NATURAL GAS REGULATOR STATION EASEMENT AGREEMENT

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3129279

KNOW ALL BY THESE PRESENTS, that the City of Saint Paul, a Minnesota municipal corporation, hereinafter referred to as Grantor, for and in consideration of the sum of ten thousand and no/100 Dollars ($10,000.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto Northern States Power Company, a Minnesota corporation, hereinafter referred to as Grantee, the right, privilege and easement to construct, inspect, repair, maintain, operate, replace and remove a natural gas regulator station, and appurtenances thereto, upon the following described lands situated in the County of Ramsey, State of Minnesota, to wit:

That part of Block 12, Gurney Park, according to the recorded plat thereof, described as follows: Commencing at a point where the easterly line of the Soo Line Plat Number 2, according to the recorded plat thereof, intersects the south line of said Block 12, thence east along the south line thereof a distance of 50.00 feet to the point of beginning of the land to be described, thence deflecting 90.00 degrees left a distance of 75.00 feet, thence deflecting 90.00 degrees right a distance of 50.00 feet, thence deflecting 90.00 degrees right a distance of 75.00 feet to the south line of said Block 12, thence deflecting 90.00 degrees right a distance of 50.00 feet to the point of beginning.

TO HAVE AND TO HOLD unto said Northern States Power Company, its successors and assigns, as long as such regulator station and appurtenances thereto shall be maintained, together with the right of ingress to and egress from the said lands, for the purpose of inspecting, repairing, maintaining, operating, replacing and removing the property of the Grantee located thereon, or the removal thereof, in whole or in part, at the will of the Grantee.

Grantor shall, at the cost and expense of the Grantee, landscape the said lands according to a plan approved by the Forestry Division of the City of Saint Paul Department of Parks and Recreation.

It is agreed that the regulators, meters, valves, buildings, fencing and appurtenances thereto to be constructed upon the above described lands shall not become affixed to the realty in the sense of permanent fixtures forming part of the freehold, but that they shall remain the personal property, with the right of removal by the Grantee as herein provided,

Grantee shall at all times indemnify, protect and hold harmless Grantor from any and all losses, damages, claims or legally established liabilities arising out of or growing from the easement agreement, or from the construction, operation, maintenance and removal of said regulating station and appurtenances thereto. Grantee shall assume all responsibility for contamination, by hazardous materials and pollutants, of the said lands caused by the Grantee, and for any ensuing charges and penalties, and for the removal, at its own cost, of such hazardous materials and pollutants as required by law.

Should the Grantee not use the said lands for the stated purpose, cease to use the said lands for the stated purpose, or use the said lands for other than the stated purpose, all property rights hereby conveyed shall revert to the Grantor.

Instru #	0680
Filing fee	29.50
Rec copy	
Cer copy	
Initials	KR
Pd by/bill	CK

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RETURN TO
NSP - David Callahan

3129279 Signed and delivered this 25th day of February, 1999.

NORTHERN STATES POWER COMPANY

Cynthia L Lesher
Its President, NSP Gas

Catherine A Jones
Its Assistant Secretary

CITY OF SAINT PAUL

Mayor

Frederick K. Owusu 2/25/99
City Clerk

Director of the Office of Financial Services 2/22/99

Peter Hamel
Director of the Department of Technology and Management Services 2/16/99

OFFICE OF RECORDER
RAMSEY COUNTY MN

1999 MAR 10 P 3:47

COUNTY RECORDER

DEPUTY

Peter W Warner 2-17-99
Assistant City Attorney (Approval of Form)

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

This instrument was acknowledged before me this 25th Day of February, 1999 by Lisa Nasseth, Fred Owusu, Joe Reid, Peter Hamel, Peter Warner

who are respectively, Assistant to the Mayor, City Clerk, Director of Financial Services, Director of Technology + Management Services, Assistant City Attorney of the City of Saint Paul, a Minnesota municipal corporation, and they acknowledge that they are duly authorized, by City Council Resolution, to execute this instrument on behalf of the City of Saint Paul.

SHARI A. MOORE
NOTARY PUBLIC-MINNESOTA
My Commission Expires Jan. 31, 2000

Shari A. Moore
Notary

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

This instrument was acknowledged before me this 9th Day of February, 1999 by Cynthia L. Lesher, President, NSP Gas and Catherine A. Jones, Assistant Secretary of Northern States Power Company, a Minnesota corporation, on behalf of the said corporation.

DAVID G. CALLAHAN
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
My Commission Expires Jan. 31, 2000

David G Callahan
Notary

This instrument drafted by:

Northern States Power
414 Nicollet Mall
Minneapolis, Minnesota 55401

and

The City of Saint Paul Real Estate Division
140 City Hall - 15 West Kellogg Boulevard
Saint Paul, Minnesota 55102