
DECLARATION OF DRAINAGE AND UTILITY EASEMENT

THIS DECLARATION is made this ___ day of _____, 2014, by CITY OF MINNEAPOLIS, a Minnesota municipal corporation (“**Declarant**”).

RECITALS

- A. Declarant is the fee owner of the real property legally described on Exhibit A attached hereto (the “**Property**”).
- B. Declarant desires to declare a utility easement for drainage, and sewer, water, gas and electric service lines over, under and across part of the Property for the benefit of public utility facilities.

DECLARATION

NOW, THEREFORE, the Declarant hereby declares, imposes upon and makes the Property subject to the following easements and covenants:

1. Grant of Utility Easements. Declarant hereby declares perpetual, non-exclusive, utility and drainage easement over, under and across that part of the Property legally described on Exhibit B attached hereto (the “**Easement Area**”) and depicted on Exhibit C attached hereto. It is expressly understood that this is an underground easement and no public utility facilities, structures or other improvements of any kind shall be located above grade, as said grade is now or hereafter established.
2. Access to Utilities in Easement Area. The grant of the easement shall be for all purposes, including the construction, maintenance, operation, inspection, reconstruction, removal of utilities, and other purposes as may be required by the City.
3. Duration. The provisions of this Declaration shall remain in full force and effect until the Declarant agrees in writing to terminate said provisions.

THIS INSTRUMENT WAS DRAFTED BY:

Leonard, Street and Deinard (JRW)
Professional Association
Suite 2300
150 South Fifth Street
Minneapolis, MN 55402
(612) 335-1500

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Parcel 1

LOT 1, BLOCK 1, JADT ADDITION, ACCORDING TO THE RECORDED PLAT
THEREOF, HENNEPIN COUNTY, MINNESOTA.

Parcel 2

THE WESTERLY 250.00 FEET OF LOT 2, BLOCK 1, NORTH WASHINGTON
INDUSTRIAL CENTER, HENNEPIN COUNTY, MINNESOTA.

EXHIBIT B

LEGAL DESCRIPTION OF THE EASEMENT AREA

That part of the above described Parcel 1 lying easterly and southwesterly of the following described line:

Beginning at the southwest corner of said Parcel 1; thence on an assumed bearing of North 00 degrees 05 minutes 31 seconds West, along the westerly line of said Parcel 1 a distance of 34.89 feet; thence North 29 degrees 32 minutes 33 seconds East, a distance 254.01 feet to the northeasterly line of said Parcel 1; thence South 52 degrees 31 minutes 21 seconds East, along said northeasterly line a distance of 345.48 feet to the easterly line of said Parcel 1 and said line there terminating;

AND which lies westerly and northeasterly of the following described line:

Commencing at the southwest corner of said Parcel 1; thence on an assumed bearing of South 89 degrees 54 minutes 31 seconds East, along the southerly line of said Parcel 1 a distance of 34.74 feet to the point of beginning of the line to be described; thence North 29 degrees 32 minutes 33 seconds East, a distance of 212.67 feet; thence South 52 degrees 30 minutes 07 seconds East, a distance of 205.89 feet; thence South 47 degrees 42 minutes 02 seconds East, a distance of 68.98 feet; thence South 01 degree 39 minutes 13 seconds East, a distance of 11.33 feet; thence South 46 degrees 39 minutes 13 seconds East, a distance of 3.58 feet to said southerly line and said line there terminating.

Together with the east 130.00 feet of the west 150.00 feet of the north 20.00 feet of the above described Parcel 2.

EXHIBIT C
DEPICTION OF THE EASEMENT AREA

[See attached depiction.]

