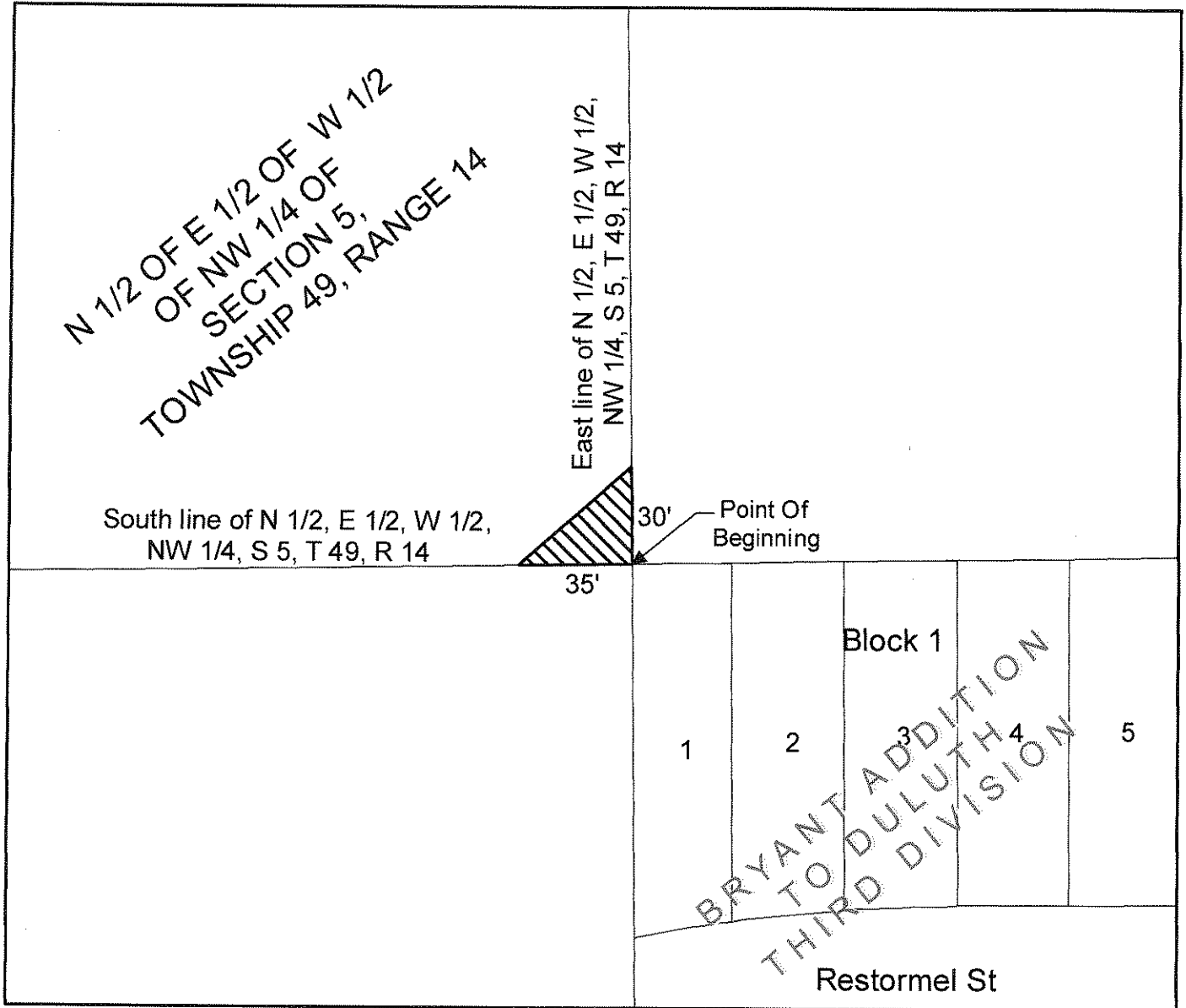
The foregoing instrument was acknowledged before me this ____ day of _____, 2018 by David Kirby, the Chair of the Board of Independent School District #709, a public corporation and political subdivision under the laws of Minnesota on behalf of the corporation.

Notary Public

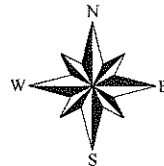
This instrument drafted by:

Robert E. Asleson
Assistant City Attorney
City of Duluth
411 W. 1st St.
Room 411 City Hall
Duluth, MN 55802
(218)730-5490

Exhibit A



Easement



A Road and Utility Easement over that part of the North Half of the East Half of the West Half of the Northwest Quarter (N 1/2 of E 1/2 of W 1/2 of NW 1/4) of Section Five (5), Township Forty-Nine (49) North, Range Fourteen (14) West of the Fourth (4th) Principal Meridian, described as follows:

Beginning at the southeast corner of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5; thence north 30.00 feet along the east line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 to a point; thence southwesterly to a point on the south line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 that is 35.00 feet west of said southeast corner; thence east 35.00 feet along the south line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 to the point of beginning.

[Signature]

APPROVED BY CITY ENGINEER

8-4-17

DATE



City of Duluth

411 West First Street
Duluth, Minnesota
55802

Certified Copy

Resolution: 18-0395R

File Number: 18-0395R

RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR ROAD AND UTILITY PURPOSES
FROM INDEPENDENT SCHOOL DISTRICT #709.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to accept a permanent easement for road and utility purposes over real property as described on the Easement Agreement attached as Attachment 1 from Independent School District #709, Grantor, over the following described property in St. Louis County, Minnesota as depicted on Exhibit A to Attachment 1:

Beginning at the southeast corner of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5; thence north 30.00 feet along the east line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 to a point; thence southwesterly to a point on the south line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 that is 35.00 feet west of said southeast corner; thence east 35.00 along the south line of said N 1/2 of E 1/2 of W 1/2 of NW 1/4 of Section 5 to the point of beginning.

This Resolution was adopted unanimously.

I, Jeffery J. Cox, City Clerk of the City of Duluth, Minnesota, do hereby certify that I have compared the foregoing passed by the city council on 5/14/2018, with the original approved and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth.

Assistant City Clerk

Roberta A. P. Kozak

5-22-18

Date Certified