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**ACCESS EASEMENT**

This Agreement is made this 3<sup>rd</sup> day of October, 2016, by and between Independent School District Number 877, a Minnesota political subdivision, Grantor, and the City of Buffalo, a Minnesota municipal corporation, Grantee.

That for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey to the Grantee and its successors and assigns, forever, a perpetual access easement situated in the County of Wright, State of Minnesota, described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN

The easement is for the exclusive benefit of the City of Buffalo, Minnesota and it is expressly intended that all rights, title, and privileges herein declared shall run with the land and shall be binding upon the owners of the Easement Property, its successors, assigns, and legal representatives.

IN WITNESS WHEREOF, the parties have hereunto executed this document the day and year first above written.

*[Signature pages to follow]*

**SIGNATURE PAGE  
TO  
ACCESS EASEMENT**

**GRANTOR:**

Independent School District Number 877

By \_\_\_\_\_  
Its Chairperson

By \_\_\_\_\_  
Its Clerk

STATE OF MINNESOTA    )  
                                  ) ss.  
COUNTY OF WRIGHT    )

The foregoing was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, the Chairperson of Independent School District Number 877, a Minnesota political subdivision, Grantor.

\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA    )  
                                  ) ss.  
COUNTY OF WRIGHT    )

The foregoing was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, the Clerk of Independent School District Number 877, a Minnesota political subdivision, Grantor.

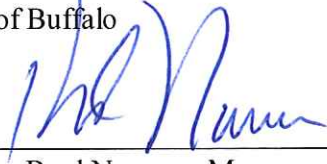
\_\_\_\_\_  
Notary Public

**SIGNATURE PAGE  
TO  
ACCESS EASEMENT**

**GRANTEE:**

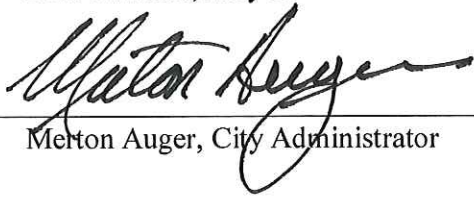
City of Buffalo

By



Brad Nauman, Mayor

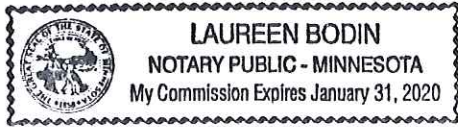
By



Merton Auger, City Administrator

STATE OF MINNESOTA    )  
                                  ) ss.  
COUNTY OF WRIGHT    )

The foregoing was acknowledged before me this 3<sup>rd</sup> day of October, 2016, by Brad Nauman, the Mayor of the City of Buffalo, a Minnesota municipal corporation, on behalf of said municipal corporation, Grantee.

  
\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA    )  
                                  ) ss.  
COUNTY OF WRIGHT    )

The foregoing was acknowledged before me this 3<sup>rd</sup> day of October, 2016, by Merton Auger, the City of Administrator of the City of Buffalo, a Minnesota municipal corporation, on behalf of said municipal corporation, Grantee.

  
\_\_\_\_\_  
Notary Public

TAX STATEMENTS FOR THIS REAL PROPERTY  
DESCRIBED IN THIS INSTRUMENT SHOULD  
CONTINUE TO BE SENT TO PREVIOUS OWNERS

**THIS INSTRUMENT DRAFTED BY:**

Rinke Noonan (MJL)  
1015 W. St. Germain St., Suite 300  
P.O. Box 1497  
St. Cloud, MN 56302-1497  
(320) 251-6700  
File No. 26019-0002

Easement NOT for public right of way purposes

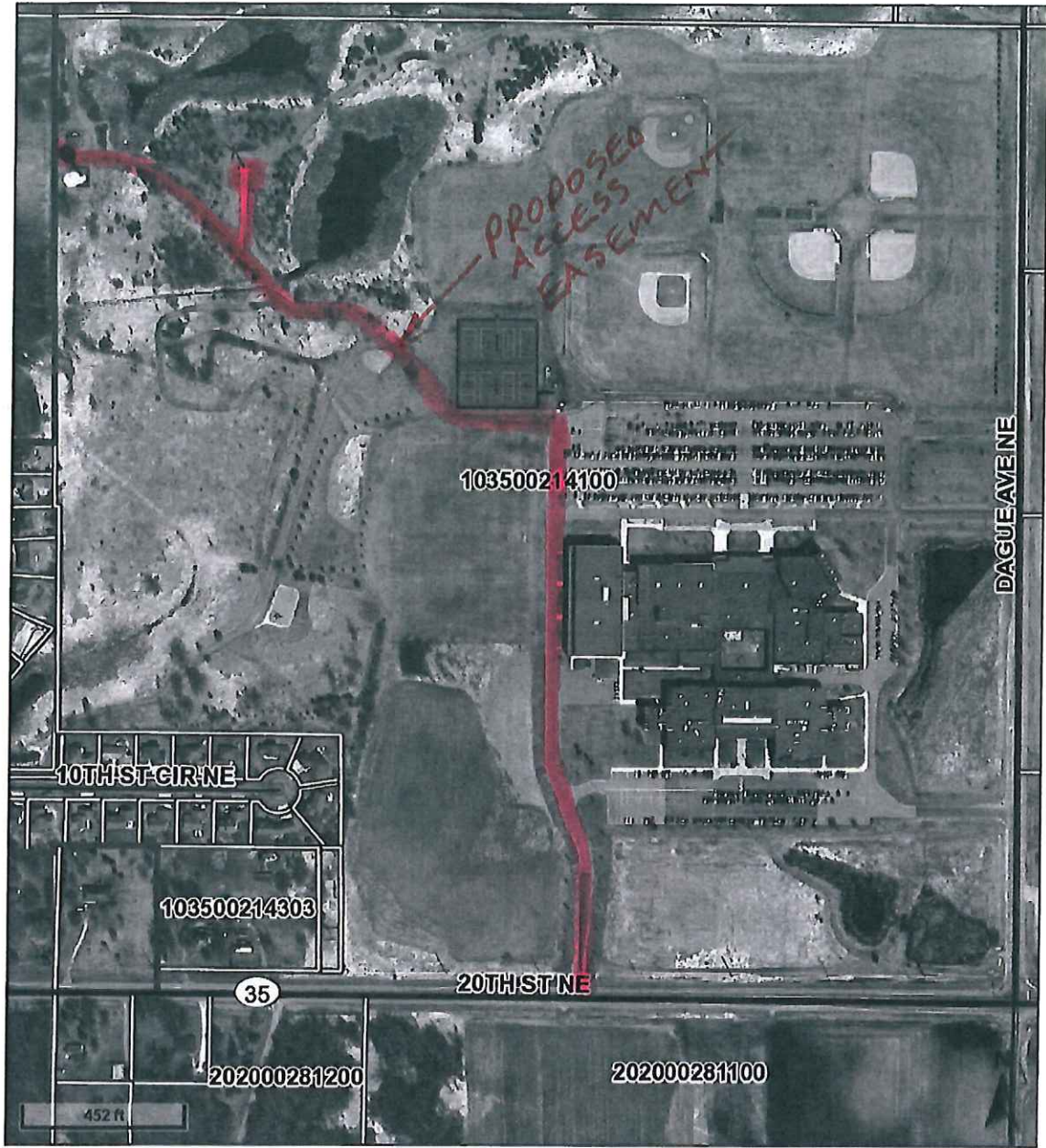
Notwithstanding anything herein to the contrary, the parties expressly limit this easement to the City of Buffalo for purposes of access to and from the wind turbine and water tower sites except with a separate easement. The City shall not have any right to allow any utilities to be located within the easement area. The easement granted is not for public road or public right of way purposes and may not be used as such by the City or the public.

Limiting Access

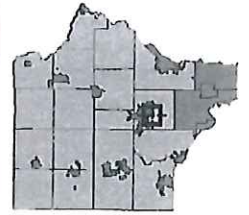
Grantee acknowledges that the Grantor has an interest in limiting access to Grantor's premises and school grounds upon which the access easement is located, and Grantee will cooperate with Grantor in such efforts. This easement may not be used for access by the general public and the Grantor retains the right to restrict access via gates, signage, or other methods provided the City is permitted keys to any gates installed.

Grantor's Right to Relocation

Grantor retains the exclusive and unilateral right to relocate, in Grantor's sole discretion, the access easement granted herein. Grantor may relocate such easement upon other property owned by Grantor by providing written notice to the City together with an updated legal description and sketch showing the new access easement location. In any event, such easement must provide access from a public roadway to the City's water tower and turbine over lands.



**Overview**



**Legend**

**Roads**

- CSAHCL
- CTYCL
- MUNICL
- PRIVATECL
- TWPCL

**Highways**

- Interstate
- State Hwy
- US Hwy

**City/Township Limits**

- c
- t
- PARCELS

Date created: 7/7/2016