

PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT

THIS INDENTURE is made and entered into this 22 day of June, 2021, between **Marlene D. Luke, Scott T. Phipps, Chris R. Phipps**, of Phoenix, Arizona, hereinafter referred to as "Grantor," and the CITY OF GRAND RAPIDS, Minnesota, Municipal Corporation, and road authority, hereinafter referred to as "Grantee."

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in Itasca County, Minnesota, described as follows, to-wit:

Parcel 91-034-1105

Existing Legal Description (Doc. No. A000729286)

That part of the West Half of the Northeast Quarter of the Northeast Quarter (W1/2-NE1/4-NE1/4) of Section Thirty-four (34), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian, Itasca County, Minnesota, described as follows: Beginning at the southeast corner thereof; thence North 89 degrees 56 minutes 52 seconds West, bearing assumed, along the south line thereof, 285 feet; thence North 12 degrees 46 minutes 55 seconds West 225.63 feet; thence South 89 degrees 56 minutes 52 seconds East, parallel with said south line 36.80 feet; thence northeasterly along a curve, concave to the northwest with a central angle of 75 degrees 18 minutes 11 seconds and a radius of 86.13 feet, a distance of 113.20 feet; thence South 68 degrees 57 minutes 25 seconds East, 231.72 feet to intersect the east line of said West Half of the Northeast Quarter of the Northeast Quarter (W1/2-NE1/4-NE1/4), also being the west line of Outlot E, WINTER HILLS; thence South 00 degrees 31 minutes 05 seconds West along said east line 201.28 feet to the point of beginning.

WHEREAS, Grantor has agreed to grant Grantee an easement for public service and infrastructure purposes across said property.

NOW, THEREFORE, said Grantor, for other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey an easement unto the CITY OF GRAND RAPIDS, MN, as Grantee, for public service and infrastructure purposes, free and clear of all encumbrances, the below described real estate in the County of Itasca, State of Minnesota, and the said grantor for (himself) (his) (themselves) (their) heirs executors and assigns, does release the City of Grand Rapids, State of Minnesota, its successors and

assigns, from all claims for any and all damages resulting to the lands contained within the permanent easement area as hereinafter described by reason of the location, grading, construction, maintenance, and use of public service and infrastructure and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the City of Grand Rapids, State of Minnesota, shall have the right to use and remove all earth and materials contained within the permanent easement area as hereinafter described and the right to construct and maintain upon the lands contained within the permanent easement area as herein after described and the right to allow utilities within the easement more particular described as follows, to-wit:
Rights to be Acquired:

Parcel 91-034-1105

Marlene D. Luke, Scott T. Phipps, Chris R. Phipps

A public service and infrastructure easement over that part Township 55N Range 25W Section 34 - REV DESC 3 OF NE NE, according to the plat thereof on file and of record at the County Recorder's Office, Itasca County, Minnesota, described as follows:

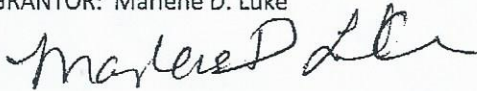
Beginning at the northeast corner of Lot 1, Block 2, SECOND ADDITION TO WINTER HILLS, according to the plat thereof on file and of record in the office of the County Recorder, Itasca County, Minnesota; thence South 13 degrees 40 minutes 43 seconds East, assumed bearing, along the east line of said Lot 1, a distance of 121.00 feet; thence North 89 degrees 09 minutes 10 seconds East 40.00 feet; thence North 13 degrees 40 minutes 43 seconds West, parallel with the west line of said Lot 1, a distance of 121.06 feet, more or less to the northerly line of Tract A, described above; thence westerly along said northerly line to the point of beginning.

Containing 4,719 SF, more or less.

Easement shown on attached EXHIBIT No. 1

IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed on the day and year first above written.

GRANTOR: Marlene D. Luke




Marlene D. Luke

GRANTOR: Scott T. Phipps



Scott T. Phipps

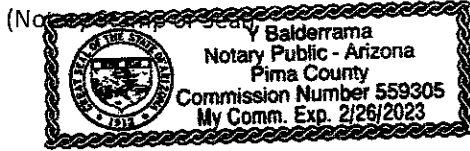
GRANTOR: Chris R. Phipps



Chris R. Phipps

STATE OF Arizona
COUNTY OF Pima) ss:

The foregoing instrument was acknowledged before me this 22 day of June, 2021, by **Marlene D. Luke, Scott T. Phipps, Chris R. Phipps**, Grantor.

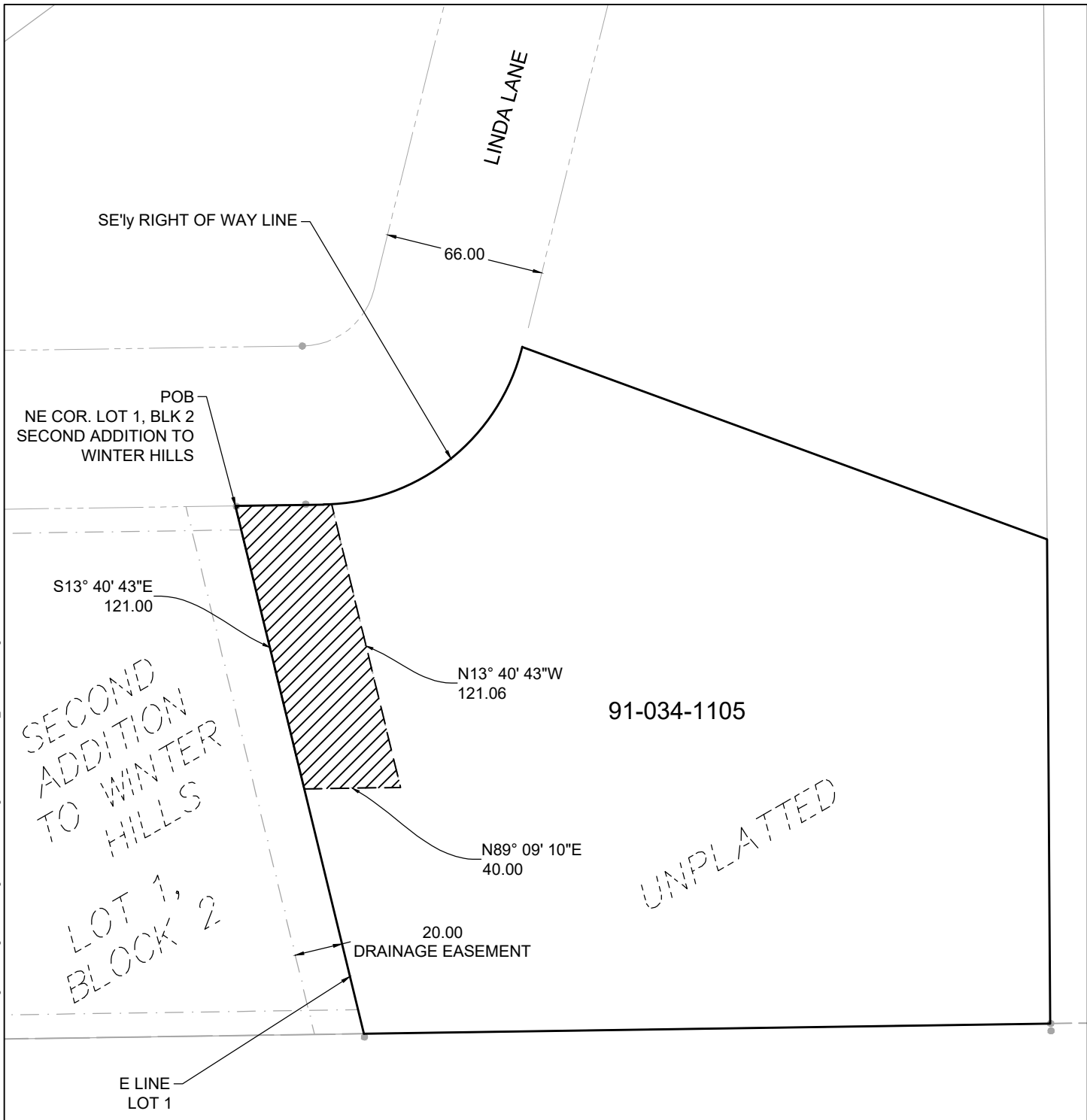


J. Balderrama
Signature of Person Taking Acknowledgement

This conveyance is entitled to recording without payment of fee pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the City of Grand Rapids, MN.

This instrument was drafted by: Matt Wegwerth, PE, of the City of Grand Rapids, MN, 420 N Pokegama Avenue, Grand Rapids, MN 55744.

Save: 5/5/2021 9:40 AM mhaselius Plot: 5/5/2021 9:42 AM X:\F\G\GRANR\158701\Misc Services\Linda Lane Ditching\5-final\dsgrt151-drawings\10-Civil\cad\dwg\exhibit1\LindaLane_Easement2.dwg



PROPOSED PUBLIC SERVICE AND INFRASTRUCTURE EASEMENT -

PLATTED LOT LINES - EASEMENT PARCEL -

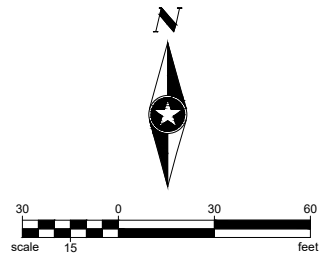
I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Mark J. Haselius

Mark J. Haselius, LS
Minnesota License No. 47034

MAY 05, 2021
Date

PARCEL NUMBER	91-034-1105
OWNER	LUKE, MARLENE D ETAL
AREA OF PARCELS	74765 SF
ZONING	RR
AREA OF PROPOSED EASEMENT	4719 SF



PHONE: 218.322.4500
1200 SE 4TH AVE STE 200
GRAND RAPIDS, MN 55744
www.sehinc.com

FILE NO. GRANR 158701
DATE: 5/5/2021

**LINDA LANE
EASEMENT EXHIBIT
GRAND RAPIDS, MINNESOTA**

**EXHIBIT
NO. 1**

GRANR #158701
M. Haselius
5/03/2021

PID 91-034-1105

Owners: Marlene Luke, Scott Phipps, Chris Phipps per Doc. No. A000729286

Tract A:

That part of the West Half of the Northeast Quarter of the Northeast Quarter (W1/2-NE1/4-NE1/4) of Section Thirty-four (34), Township Fifty-five (55) North, Range Twenty-five (25) West of the Fourth Principal Meridian, Itasca County, Minnesota, described as follows: Beginning at the southeast corner thereof; thence North 89 degrees 56 minutes 52 seconds West, bearing assumed, along the south line thereof, 285 feet; thence North 12 degrees 46 minutes 55 seconds West 225.63 feet; thence South 89 degrees 56 minutes 52 seconds East, parallel with said south line 36.80 feet; thence northeasterly along a curve, concave to the northwest with a central angle of 75 degrees 18 minutes 11 seconds and a radius of 86.13 feet, a distance of 113.20 feet; thence South 68 degrees 57 minutes 25 seconds East, 231.72 feet to intersect the east line of said West Half of the Northeast Quarter of the Northeast Quarter (W1/2-NE1/4-NE1/4), also being the west line of Outlot E, WINTER HILLS; thence South 00 degrees 31 minutes 05 seconds West along said east line 201.28 feet to the point of beginning.

UTILITY EASEMENT

All that part of the above described Tract A, lying within the following described easement area:

Beginning at the northeast corner of Lot 1, Block 2, SECOND ADDITION TO WINTER HILLS, according to the plat thereof on file and of record in the office of the County Recorder, Itasca County, Minnesota; thence South 13 degrees 40 minutes 43 seconds East, assumed bearing, along the east line of said Lot 1, a distance of 121.00 feet; thence North 89 degrees 09 minutes 10 seconds East 40.00 feet; thence North 13 degrees 40 minutes 43 seconds West, parallel with the west line of said Lot 1, a distance of 121.06 feet, more or less to the northerly line of Tract A, described above; thence westerly along said northerly line to the point of beginning.

CERTIFICATION

I hereby certify that this legal description was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.



Mark J. Haselius, LS
Minnesota License No. 47034

May 03, 2021

Date