

EXHIBIT A

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

DECLARATION OF FLOOD CONTROL EASEMENT

THIS DECLARATION is made effective this ____ day of _____, 2014, by the **City of Saint Paul**, a municipal corporation under the laws of the State of Minnesota (“Declarant”).

WHEREAS Declarant is the fee owner of real property located at 75 West Water Street and 85 West Water Street, within and adjacent to Harriet Island Regional Park (“City Property”); and

WHEREAS, as part of the City's flood protection responsibilities, administered by the Department of Public Works Sewer Division, the City must possess the necessary property rights over all levees, floodwalls, pumping stations and other related facilities used by the City for flood control purposes; and

WHEREAS, the City, in cooperation with the Army Corps of Engineers, has identified a portion of the City Property that has been constructed and maintained by the City for flood protection but is not encumbered with flood control easements; and

WHEREAS, the City desires to designate and declare a flood control easement within the City Property;

NOW, THEREFORE, in consideration of the foregoing recitals, Declarant hereby declares, consents and grants to itself of behalf of its public sewer utility the right, privilege and authority to access, construct, install, mark, inspect, operate, repair, alter, replace, reconstruct, remove and maintain its facilities over, across, under and upon said easement described as:

[See attached Exhibit A.]

Declarant covenants that it is the owner of the above described property and has the right to declare an easement in the manner and form aforesaid.

This instrument and the covenants and agreements contained herein are binding upon Declarant, its personal representatives, heirs, successors and assigns.

SIGNATURE PAGE FOLLOWS

