

PERMANENT TRAIL EASEMENT

THIS PERMANENT TRAIL EASEMENT (“Easement”) is made, granted and conveyed this _____ day of _____, 2026, by and between Independent School District No. 200, a public corporation in the State of Minnesota (“Landowner”), and the City of Hastings, a Minnesota municipal corporation (“City”).

PROPERTY DESCRIPTION

Landowner owns real property in Dakota County, Minnesota legally described as follows on Exhibit A (the “Landowner’s Property”), attached hereto and incorporated herein by reference.

PERMANENT EASEMENT DESCRIPTION

Landowner for and in consideration of One Dollar and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey to the City, its successors and assigns, forever the following:

A permanent easement for trail purposes and all such purposes ancillary, incident or related thereto, including but not limited to construction, maintenance, improvement, repair and replacement, and restoration purposes and all such purposes ancillary thereto (“Permanent Easement”), under, over, across, through and upon that real property legally described on Exhibit B and depicted on Exhibit C (“Permanent Easement Area”), attached hereto and incorporated herein by reference.

EXEMPT FROM STATE DEED TAX

The rights of the City also include the right of the City, its contractors, agents and servants:

- (a) To enter upon the Permanent Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of the Permanent Easement; and

- (b) To maintain the Permanent Easement Area, together with the right to excavate and refill ditches or trenches for the location of such trails, retaining walls, streetlights, hydrants, curb, gutter or other street project improvements; and
- (c) To remove from the Permanent Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the trails, retaining walls, streetlights, hydrants, curb, gutter or other street project improvements and to deposit earthen material in and upon the Permanent Easement Area; and
- (d) To remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area as the City may deem appropriate.

In consideration of the Permanent Easement, the City agrees to maintain, repair and provide snow removal of the trail within the Permanent Easement Area. The City shall be liable for any and all costs and expenses associated with maintaining and repairing the Permanent Easement Area.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Permanent Easement Area or the Landowner's Property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City or Landowner of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner or its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Landowner's Property described on Exhibit A, the Permanent Easement Area described on Exhibit B and depicted on Exhibit C and has good right to grant and convey the Permanent Easement herein to the City.

This Easement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

This Easement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

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**LANDOWNER:
INDEPENDENT SCHOOL DISTRICT NO. 200**

By: _____
Carrie Tate
Board Chairperson

By: _____
Melissa Millner
Board Clerk

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

On this ____ day of _____, 2026, before me a Notary Public within and for said County, personally appeared _____ and _____ to me personally known, who being each by me duly sworn, each did say that they are respectively the Board Chairperson and the Board Clerk of the Independent School District No. 200, a public corporation in the State of Minnesota named in the foregoing instrument, and that it was signed on behalf of said municipal corporation by authority of its School Board and said Board Chairperson and Board Clerk acknowledged said instrument to be the free act and deed of said municipal corporation.

Notary Public

**This instrument drafted by
And after recording, please return to:**
LeVander, Gillen, & Miller, P.A.
1305 Corporate Center Dr., Suite 300
Eagan, MN 55121
(651) 451-1831
File no: 38000.08001

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER'S PROPERTY

Real Property located in the City of Hastings, Dakota County, Minnesota, legally described as follows:

ALL OF BLOCK NINE (9) OF HENRY G. BAILLY'S ADDITION TO THE TOWN OF HASTINGS;

LOTS ONE (1) TO EIGHT (8) BOTH INCLUSIVE, AND LOTS THIRTY THREE (33) TO FORTY (40) BOTH INCLUSIVE, ALL IN BLOCK ONE (1) OF TRIPP'S ADDITION TO HASTINGS, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR SAID COUNTY AND STATE, AND

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE 1/4 OF SW 1/4) OF SECTION TWENTY SEVEN (27), TOWNSHIP ONE HUNDRED FIFTEEN (115), RANGE SEVENTEEN (17) NOT HERETOFORE PLATTED AND LYING WEST OF THE CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC MILL SPUR RAILROAD RIGHT OF WAY, ACCORDING TO GOVERNMENT SURVEY, SUBJECT TO RAILROAD RIGHTS OF WAY.

PIDs: 197730001080, 190270050010

Torrens Property

EXHIBIT B
LEGAL DESCRIPTION OF PERMANENT EASEMENT AREA

A 20 FOOT WIDE PERPETUAL EASEMENT FOR TRAIL PURPOSES OVER, UNDER AND ACROSS THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 115 NORTH, RANGE 17 WEST, DAKOTA COUNTY, MINNESOTA, LYING WEST OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD ACCORDING TO THE GOVERNMENT SURVEY THEREOF, THE CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 51 MINUTES 41 SECONDS EAST, ASSUMED BEARING, ALONG THE SOUTH LINE OF SAID SECTION 27, A DISTANCE OF 1,509.34 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 25 SECONDS WEST, A DISTANCE OF 8.90 FEET TO THE POINT OF BEGINNING; THENCE NORTH 42 DEGREES 14 MINUTES 32 SECONDS EAST, A DISTANCE OF 14.82 FEET; THENCE NORTHEASTERLY A DISTANCE OF 25.64 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 48 DEGREES 57 MINUTES 44 SECONDS; THENCE SOUTH 88 DEGREES 47 MINUTES 44 SECONDS EAST, A DISTANCE OF 18.14 FEET; THENCE SOUTH 83 DEGREES 06 MINUTES 41 SECONDS EAST, A DISTANCE OF 36.57 FEET; THENCE EASTERLY A DISTANCE OF 71.62 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 625.00 FEET AND A CENTRAL ANGLE OF 06 DEGREES 33 MINUTES 57 SECONDS; THENCE SOUTH 89 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 40.39 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT A ; THENCE CONTINUING SOUTH 89 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 3.53 FEET, A DISTANCE OF 3.53 FEET; THENCE EASTERLY A DISTANCE OF 21.29 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 12 DEGREES 12 MINUTES 03 SECONDS; THENCE NORTH 78 DEGREES 07 MINUTES 20 SECONDS EAST, A DISTANCE OF 51.75 FEET; THENCE NORTHEASTERLY A DISTANCE OF 41 .67 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 325.00 FEET AND A CENTRAL ANGLE OF 07 DEGREES 20 MINUTES 48 SECONDS; THENCE NORTH 85 DEGREES 28 MINUTES 07 SECONDS EAST, A DISTANCE OF 23.12 FEET; THENCE EASTERLY A DISTANCE OF 44.44 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 08 DEGREES 29 MINUTES 14 SECONDS; THENCE SOUTH 86 DEGREES 02 MINUTES 39 SECONDS EAST, A DISTANCE OF 40.57 FEET; THENCE SOUTH 87 DEGREES 52 MINUTES 09 SECONDS EAST, A DISTANCE OF 37.51 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT B ; THENCE CONTINUING SOUTH 87 DEGREES 52 MINUTES 09 SECONDS EAST, A DISTANCE OF 29.10 FEET; THENCE NORTHEASTERLY A DISTANCE OF 38.20 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 90.00 FEET AND A CENTRAL ANGLE OF 24 DEGREES 19 MINUTES 07 SECONDS; THENCE NORTH 67 DEGREES 48 MINUTES 44 SECONDS EAST, A DISTANCE OF 12.63 FEET; THENCE

NORTHEASTERLY A DISTANCE OF 38.09 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 55.00 FEET AND A CENTRAL ANGLE OF 39 DEGREES 40 MINUTES 48 SECONDS; THENCE NORTH 28 DEGREES 07 MINUTES 56 SECONDS EAST, A DISTANCE OF 3.67 FEET; THENCE NORTHERLY A DISTANCE OF 54.40 FEET ALONG A TANGENTIAL CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 38 DEGREES 57 MINUTES 47 SECONDS; THENCE NORTH 10 DEGREES 49 MINUTES 51 SECONDS WEST, A DISTANCE OF 128.66 FEET; THENCE NORTHERLY A DISTANCE OF 24.80 FEET ALONG A TANGENTIAL CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 265.00 FEET AND A CENTRAL ANGLE OF 05 DEGREES 21 MINUTES 43 SECONDS; THENCE NORTH 05 DEGREES 28 MINUTES 08 SECONDS WEST, A DISTANCE OF 71.19 FEET; THENCE NORTHERLY A DISTANCE OF 80.88 FEET ALONG A TANGENTIAL CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 750.00 FEET AND A CENTRAL ANGLE OF 06 DEGREES 10 MINUTES 43 SECONDS; THENCE NORTH 11 DEGREES 38 MINUTES 50 SECONDS WEST, A DISTANCE OF 125.92 FEET; THENCE NORTHERLY A DISTANCE OF 51.84 FEET ALONG A TANGENTIAL CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 11 DEGREES 52 MINUTES 52 SECONDS; THENCE NORTHERLY A DISTANCE OF 21.28 FEET ALONG A REVERSE CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 24 DEGREES 23 MINUTES 05 SECONDS; THENCE NORTHERLY A DISTANCE OF 50.68 FEET ALONG A REVERSE CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 220.00 FEET AND A CENTRAL ANGLE OF 13 DEGREES 11 MINUTES 56 SECONDS; THENCE NORTH 12 DEGREES 20 MINUTES 33 SECONDS WEST, A DISTANCE OF 264.22 FEET; THENCE NORTHWESTERLY A DISTANCE OF 47.72 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 10 DEGREES 56 MINUTES 09 SECONDS; THENCE NORTH 23 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 19.17 FEET; THENCE NORTHERLY A DISTANCE OF 37.34 FEET ALONG A TANGENTIAL CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 140.00 FEET AND A CENTRAL ANGLE OF 15 DEGREES 16 MINUTES 58 SECONDS; THENCE NORTH 07 DEGREES 59 MINUTES 44 SECONDS WEST, A DISTANCE OF 26.77 FEET; THENCE NORTHERLY A DISTANCE OF 27.06 FEET ALONG A TANGENTIAL CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 250.00 FEET AND A CENTRAL ANGLE OF 06 DEGREES 12 MINUTES 05 SECONDS; THENCE NORTH 14 DEGREES 11 MINUTES 48 SECONDS WEST, A DISTANCE OF 77.25 FEET; THENCE NORTHERLY A DISTANCE OF 36.29 FEET ALONG A TANGENTIAL CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 13 DEGREES 51 MINUTES 46 SECONDS; THENCE NORTHWESTERLY A DISTANCE OF 44.16 FEET ALONG A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 25 DEGREES 18 MINUTES 07 SECONDS; THENCE NORTH 25 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 12.44 FEET; THENCE NORTHWESTERLY A DISTANCE OF 36.68 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 42 DEGREES 01 MINUTE 44 SECONDS; THENCE NORTH 67 DEGREES 39 MINUTES 53 SECONDS WEST, A DISTANCE OF 11.87 FEET; THENCE WESTERLY A

DISTANCE OF 29.43 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 22 DEGREES 29 MINUTES 01 SECOND; THENCE SOUTH 89 DEGREES 51 MINUTES 06 SECONDS WEST, A DISTANCE OF 80.72 FEET; THENCE WESTERLY A DISTANCE OF 17.28 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF 02 DEGREES 12 MINUTES 01 SECOND; THENCE NORTH 87 DEGREES 56 MINUTES 53 SECONDS WEST, A DISTANCE OF 127.87 FEET; THENCE NORTHWESTERLY A DISTANCE OF 72.44 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 77.74 FEET AND A CENTRAL ANGLE OF 53 DEGREES 23 MINUTES 08 SECONDS TO THE SOUTH RIGHT-OF-WAY LINE OF BAILY STREET AND THERE TERMINATING; ALSO, BEGINNING AT THE AFORESAID POINT A; THENCE SOUTHEASTERLY A DISTANCE OF 26.53 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 45.00 FEET AND A CENTRAL ANGLE OF 33 DEGREES 47 MINUTES 04 SECONDS; THENCE SOUTH 55 DEGREES 53 MINUTES 34 SECONDS EAST, A DISTANCE OF 21.17 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 27; ALSO, BEGINNING AT THE AFORESAID POINT B ; THENCE SOUTHWESTERLY A DISTANCE OF 78.54 FEET ALONG A NON-TANGENTIAL CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 60 DEGREES 00 MINUTES 00 SECONDS, A CHORD BEARING OF SOUTH 61 DEGREES 28 MINUTES 51 SECONDS WEST, AND A CHORD DISTANCE OF 75.00 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 27;

