

TEMPORARY CONSTRUCTION EASEMENT

This Indenture is entered into this _____ day of _____, 2025, by and between **BMM Properties LLC**, a Minnesota Limited Liability Company of the State of Minnesota (“Grantor”), and the **City of Saint Paul**, a Minnesota municipal corporation (“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 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, clearing, sloping, grading, and planting in conjunction with and during the construction of Grantee’s University Avenue Reconstruction Project (the “Project”) as it affects Grantor’s property located at 350 University Avenue East in Saint Paul, Minnesota, Parcel Identification Number 31-29-22-14-0049 (the “Parcel”).

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

1. Easement Term: The Easement will be effective from May 1, 2026 through June 30, 2027.
2. Restoration: Grantee will restore the Easement Area at the end of the Easement term to a similar or improved condition than exists at the commencement of the Easement term.
3. Access: Grantee will access the Easement Area only from the University Avenue right-of-way.
4. Signage: Grantee may provide signage as needed to direct traffic flow past the Parcel.

IN WITNESS WHEREOF, Grantor has executed this Easement effective as of the date and year first above written.

BMM Properties LLC,
a Minnesota limited liability corporation
Grantor

By: _____

Its: Manager

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY)

The forgoing instrument was acknowledged before me on this ____ day of _____, 2025, by _____, the Manager of BMM Properties LLC, a Minnesota limited liability corporation, on behalf of the corporation.

Notary Public

My Commission Expires: _____

PREPARED BY AND UPON
RECORDING RETURN TO:

City of Saint Paul
Office of Financial Services – Real Estate Section
25 W. 4th St., Rm. 1000
St. Paul, MN 55102
651-266-8850

EXHIBIT A

Description and Depiction of the Easement Area

Description:

A temporary construction easement, over and across the following described property:

Lots 1, 2, 3, 4, 14 and 15, those parts of Lots 12 and 13, Block 2, Dayton's Addition, and that part of the adjoining alley, vacated, all described as beginning at the Northeast corner of said Block 2, which point is marked by a Judicial Landmark; thence West along the North line of said Block 2 a distance of 144.52 feet to the Northwest corner of said Lot 4, which point is marked by a Judicial Landmark; thence Southerly 159.67 feet along the West line of said Lot 4 and its extension to an intersection with the center line of the adjoining alley, vacated, which point is marked by a Judicial Landmark; thence West along said center line 5.13 feet, which point is marked by a Judicial Landmark; thence Southerly 10 feet along a line, hereinafter designated line A, which line if extended would intersect the South line of said Lot 12 at a point 148.86 feet West from the Southeast corner of said Block 2, which point 10 feet South from said center line is marked by a Judicial Landmark; thence continuing South along said line A to an intersection with the extension West of the South line of said Lot 15; thence East along said South line of Lot 15 and its extension to an intersection with a line extending from a point on the South line of Lot 16 in said Block 2 distant 98.37 feet West from the Southeast corner of said Block 2 to a point on the North line of said Lot 14 distant 98.55 feet West from the Northeast corner of said Lot 14, which point of intersection on the South line of said Lot 15 is marked by a Judicial Landmark; thence continuing East along the South line of said Lot 15 to the Southeast corner of said Lot 15, which corner is marked by a Judicial Landmark; thence North along the East line of said Block 2 a distance of 269 feet to the place of beginning; except those parts of said Lots 1 and 4 lying Northerly of a line extending from a point on the West line of Pine Street 3 feet South of the South line of University Avenue to a point in Lot 6 in said Block 2 distant 14.8 feet South of the South line of University Avenue and 20.3 feet East of the East line of Mississippi Street. (All Judicial Landmarks were set pursuant to District Court Case No. 10328.), Ramsey County, Minnesota.

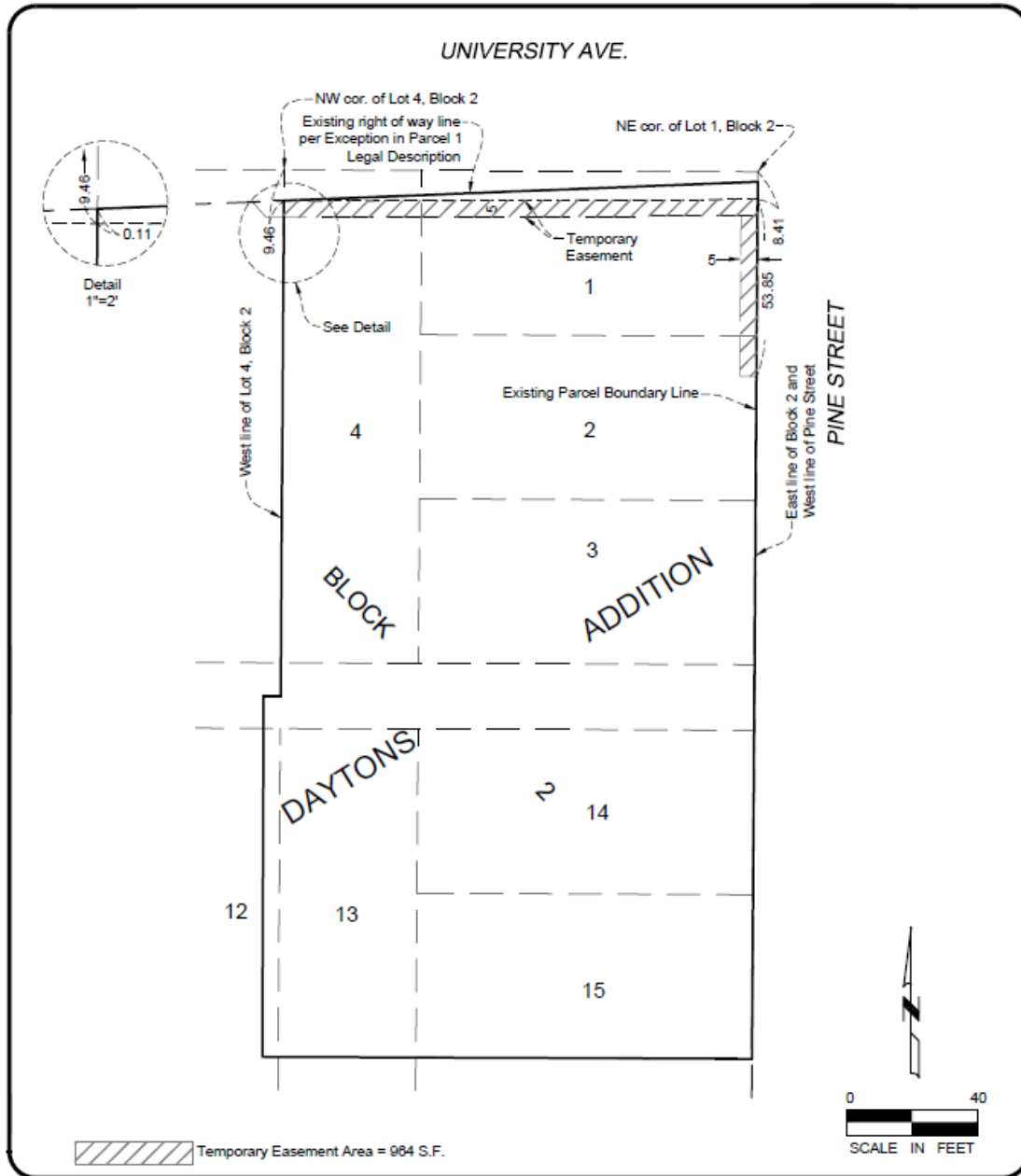
Said temporary construction easement being 5 feet wide, the north and east lines are described as follows:

Beginning at a point on the west line of said Lot 4 distant 9.46 feet south of the northwest corner of said Lot 4; thence easterly to a point on the east line of said Lot 1 distant 8.41 feet south of the northeast corner of said Lot 1; thence southerly along said east line 53.85 feet and there terminating.

EXHIBIT A (cont'd)

Description and Depiction of the Easement Area

Depiction:



Kaskaskia Engineering
Group L.L.C.
3550 University Avenue West, Suite 1615
St. Paul, Minnesota 55114
Office: (612) 557-5652
www.kaskaskiaeng.com

Parcel 1
PID - 312922140049

Date:
07/23/2025

PROJ. NO.
24-1064.00

SHEET
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321/023

University Avenue - Temporary Easement Acquisition