

TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE is entered into this 31st day of January, 2022, by and between the Lakewood Group Three, an LLC corporation under the laws of the State of Minnesota ("GRANTOR"), and the City of Saint Paul, a municipal corporation under the laws of the State of Minnesota ("GRANTEE").

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and the further consideration of the covenants and agreements set forth below, GRANTOR does hereby grant, sell, convey, transfer, and deliver unto GRANTEE, its contractors, subcontractors, successors and assigns, a non-exclusive Temporary Construction Easement (the "Easement") over, under and across the real property as described and depicted in Exhibit A, attached hereto and incorporated herein by this reference (the "Easement Area"), for certain purposes including but not limited to entry, operation, sloping, grading and the clearing and storage of materials in conjunction with and during the construction of the Brewster Lift Station Project (the "Project") as it affects GRANTOR'S property located at 1385 Jessamine Avenue West (the "Parcel").

This Easement is granted in accordance with, and subject to, the following terms, conditions, requirements and limitations:

1. Easement Term: This Easement shall be effective from August 29, 2022, through June 30, 2023.
2. Consideration: GRANTEE shall pay to GRANTOR (\$15,850.00) Fifteen thousand eight hundred fifty dollars and zero cents.
3. Restoration: GRANTEE shall restore the Parcel at the end of the Easement term to the same or similar condition that exists at the commencement of the Easement Term.
4. Access: At the end of each Friday, GRANTEE will provide weekend access to the Parcel at the southeast driveway location on Jessamine Avenue West.

The Contractor, as part of his contract with the City, will maintain access to the Parcel during the project construction at the southeast driveway off Jessamine Avenue West with the exception of the tasks detailed below which will temporarily limit direct access. It is acknowledged that the timelines shown below are subject to weather and uncontrollable delays.

- Removal and replacement of the bituminous driveway and parking lot,
 - For a period not to exceed 3 days.
- Establish temporary sewage conveyance system (temporary manhole, pumps, piping, etc.), and construct new valve vault
 - For a period not to exceed 7 days.
- Placement of new generator, pumps, and control cabinet
 - For a period not to exceed 3 days.

City will communicate construction schedules; before mobilization begins, and weekly upon the start of the project work.

- This will allow deliveries to be scheduled around the project work.

5. Signage: GRANTEE shall provide signage as needed to direct traffic flow through the Parcel.

**SEPARATE SIGNATURE PAGE
OF GRANTOR FOR
TEMPORARY CONSTRUCTION EASEMENT**

IN WITNESS WHEREOF, the undersigned has caused this Agreement to be made as of the day and year first above written.

**Lakewood Group Three, LLC
GRANTOR**

By: [Signature]
Its Managing Member

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

The instrument was acknowledged before me this 31st day of January, 2022, by JON A. PASASORT its Managing Member, on behalf of the Lakewood Group Three, a Minnesota LLC corporation, on behalf of the corporation.



[Signature]
Notary Public

EXHIBIT A

Description of Temporary Construction Easement

A temporary easement for construction purposes over, under, and across the following described parcel:

The Westerly 817.9 feet of the Easterly 1217.9 feet of that part of the North Half of the Northwest Quarter of Section 27, Township 29 North, Range 23 West, City of Saint Paul, Ramsey County, Minnesota, lying West of Hamline Avenue and South of Wynne Avenue, except that part of the Westerly 68 feet of the Easterly 1217.9 feet thereof lying Northerly of permanent sanitary sewer and also except that part thereof taken for West Jessamine Avenue.

The Easterly 2.0 feet of the Westerly 68.0 feet of the Westerly 817.9 feet of the Easterly 1217.9 feet of that part of the North half of the Northwest Quarter of Section 27, Township 29 North, Range 23 West, City of St. Paul, Ramsey County, Minnesota lying West of Hamline Avenue, South of Wynne Avenue and North of permanent sanitary sewer.

Said temporary easement described as follows:

Commencing at the southeast corner of the above described parcel; thence North 00 degrees 03 minutes 52 seconds West, assumed bearing along the east line thereof, a distance of 231.84 feet to the point of beginning of the easement to be described; thence North 90 degrees 00 minutes 00 seconds West, a distance of 77.44 feet; thence North 29 degrees 24 minutes 39 seconds East, a distance of 37.01 feet; thence North 89 degrees 06 minutes 15 seconds East, a distance of 59.23 feet to said east line; thence South 00 degrees 03 minutes 52 seconds East, along said east line, a distance of 33.16 to the point of beginning.

AND

Commencing at the southeast corner of the above described parcel; thence North 00 degrees 03 minutes 52 seconds West, assumed bearing along the east line thereof, a distance of 388.57 feet to the point of beginning of the easement to be described; thence South 88 degrees 59 minutes 15 seconds West, a distance of 10.24 feet; thence South 00 degrees 13 minutes 45 seconds East, a distance of 78.97 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 10.01 feet to said east line; thence North 00 degrees 03 minutes 52 seconds West, along said east line, a distance of 79.15 to the point of beginning.

AND

Commencing at the southeast corner of the above described parcel; thence North 00 degrees 03 minutes 52 seconds West, assumed bearing along the east line thereof, a distance of 388.57 feet; thence South 88 degrees 59 minutes 15 seconds West, a distance of 30.24 feet to the point of beginning of the easement to be described; thence continuing South 88 degrees 59 minutes 15 seconds West, a distance of 15.59 feet; thence South 00 degrees 21 minutes 24 seconds East, a distance of 88.47 feet; thence North 89 degrees 06 minutes 15 seconds East, a distance of 15.39 feet, thence North 00 degrees 13 minutes 45 seconds West, a distance of 88.51 feet to the point of beginning.

wsb

Graphic Scale (feet)

0 30

1 inch = 30 feet

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 272923210-05 - TEMPORARY CONSTRUCTION EASEMENT
 AREA = 4,401 SQ. FT.
 PERMANENT SEWER EASEMENT AREA = 1,118 SQ. FT.
 EXISTING EASEMENT
 CONSTRUCTION LIMITS
 PARCEL BOUNDARY



WSB Project No. 017232-000 Date: 12/17/21

SAINT PAUL
MINNESOTA

