

1330239

Box 198
Kennedy & Graven, Chartered

*Part of 26-30-24-11-0009
ga*

ABSTRACT
PID No. 26-30-24-11-0009

DECLARATION OF EASEMENT

THIS INSTRUMENT is made by the CITY OF COLUMBIA HEIGHTS, a Minnesota municipal corporation ("Declarant").

Recitals

A. Declarant is the fee owner of the following described property in Anoka County, Minnesota (the "Property"):

The North 3.6 acres of Lots 7 & 8, Auditor's Subdivision Number 51, Anoka County, Minnesota.

B. Declarant desires to subject the Property to easements, according to the terms and conditions contained herein, and in furtherance of a public improvement project.

Declaration

The Declarant hereby declares that the Property shall be held, sold and conveyed subject to the following easements, which shall run with the land described as the Property, and which shall be binding on all parties having any right, title or interest in the land so described, or any part thereof, their heirs, successors and assigns, and which shall inure to the benefit of the City of Columbia Heights.

1. Easements. The Property is and shall be subject to the following easements in favor of the City of Columbia Heights:

RJL129173
CL160-79

RAPID RECORDINGS

- a. A perpetual easement for the installation and continued maintenance of utilities over and across the following described property: The south 50 feet of the north 267.61 feet of Lots 7 & 8, Auditors Subdivision Number 51.
- b. A perpetual easement for the installation and continued maintenance of utilities over and across the following described property: The east 30 feet of the north 267.61 feet of Lot 7, Auditors Subdivision Number 51 and the east 75 feet of the north 30 feet of the north 267.61 feet of Lot 7, Auditors Subdivision Number 51.
- c. An easement for the installation and continued maintenance of a sanitary sewer line over and across the following described property: The north 30 feet of the north 267.61 feet of Lots 7 & 8, Auditors Subdivision Number 51, except the east 75 feet of the north 30 feet of Lot 7, Auditors Subdivision Number 51. Said easement shall terminate automatically upon the filing of a certificate by the City engineer, attesting that the sewer line installed therein is no longer in service.
- d. A perpetual easement for public trail purposes over and across the following described property: The south 50 feet of the north 267.61 feet of Lots 7 & 8, Auditors Subdivision Number 51 and over and across the east 30 feet of the north 267.61 feet of Lot 7, Auditors Subdivision Number 51 and over and across the east 75 feet of the north 30 feet of the north 267.61 feet of Lot 7, Auditors Subdivision Number 51.

2. Scope of Easements. The utility easements created and established by this instrument herein include the right of the City of Columbia Heights, its contractors, agents, and employees to enter upon said premises at all reasonable times for the purposes of locating, constructing, reconstructing, operating, maintaining, inspecting, altering and repairing utility facilities in the described easement areas.

The sanitary sewer easements created and established by this instrument herein include the right of the City of Columbia Heights, its contractors, agents, and employees to enter upon said premises at all reasonable times for the purposes of locating, constructing, reconstructing, operating, maintaining, inspecting, altering and repairing sanitary sewer facilities in the described easement areas.

The public trail easements purposes created and established by this instrument herein include the right to locate, construct, operate, maintain, alter and repair trail facilities in the described easement areas. As used herein, "trail purposes" is defined as the use of trail facilities by pedestrians, non-motorized bicycles, city and public safety vehicles, and electric-powered wheelchairs and small electric carts operated by physically handicapped people; the use of trail facilities by snowmobiles, all-terrain vehicles, or motorized trail bikes is not included within the scope of the easements.

The easements also include the right to alter the grade and install an earthen berm and

ABSTRACT

\$20.50

RR5687A

| | |
|--|--|
| Receipt # <u>98032083</u> | <input type="checkbox"/> Certified Copy Date Mailed _____ |
| Date/Time: <u>3/26 / 9:20</u> | <input type="checkbox"/> Tax Liens / Releases |
| Doc. Order <u>1</u> of <u>5</u> | <input type="checkbox"/> Multi-Co Doc Tax Pd |
| ✓ by: Pins: <u>ga</u> | <input type="checkbox"/> Transfer <input type="checkbox"/> New Desc. |
| Recordability / Delqs: <u>ga</u> | <input type="checkbox"/> Division <input type="checkbox"/> GAC |
| Filing Fees: <u>20.50</u> | <input type="checkbox"/> Status <input type="checkbox"/> Def. Spec |
| Well Certificate Received this Date: _____ Anoka County Recorder | <input type="checkbox"/> Other <input checked="" type="checkbox"/> No Change |
| Notes: | |

DOCUMENT NO. 1330239.0 ABSTRACT

ANOKA COUNTY MINNESOTA

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED IN THIS OFFICE
 FOR RECORD ON MAR 26 98
 AT 9:20 AM AND WAS DULY RECORDED.
 FEES AND TAXES IN THE AMOUNT OF \$20.50 PAID.

RECEIPT NO. 98032083
 EDWARD M. TRESKA

ANOKA COUNTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES

NMA

BY _____
 DEPUTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES

11196A #1 CMIT