

**DEDICATION OF EASEMENT
FOR
PUBLIC RIGHT-OF-WAY PURPOSES**

This Public Right-of-Way Easement (“Easement”) is made as of the _____ day of _____, 2024, by and between **150 Farwell Yards, LLC**, a Minnesota limited liability company (“Grantor”) and **City of Saint Paul, Minnesota**, a Minnesota municipal corporation (“Grantee”).

RECITALS

WHEREAS, Grantor is the fee owner the real property located at 150 Water Street in Saint Paul, Minnesota and legally described in Exhibit A attached hereto (the “Property”).

WHEREAS, Grantor desires to grant to the City easements over portions of the Property as depicted and described in Exhibit B attached hereto (the “Easement Area”), on the terms and conditions contained herein.

TERMS OF EASEMENT

NOW, THEREFORE, for good and valuable consideration, the sufficiency and receipt of which are hereby expressly acknowledged and confirmed, the Parties hereby agree as follows:

1. Grant of Easement. For good and valuable consideration, the receipt of which is acknowledged by Grantor, Grantor hereby grants and conveys to Grantee a perpetual non-exclusive easement over the Easement Area for public right-of-way purposes, subject to the terms and conditions hereof. It is intended and agreed that this dedication of easement shall be a covenant running with the land and shall be binding to the fullest extent of the law and equity for the benefit of the public. It is further intended and agreed that this dedication of easement shall remain in effect without limitation as to time.

2. Scope of Easement. This Easement gives Grantee, its contractors, agents, and employees the right to access, locate, construct, operate, maintain, alter and repair public improvements within the Easement Area.

3. Covenants of Grantor. Grantor covenants that it is well seized in fee of the Property and has good right to sell and convey the same, free of all encumbrances but subject to matters of record. Grantor covenants that the above-granted Easement is in the quiet and peaceable possession of the Grantee, subject to matters of record. Grantor will warrant and forever defend against all persons lawfully claiming the whole or any part thereof, subject to matters of record.

4. Grantor’s Use. Grantor reserves the right to use the Easement Area in a manner consistent with the rights herein granted, provided that such use shall not interfere with or disturb the public’s use of the Easement Area for right-of-way purposes or Grantee’s rights outlined in Section 2.

5. Maintenance. Grantee shall maintain the Easement Area in good repair (including, without limitation, snow and ice removal, cleaning, patching and repair of the Easement Area in the same manner as other streets maintained by Grantee), at Grantee's sole cost and expense.

6. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding on Grantor, its successors, and assigns.

[Signature Page to Follow. Remainder of Page Intentionally Blank.]

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

150 Farwell Yards, LLC
a Delaware limited liability company

By: _____

Name (printed): Peter Deanovic

Its: Chief Executive Officer

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The forgoing instrument was acknowledged before me on this ____day of _____, 2024, by Peter Deanovic, the Chief Executive Officer, of 150 Farwell Yards, LLC, a Delaware limited liability company, on behalf of the company.

Notary Public

My Commission Expires: _____

EXHIBIT A
Legal Description of the Property

150 Water Street (Parcel ID No. 06-28-22-43-0057)

That part of Irvine's Addition to West St. Paul, according to the recorded plat thereof and Robertson's Addition to West St. Paul, according to the recorded plat thereof, all in Ramsey County, Minnesota, described as follows:

Beginning at the intersection of centerline of vacated Fairfield Avenue (originally dedicated as Fifth Street in said Robertson's Addition to West St. Paul and originally dedicated as an unnamed street that lies between Blocks 189 and 190 said Irvine's Addition to West St. Paul) and the centerline of vacated Moses Street (originally dedicated as Chestnut Street in said Irvine's Addition to West St. Paul); thence Northwesterly along said centerline of vacated Moses Street to the Southerly line of Water Street as described in Document No. 1932630; thence Northeasterly along said Southerly line of Water Street to the Southwesterly line of Lot 5, Block 190, said Irvine's Addition to West St. Paul; thence Northwesterly along said Southwesterly line of Lot 5 to the most Westerly corner of said Lot 5; thence Northeasterly along the Northwesterly line of said Lot 5 to its intersection with said Southerly line of Water Street; thence Northeasterly along said Southerly line of Water Street to the Northwesterly extension of the Southwesterly line of vacated Bidwell Street (originally dedicated as Myrtle Avenue in said Robertson's Addition to West St. Paul); thence Southeasterly along said Southwesterly line of vacated Bidwell Street to the Southeasterly line of vacated Fillmore Avenue (originally dedicated as Fourth Street in said Robertson's Addition to West St. Paul); thence Northeasterly along said Southeasterly line of vacated Fillmore Avenue to the centerline of said vacated Bidwell Street; thence Southeasterly along the Westerly extension of said centerline of vacated Bidwell Street to the centerline of said vacated Fairfield Avenue; thence Southwesterly to the point of beginning and there terminating.

Abstract and Torrens property

The Torrens portions of which are described as follows:

COT No.: 648883

All that part of Robertson's Addition to West St. Paul, according to the recorded plat thereof, Ramsey County, Minnesota, and all that part of Irvine's Addition to West St. Paul, according to the recorded plat thereof, said Ramsey County; which lies Southwesterly of the Southwesterly line of vacated Bidwell Street (originally dedicated as Myrtle Avenue in said Robertson's Addition to West St. Paul), and its Northwesterly extension; which lies Northwesterly of the centerline of vacated West Fillmore Avenue (originally platted as Fourth St. in said Robertson's Addition to West St. Paul, and originally dedicated as an unnamed street that lies between Blocks 189 and 190, said Irvine's Addition to West St. Paul); and which lies Southerly of the Southerly line of Water Street as denoted in Document No. 1932630.

All that part of Irvine's Addition to West St. Paul lying northeasterly of Lot 1, Block 190, said Irvine's Addition to West St. Paul and Southeasterly of the Northeasterly prolongation of the Northwesterly line of said Lot 1.

COT NO: 646962

That part of Lot 4, Block 190, Robertson's Addition to West St. Paul which lies Southeasterly and Southerly of the following described line:

Commencing at the intersection of the center line of West Fairfield Avenue, vacated and the center line of Bidwell Street, vacated; thence North 30 degrees 19 minutes 30 seconds West, assumed bearing, along the center line of said Bidwell Street, vacated, 101.75 feet to the intersection of said center line of Bidwell Street, vacated, and a wall common to an existing metal building and an existing brick building, extended Northeasterly which said common wall has a bearing of South 59 degrees 45 minutes 04 seconds West, the point of beginning of the line to be described; thence Southwesterly along said common wall and its Northeasterly extension 129.16 feet to the intersection of said common wall and the most Westerly wall of said existing brick building; thence South 86 degrees 23 minutes 04 seconds West 50.86 feet to the Northeasterly corner of an existing concrete loading dock; thence South 89 degrees 20 minutes 11 seconds West along the Northeasterly edge of said loading dock and its Westerly extension 13.26 feet to the west line of said Block 190, Robertson's Addition to West St. Paul and said line there terminating.

Lot 5, Block 190 Robertson's Addition to West St. Paul.

That part of the Northwesterly half of adjoining West Fairfield Avenue, formerly Fifth Street, vacated lying between the extensions across said avenue of the West line of Lot 5, Block 190, Robertson's Addition to West St. Paul and the center line of Bidwell Street.

That part of the Southwesterly half of adjoining Bidwell Street, formerly Myrtle Avenue, vacated lying between the extensions across said street of the Southeasterly line of said Lot 5, Block 190, Robertson's Addition to West St. Paul and Southeasterly of the following described line:

Commencing at the intersection of the center line of West Fairfield Avenue, vacated and the center line of Bidwell Street, vacated, thence North 30 degrees 19 minutes 30 seconds West, assumed bearing along the center line of said Bidwell Street, vacated, 101.75 feet to the intersection of said center line of said Bidwell Street, vacated, and a wall common to an existing metal building and an existing brick building extended northeasterly, which said common wall has a bearing of South 59 degrees 45 minutes 04 seconds West, the point of beginning of the line to be described; thence Southwesterly along said common wall and its Northeasterly extension to the Northeasterly line of Lot 4, Block 190 Robertson's Addition to West St. Paul and said line there terminating.

COT NO. 632575

Lots 3, 4, 5, 6, 7, and 8, Block 190, Irvine's Addition to West St. Paul; That part of said Block 190 not designated by lot number on the original plat but sometimes known and commonly described as Lot 9, Block 190. Irvine's Addition to West Saint Paul; That part of the Northeasterly half of adjoining Moses Street, formerly Chestnut Street, vacated, lying between the extension across said street of the center line of West Fairfield Avenue and the Southeasterly line of West Water Street as described in Document No. 1932630

RCR; and That part of the Northwesternly half of adjoining West Fairfield Avenue, formerly Kate Street, vacated, lying between the extension across said avenue of the Westerly line of said Lot 6 and the East line of said Lot 8.

COT NO. 641095

PARCEL 1:

That part of Lot 4, Block 190, Robertson's Addition to West St. Paul which lies Northwesternly and Northerly of the following described line:

Commencing at the intersection of the center line of West Fairfield Avenue, vacated and the center line of Bidwell Street, vacated; thence North 30 degrees 19 minutes 30 seconds West, assumed bearing, along the center line of said Bidwell Street, vacated, 101.75 feet to the intersection of said center line of Bidwell Street, vacated, and a wall common to an existing metal building and an existing brick building, extended Northeasterly which said common wall has a bearing of South 59 degrees 45 minutes 04 seconds West, the point of beginning of the line to be described thence Southwesterly along said common wall and its Northeasterly extension 129.16 feet to the intersection of said common wall and the most Westerly wall of said existing brick building, thence South 86 degrees 23 minutes 04 seconds West 50.86 feet to the Northeasterly corner of an existing concrete loading dock; thence South 89 degrees 20 minutes 11 seconds West along the Northeasterly edge of said loading dock and its Westerly extension 13.26 feet to the west line of said Block 190, Robertson's Addition to West St. Paul and said line there terminating.

That part of the Southwesterly half of adjoining Bidwell Street, formerly Myrtle Avenue, vacated lying between the extensions across said street of the Northwesternly line of Lot 4, Block 190, Robertson's Addition to West St. Paul and Northwesternly of the following described line:

Commencing at the intersection of the center line of West Fairfield Avenue, vacated and the center line of Bidwell Street, vacated, thence north 30 degrees 19 minutes 30 seconds west, assumed bearing along the center line of said Bidwell Street, vacated, 101.75 feet to the intersection of said center line of said Bidwell Street, vacated, and a wall common to an existing metal building and an existing brick building extended Northeasterly, which said common wall has a bearing of South 59 degrees 45 minutes 04 seconds West, the point of beginning of the line to be described; thence Southwesterly along said common wall and its Northeasterly extension to the Northeasterly line of Lot 4, Block 190 Robertson's Addition to West St. Paul and said line there terminating.

PARCEL 2:

That part of the Southeasterly Half of adjoining West Fillmore Avenue, formerly McCarthy Street, vacated, lying between the extensions across said avenue of the East line of the West 48 feet of Lot 3, Block 190, Irvine's Addition to West St. Paul and the southerly line of Water Street as opened in Document No. 1932630.

EXHIBIT B

Depiction and Legal Description of the Easement Area

30223962v4

RIGHT-OF-WAY EASEMENT EXHIBIT
150 Water Street
St. Paul, Ramsey County, Minnesota

An easement for right-of-way purposes over and across that part of the following described property:

That part of Irvine's Addition to West St. Paul, according to the recorded plat thereof and Robertson's Addition to West St. Paul, according to the recorded plat thereof, all in Ramsey County, Minnesota, described as follows: Beginning at the intersection of centerline of vacated Fairfield Ave (originally dedicated as Fifth Street in said Robertson's Addition to West St. Paul and originally dedicated as an unnamed street that lies between Blocks 189 and 190 said Irvine's Addition to West St. Paul) and the centerline of vacated Moses Street (originally dedicated as Chestnut Street in said Irvine's Addition to West St. Paul); thence northwesterly along said centerline of vacated Moses Street to the southerly line of Water Street as described in Document No. 1932630; thence northeasterly along said southerly line of Water Street to the southwesterly line of Lot 5, Block 190, said Irvine's Addition to West St. Paul; thence northwesterly along said southwesterly line of Lot 5 to the most westerly corner of said Lot 5; thence northeasterly along the northwesterly line of said Lot 5 to its intersection with said southerly line of Water Street; thence northeasterly along said southerly line of Water Street to the northwesterly extension of the southwesterly line of vacated Bidwell Street (originally dedicated as Myrtle Avenue in said Robertson's Addition to West St. Paul); thence southeasterly along said southwesterly line of vacated Bidwell Street to the southeasterly line of vacated Fillmore Ave (originally dedicated as Fourth Street in said Robertson's Addition to West St. Paul); thence northeasterly along said southeasterly line of vacated Fillmore Ave to the centerline of said vacated Bidwell Street; thence southeasterly along the westerly extension of said centerline of vacated Bidwell Street to the centerline of said vacated Fairfield Ave; thence southwesterly to the point of beginning and there terminating.

Said easement being a 50.00 foot wide strip of land, being 30.00 feet to the left and 25.00 feet to the right of the following described line:

Commencing at the intersection of the centerline of said vacated Fairfield Ave and the centerline of said vacated Bidwell Street; thence northerly along the centerline of said vacated Bidwell Street for 349.81 feet; thence northwesterly, deflecting to the left, 23 degrees 47 minutes 43 seconds for 102.56 feet to the southerly line of said Water street and there terminating.

The sidelines of said easement shall be prolonged and/or shortened so as to terminate on the southerly line of said Water street.

MINNESOTA CERTIFICATION

I hereby certify that this survey, plan 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.

Dated this 18th day of December, 2024

Rory L. Synstelien

Minnesota License No. 44565

CivilSite
GROUP

5000 GLENWOOD AVENUE
GOLDEN VALLEY, MN 55422
CivilSiteGroup.com

Drawn By:RS

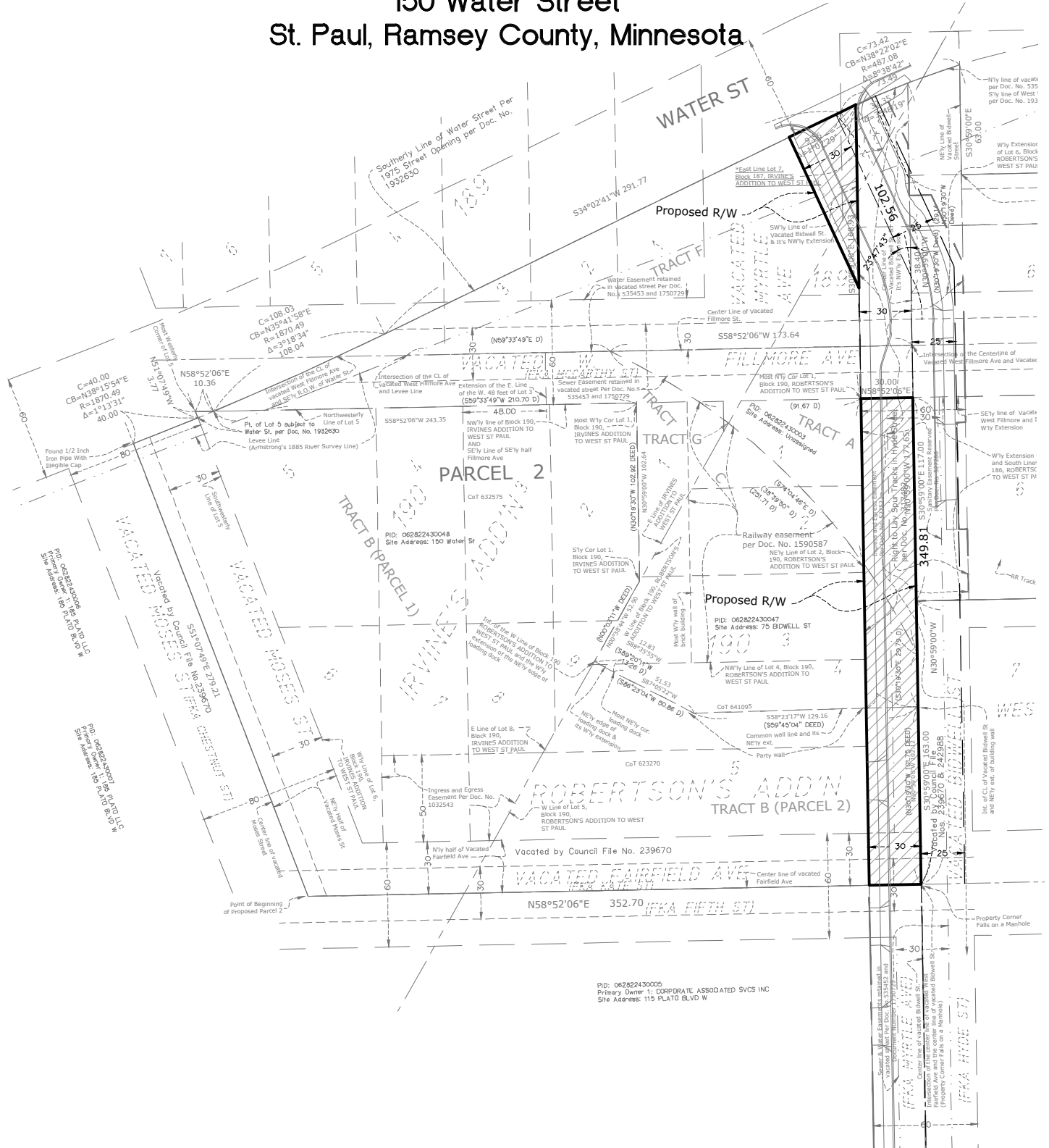
Project No. 18275.03

SHEET 1 OF 2

RIGHT-OF-WAY EASEMENT EXHIBIT

150 Water Street

St. Paul, Ramsey County, Minnesota



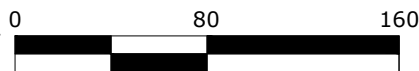
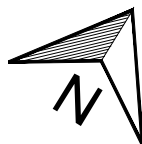
MINNESOTA CERTIFICATION

I hereby certify that this survey, plan 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.

Dated this 18th day of December, 2024

Rory L. Synsteliën

Minnesota License No. 44565



SCALE IN FEET

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GOLDEN VALLEY, MN 55422
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Drawn By: RS

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SHEET 2 OF 2