

RIGHT OF ENTRY PERMIT

This is a RIGHT OF ENTRY PERMIT, dated as of the 3rd day of October 2013, between ARLINGTON HILLS LUTHERAN CHURCH, a private corporation, herein called GRANTOR and the CITY OF SAINT PAUL, a municipal corporation, herein called GRANTEE.

WHEREAS, GRANTEE is a public corporation and is extending current alley right-of-way to connect Payne Avenue and Greenbrier Street over, under and through GRANTOR property as depicted on the attached map hereinafter described and referenced as Exhibit "A"; and

WHEREAS, GRANTEE desires a temporary easement to construct, operate and maintain the future dedication of east west right-of-way as "Lots 1,2,3,28,29 and 30, Block 2, Evans Addition to the City of St. Paul, as depicted on the attached Exhibit B"; so

THEREFORE, GRANTOR hereby grants permission to GRANTEE to enter upon their premises for the purpose of constructing the easterly portion of alley right-of-way and other project improvements as shown on the attached depiction, subject to the following:

1. GRANTEE shall consult with the proper officials representing Grantor before commencing with construction work.
2. This right of entry permit shall be effective at the date of final signature, and terminate upon completion of all work, or June 30, 2014, whichever comes first.
3. The parking lot will be available for church use as coordinated with the Grantee's construction manager agent, and during all hours when no construction activity is under way; improvements shall be constructed during normal work days between 7 a.m. and 5 p.m. Monday through Friday.
4. All work and operations shall be performed in a safe and professional manner by bonded and insured contractors.
5. The City of St. Paul or it's contractor shall indemnify, defend, and hold harmless The Arlington Hills Lutheran Church, its officers, agents, employees, members and pastor from all suits, actions, claims and damages, including attorney fees, that they, or any of them, may incur as a result of or arising from the construction activity for the alley over the church property located in Block 2, Evans Addition to the City of St. Paul.

The above terms and conditions are hereby accepted and agreed to:

Arlington Hills Lutheran Church

BY: _____

Date: _____

Its:

City of Saint Paul, Department of Parks and Recreation

BY: _____

Date: _____

Its: Director