

## TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by and between **Donerly, Inc.**, a 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 in 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 located at 0 9<sup>th</sup> Street East and as depicted on the attached Exhibit A (the "Easement Area"), for certain purposes including but not limited to access, buffer, construction and safety purposes, related to the construction of the Pedro Park expansion project.

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 on June 30, 2024 and expire on August 31, 2024. Grantee agrees to terminate its easement rights prior to the expiration date in the event its contractor finishes the demolition project early.
2. Consideration: Grantee will pay to Grantor **7835.00.00** for the Easement.
3. Restoration: Grantee will restore the Easement Area to the same or similar condition that existed at commencement of the Easement Term;
4. Donerly Inc. property adjacent to the easement area can not be accessed with project related construction vehicles without prior permission from the ownership of Donerly Inc.

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

**DONERLY, INC.**  
**GRANTOR**

By: \_\_\_\_\_

Its \_\_\_\_\_



**SAINT PAUL  
MINNESOTA**

OFFICE OF FINANCIAL SERVICES  
JOHN MCCARTHY, DIRECTOR

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1000 City Hall Annex  
25 West Fourth Street  
Saint Paul, Minnesota 55102-1660  
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June 30, 2024

Mr. Donald Keefe  
Donerly Inc.  
4410 Polaris Lane  
Plymouth, Minnesota 55446

**RE: Pedro Park Expansion Project – Temporary Easement – Final Offer**

Dear Donald,

In response to your counter offer to the City's offer, I am updating the City of Saint Paul's offer to acquire a temporary easement for a two month duration of the Donerly Inc. property at 0 9<sup>th</sup> Street East, Saint Paul, Minnesota 55101 (Parcel ID No. 312922430031) for the sum of \$7835.00. Previously, I provided a copy of the City's appraisal and advised you of the right to obtain your own appraisal at the City's expense (up to a cost of \$5,000).

Through further communication and mutual agreement on June June 25th, **I am now writing to confirm the City's final offer and purchase price of \$7835.00.** The added compensation for the City's use of the easement area considers the lost daily revenue generated by the 19 parking stalls that are going to be used inside the project fence line for project purposes. A signature to this letter represents formal written agreement.

If you have any questions concerning this matter, please contact me directly.

Respectfully,

Robert Smith  
City of Saint Paul  
Finance/Real Estate

Donerly Inc. - Owner