

EXHIBIT A

TERMINATION AND RELEASE OF EASEMENTS

THIS TERMINATION AND RELEASE OF EASEMENTS (“Easement Termination”) is given as of this ____ day of _____, 20 ____, by the City of Saint Paul, Minnesota (“City”), a municipal corporation under the laws of the State of Minnesota.

WHEREAS, on November 4, 1972 the City was granted a non-exclusive easement for ingress and egress purposes, as documented in Ramsey County property records Doc. No. 1844694 (the “1972 Easement”), over the real property described in Exhibit A attached hereto and located at 1645 Energy Park Drive, Saint Paul, Minnesota, Parcel ID No. 28-29-23-14-0002 (the “Private Property”); and

WHEREAS, the 1972 Easement was used by the City’s Department of Fire and Safety Services to access adjoining city property located at 1675 Energy Park Drive, Saint Paul, Minnesota, Parcel ID No. 28-29-23-14-0006 (the “City Property”); and

WHEREAS, on April 28, 2006 the City was granted a non-exclusive easement for access purposes over the Private Property, as documented in Ramsey County property records Doc. No. 3952785 (the “2006 Easement”); and

WHEREAS, the 2006 Easement reflected a re-routed easement area within the Private Property to facilitate new development on the Private Property; and

WHEREAS, the owner of the Private Property has requested the City's release of the 1972 Easement and 2006 Easement to facilitate additional development on the Private Property, and the City has agreed to the request as there is no longer a need to access the City Property across the Private Property;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby agrees as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by this reference.
2. Termination of Easement. The City hereby terminates, releases and relinquishes all easements and other rights created or granted to it by virtue of the 1972 Easement and the 2006 Easement.
3. Binding Effect. The covenants contained in this Easement Termination are not personal but shall run with the land and shall be binding upon and inure to the benefit of the fee simple title holder of the Property and its respective heirs, personal representatives, transferees, successors or assigns. The Easement Termination is hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this Easement Termination 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 _____, 20____, 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:

Office of Financial Services – Real Estate Section
City of Saint Paul
25 West Fourth Street, 10th floor
Saint Paul, Minnesota 55102
651-266-8850

EXHIBIT A

Legal Description of the Private Property

That part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 29, Range 23, Ramsey County, Minnesota described as commencing at a point on the East line of said Southeast Quarter of the Northeast Quarter distant 160 feet South from the Northeast corner of said Southeast Quarter of the Northeast Quarter; thence on an assumed bearing of North 89 degrees 54 minutes 23 seconds West and parallel with the North line of said Southeast Quarter of the Northeast Quarter a distance of 150 feet to the actual point of beginning of the parcel of land to be hereinafter described; thence continuing North 89 degrees 54 minutes 23 seconds West 813.89 feet more or less to the East line of the West 350 feet of said Southeast Quarter of Northeast Quarter; thence South 00 degrees 30 minutes 13 seconds West along said East line 742.16 feet; thence South 80 degrees 03 minutes 29 seconds East 94.09 feet; thence South 78 degrees 33 minutes 26 seconds East 319.14 feet; thence Easterly 157.50 feet along a tangential curve concave to the North, said curve having a radius of 282 feet and a central angle of 32 degrees, 00 minutes; thence North 69 degrees 26 minutes 34 seconds East and tangent to said curve 81.29 feet to the Westerly right-of-way line of State Trunk Highway No. 51; thence North 64 degrees 31 minutes 12 seconds West along said Westerly right-of-way line 20.36 feet; thence North 00 degrees 32 minutes 15 seconds East, along said right-of-way 380.04 feet; thence North 54 degrees 51 minutes 34 seconds East along said right-of-way line 240.05 feet; thence North 00 degrees 32 minutes 15 seconds East along said right-of-way line 252.53 feet more or less to the actual point of beginning.