

GRANT OF PERMANENT EASEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 20__ by and between Curtis VanMeveren, a single person, Grantor, and the City of Marshall, a Minnesota municipal corporation under the laws of the State of Minnesota, Grantee, as follows:

WHEREAS, Grantor is the fee owner of the property legally described in Exhibit A (the "Property"); and

WHEREAS, the City of Marshall wishes to construct and install stormwater drainage pipe on the Property (the "Project") described herein and depicted in Exhibit B (the "Easement Area"); and

WHEREAS, Grantor, as owner of said Property and Easement Area, is hereby willing and able to grant said easement as requested.

THEREFORE, in consideration of sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Grantor gives and grants to the Grantee, its permitted successors and assigns, the right to enter upon and occupy, and to construct and install stormwater drainage pipe owned by the Grantee. The described permanent easements are shown in Exhibit A and Exhibit B and referred to as the "Easement Area."
2. Grantor its successors and assigns, gives and grants to Grantee, its successors and assigns, the right in perpetuity, to maintain, operate, and use said stormwater drainage facilities within the Easement Area and the right when deemed necessary, to repair, replace and/or rebuild the same, as further described in this easement.
3. As an essential part of the consideration herein and by the acceptance of the grant of easement, said Grantee its permitted successors and assigns, further take said easement, subject to the condition and thereby covenants that upon the initial construction, improvement or repair of said public facilities, that it will restore and return said premises to substantially the same condition as said premises were prior to said construction, improvement or repair.

* * * THE REMAINDER OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY * * *

EXHIBIT A

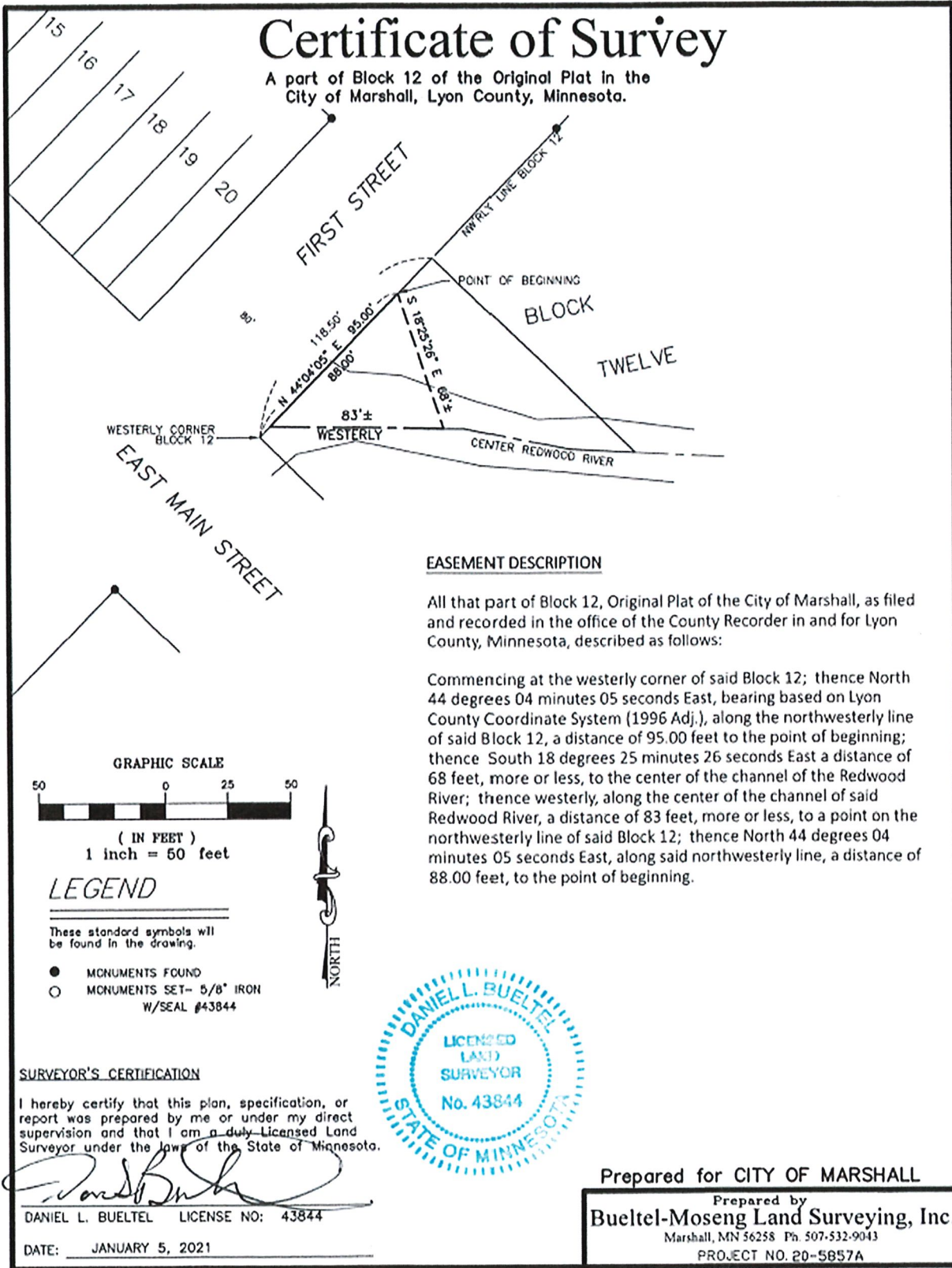
All that part of Block 12, Original Plat of the City of Marshall, as filed and recorded in the office of the County Recorder in and for Lyon County, Minnesota, described as follows:

Commencing at the westerly corner of said Block 12; thence North 44 degrees 04 minutes 05 seconds East, bearing based on Lyon County Coordinate System (1996 Adj.), along the northwesterly line of said Block 12, a distance of 95.00 feet to the point of beginning; thence South 18 degrees 25 minutes 26 seconds East a distance of 68 feet, more or less, to the center of the channel of the Redwood River; thence westerly, along the center of the channel of said Redwood River, a distance of 83 feet, more or less, to a point on the northwesterly line of said Block 12; thence North 44 degrees 04 minutes 05 seconds East, along said northwesterly line, a distance of 88.00 feet, to the point of beginning.

EXHIBIT B

Certificate of Survey

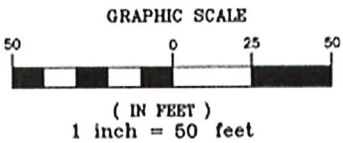
A part of Block 12 of the Original Plat in the City of Marshall, Lyon County, Minnesota.



EASEMENT DESCRIPTION

All that part of Block 12, Original Plat of the City of Marshall, as filed and recorded in the office of the County Recorder in and for Lyon County, Minnesota, described as follows:

Commencing at the westerly corner of said Block 12; thence North 44 degrees 04 minutes 05 seconds East, bearing based on Lyon County Coordinate System (1996 Adj.), along the northwesterly line of said Block 12, a distance of 95.00 feet to the point of beginning; thence South 18 degrees 25 minutes 26 seconds East a distance of 68 feet, more or less, to the center of the channel of the Redwood River; thence westerly, along the center of the channel of said Redwood River, a distance of 83 feet, more or less, to a point on the northwesterly line of said Block 12; thence North 44 degrees 04 minutes 05 seconds East, along said northwesterly line, a distance of 88.00 feet, to the point of beginning.



LEGEND

- These standard symbols will be found in the drawing.
- MONUMENTS FOUND
 - MONUMENTS SET- 5/8" IRON W/SEAL #43844

SURVEYOR'S CERTIFICATION

I hereby certify that this plan, specification, or report 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.

Daniel L. Bueltel
 DANIEL L. BUELTEL LICENSE NO: 43844

DATE: JANUARY 5, 2021



Prepared for CITY OF MARSHALL

Prepared by
Bueltel-Moseng Land Surveying, Inc.
 Marshall, MN 56258 Ph. 507-532-9043
 PROJECT NO. 20-5657A