PUBLIC RIGHT-OF-WAY EASEMENT

This Public Right-of-Way Easement ("Easement") is made as of the _____ day of _____, 2025, by **FCC Environmental Services Minnesota, LLC**, a Minnesota limited liability company ("FCC"), in favor of the **City of Saint Paul, Minnesota**, a Minnesota municipal corporation ("City").

RECITALS

WHEREAS, FCC is the fee owner of the real property located at 560 Randolph Avenue in Saint Paul, Minnesota and legally described in Exhibit A attached hereto (the "Property").

WHEREAS, FCC desires to grant to the City an easement over portions of the Property as depicted and described in Exhibit B (the "Easement Area"), in accordance with the terms and conditions contained herein.

TERMS OF EASEMENT

1. Grant of Easement. For good and valuable consideration, the receipt of which is acknowledged by FCC, FCC hereby grants and conveys to the City a perpetual non-exclusive easement on, over, under and across the Easement Area for public right-of-way purposes, subject to the terms and conditions hereof

2. Scope of Easement. The scope of this Easement permits the City, and Ramsey County ("County") as the entity with jurisdiction over the adjacent county roadway (Randolph Avenue), their contractors, agents, and employees the right to access, locate, construct, operate, maintain, alter and repair public improvements now or hereinafter located within the Easement Area. The Easement also includes the right to cut, trim, or remove from the Easement Area any trees, shrubs, or other vegetation as in the City's or County's judgment unreasonably interfere with the Easement or improvements of the City or County. The Easement does not permit the City or County the right to impact any private trees on the Property outside of the Easement Area.

3. Covenants of FCC. FCC 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. FCC covenants that the above-granted Easement is in the quiet and peaceable possession of the City and County, subject to matters of record. FCC will warrant and forever defend against all persons lawfully claiming the whole or any part thereof, subject to matters of record.

4. FCC's Use. FCC 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 the City's and County's use as outlined in Section 2.

5. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding to the fullest extent of the law and equity on FCC, its successors and assigns for the benefit of the public. The Easement shall remain in effect without limitation as to time.

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

FCC Environmental Services Minnesota, LLC,
a Minnesota limited liability company

By: _____
Name : _____
Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The forgoing instrument was acknowledged before me on this ____ day of _____, 2025, by _____, the _____ of FCC Environmental Services Minnesota, LLC, a Minnesota limited liability company, on behalf of the company.

_____
Notary Public

My Commission Expires: _____

PREPARED BY AND UPON
RECORDING RETURN TO:

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

EXHIBIT A

Legal Description of the Property

Parcel A:

That part of Government Lot 4, Section 12, Township 28 North, Range 23 West, Ramsey County, Minnesota described as follows:

Commencing at a granite monument on the North line of said Government Lot 4 at the centerline of Erie Street, said monument is 1085.00 feet East of the Northwest corner of said Government Lot 4; thence on an assumed bearing of West, along said North line of Government Lot 4, a distance of 350.79 feet; thence South 40 degrees 14 minutes West a distance of 43.23 feet to the South line of the North 33.00 feet of said Government Lot 4; thence on a bearing of West, along said South line, a distance of 449.76 feet to the point of beginning of the land to be described; said point is hereinafter known as Point "A"; thence on a bearing of East, along said South line a distance of 856.15 feet to an intersection with a line drawn South 40 degrees 14 minutes West from a point on said North line of Government Lot 4 a distance of 55.60 feet East of said granite monument; thence South 40 degrees 14 minutes West a distance of 556.48 feet, thence North 49 degrees 46 minutes West a distance of 653.66 feet to an intersection with a line run Northeasterly from a point on the East line of Drake Street 250.00 feet South of said South line of the North 33.00 feet of Government Lot 4 to said Point "A"; thence North 41 degrees 14 minutes 40 seconds East, along said last described line, a distance of 3.50 feet to the point of beginning.

Parcel B:

All that part of Block 27, as platted, and all that part of Randolph Avenue (formerly Ontario Street), as dedicated for public use, in the plat of Stinson, Brown & Ramsey's Addition to Saint Paul; and all that part of Randolph Avenue as opened by the Common Council of the City of St. Paul on May 20, 1873; and all that part of Randolph Avenue as opened per the City of Saint Paul Public Works Drawing No. 1110, Drawer No. 4, dated April 3, 1956; and that part of the North 33.00 feet of Government Lot 4, Section 12, Township 28, Range 23, Ramsey County, Minnesota, described as follows:

Commencing at the Northwest corner of said Government Lot 4; thence East, on an assumed bearing, a distance of 1055.0 feet along the North line of said Government Lot 4 to an intersection with the Southerly prolongation of the West line of Erie Street, said intersection point is 30.00 feet West of a granite monument of said North line of Government Lot 4 denoting the center line of Erie Street, and the point of beginning of the land to be described; thence South 1 degree 10 minutes 20 seconds West a distance of 33.00 feet of said Southerly prolongation of the West line of Erie Street to the South line of the North 33.00 feet of said Government Lot 4; thence on a bearing of West a distance of 393.49 feet, along the South line of said North 33.00 feet of said Government Lot 4; thence North 74 degrees 14 minutes 28 seconds East a distance of 411.23 feet to an intersection with said West line of Erie Street; thence South 1 degree 10 minutes 20 seconds West a distance of 78.70 feet along said West line of Erie Street and said West lines Southerly prolongation to the point of beginning.

(Abstract Property)

EXHIBIT B

Depiction and Legal Description of the Easement Area

ROADWAY EASEMENT EXHIBIT

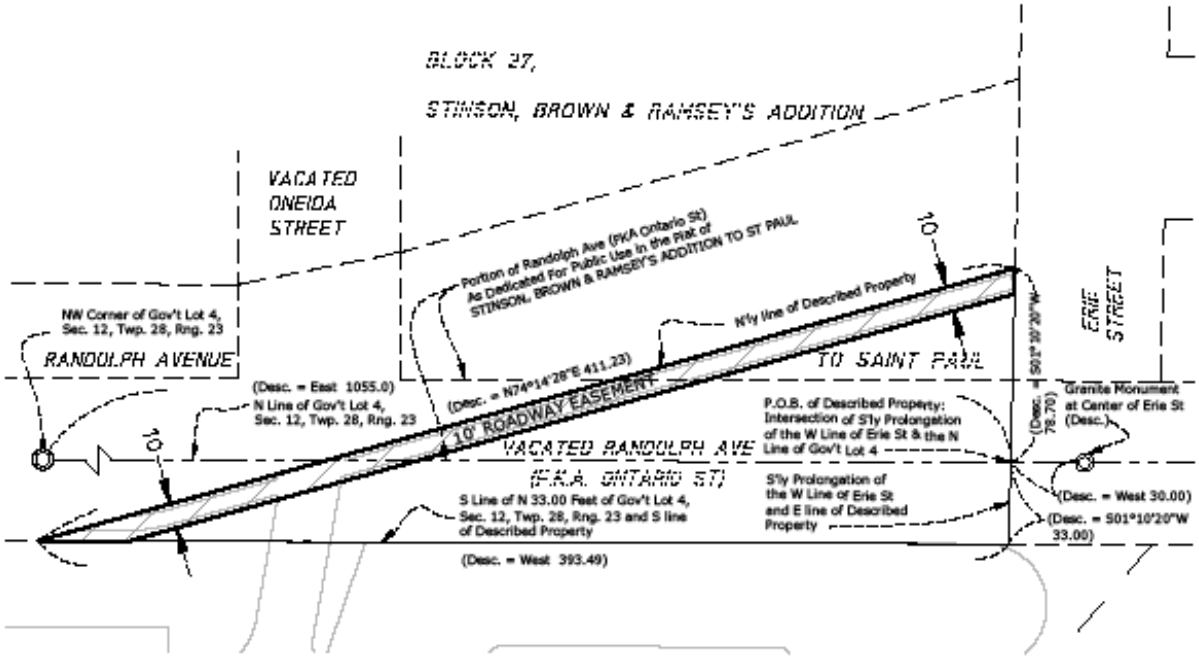
Block 27, Stinson, Brown & Ramsey's Addition to Saint Paul; part of Randolph Avenue, and part of the North 33.00 feet of Government Lot 4, Section 12, Township 28, Range 23 City of St. Paul, Ramsey County, Minnesota

ROADWAY EASEMENT DESCRIPTION

An easement for roadway purposes over, under and across the northerly 10.00 feet of the following described property, as measured at right angles to the northerly line of said property:

All that part of Block 27, as platted, and all that part of Randolph Avenue (formerly Ontario Street), as dedicated for public use, in the plat of Stinson, Brown & Ramsey's Addition to Saint Paul; and all that part of Randolph Avenue as opened by the Common Council of the City of St. Paul on May 20, 1873; and all that part of Randolph Avenue as opened per the City of Saint Paul Public Works Drawing No. 1110, Drawer No. 4, dated April 3, 1956; and that part of the North 33.00 feet of Government Lot 4, Section 12, Township 28, Range 23, Ramsey County, Minnesota, described as follows:

Commencing at the Northwest corner of said Government Lot 4; thence East, on an assumed bearing, a distance of 1055.0 feet along the North line of said Government Lot 4 to an intersection with the Southerly prolongation of the West line of Erie Street, said intersection point is 30.00 feet West of a granite monument of said North line of Government Lot 4 denoting the center line of Erie Street, and the point of beginning of the land to be described; thence South 1 degree 10 minutes 20 seconds West a distance of 33.00 feet of said Southerly prolongation of the West line of Erie Street to the South line of the North 33.00 feet of said Government Lot 4; thence on a bearing of West a distance of 393.49 feet, along the South line of said North 33.00 feet of said Government Lot 4; thence North 74 degrees 14 minutes 28 seconds East a distance of 411.23 feet to an intersection with said West line of Erie Street; thence South 1 degree 10 minutes 20 seconds West a distance of 78.70 feet along said West line of Erie Street and said West lines Southerly prolongation to the point of beginning.



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 20th day of June, 2025

Rory L. Synstelien Minnesota License No. 44565

N

0 60 120

SCALE IN FEET

CivilSite GROUP

5000 GLENWOOD AVENUE
GOLDEN VALLEY, MN 55422
CivilSiteGroup.com

Drawn By:TH
Project No. 21262.01 SHEET 1 OF 1