

## EXHIBIT C

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

### DECLARATION OF SEWER 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 and sewer 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 sewer easements; and

WHEREAS, the City desires to designate and declare a sewer 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**

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

CITY OF SAINT PAUL, MINNESOTA

By: \_\_\_\_\_  
Its Mayor or Deputy Mayor

By: \_\_\_\_\_  
Its Director of Financial Services

By: \_\_\_\_\_  
Its City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

STATE OF MINNESOTA )  
) ss.  
COUNTY OF RAMSEY )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, Mayor or Deputy Mayor, \_\_\_\_\_, Director, Office of Financial Services and \_\_\_\_\_, City Clerk of the City of Saint Paul, a Minnesota municipal corporation under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

This instrument was drafted by and the recorded document should be returned to:

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