

**DEDICATION OF EASEMENT
FOR
PUBLIC RIGHT-OF-WAY PURPOSES**

This Public Right-of-Way Easement (“Easement”) is made as of the _____ day of _____, 2024, by and between **115 Plato, LP**, a Minnesota limited partnership (“Grantor”) and **City of Saint Paul, Minnesota**, a Minnesota municipal corporation (“Grantee”).

RECITALS

WHEREAS, Grantor is the fee owner the real property located at 115 Plato Boulevard West in Saint Paul, Minnesota and legally described in Exhibit A attached hereto (the “Property”).

WHEREAS, Grantor desires to grant to the City easements over portions of the Property as depicted and described in Exhibit B attached hereto (the “Easement Area”), on the terms and conditions contained herein.

TERMS OF EASEMENT

NOW, THEREFORE, for good and valuable consideration, the sufficiency and receipt of which are hereby expressly acknowledged and confirmed, the Parties hereby agree as follows:

1. Grant of Easement. For good and valuable consideration, the receipt of which is acknowledged by Grantor, Grantor hereby grants and conveys to Grantee a perpetual non-exclusive easement over the Easement Area for public right-of-way purposes, subject to the terms and conditions hereof. It is intended and agreed that this dedication of easement shall be a covenant running with the land and shall be binding to the fullest extent of the law and equity for the benefit of the public. It is further intended and agreed that this dedication of easement shall remain in effect without limitation as to time.

2. Scope of Easement. This Easement gives Grantee, its contractors, agents, and employees the right to access, locate, construct, operate, maintain, alter and repair public improvements within the Easement Area.

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

4. Grantor’s Use. Grantor 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 Grantee’s rights outlined in Section 2.

5. Maintenance. Grantee shall maintain the Easement Area in good repair (including, without limitation, snow and ice removal, cleaning, patching and repair of the Easement Area in the same manner as other streets maintained by Grantee), at Grantee’s sole cost and expense.

6. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding on Grantor, its successors, and assigns.

[Signature Page to Follow. Remainder of Page Intentionally Blank.]

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

115 Plato, LP,
a Minnesota limited partnership

By: 115 Plato GP, LLC
a Minnesota limited liability company
Its: General Partner

By: _____

Name (printed): Peter Deanovic

Its: Chief Executive Officer

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The forgoing instrument was acknowledged before me on this ____ day of _____, 2024, by Peter Deanovic, the Chief Executive Officer of 115 Plato GP, LLC, a Minnesota limited liability company, as the General Partner of 115 Plato, LP, a Minnesota limited partnership, on behalf of the partnership.

Notary Public

My Commission Expires: _____

EXHIBIT A
Legal Description of the Property

115 Plato Boulevard West, St. Paul, Minnesota (Parcel ID No. 06-28-22-43-0058)

All that part of Blocks 161 and 193, Robertson's Addition to West St. Paul and of Blocks 161 and 193, Irvine's Addition to West St. Paul and of the vacated alley in said Block 161, Robertson's Addition and of vacated West Fairfield Avenue and of vacated Bidwell Street and of vacated Moses Street that is described as follows:

Beginning at the intersection of the centerlines of said vacated West Fairfield Avenue and Bidwell Street; thence South 30 degrees, 19 minutes 30 seconds West, assumed bearing along the centerline of vacated Bidwell Street, a distance of 229.96 feet to the Northerly line of Plato Avenue as opened; thence South 59 degrees 34 minutes 30 seconds West, along said Northerly line, a distance of 80.31 feet; thence to the right on a tangential curve having a central angle of 29 degrees 51 minutes 30 seconds and a radius of 471.00 feet for an arc distance of 245.45 feet; thence North 89 degrees 26 minutes West a distance of 208.05 feet to the centerline of vacated Fairfield Avenue; thence North 39 degrees 29 minutes 30 seconds East, along said centerline, a distance of 185.91 feet; thence North 59 degrees 34 minutes 15 seconds East a distance of 321.03 feet to the point of beginning, according to the recorded plat thereof.

Said Block 161 of Irvine's Addition to West St. Paul consists of all that part of said plat that is undesignated by a block number, but which lies:

- (i) northeasterly of vacated Moses Street, designated as Chestnut Street in said Irvine's Addition to West St. Paul; and
- (ii) southeasterly of vacated Fairfield Avenue, formerly known as Kate Street, originally dedicated as an unnamed street in Irvine's Addition to West St. Paul lying southeasterly of Block 190 thereof.

Said Block 161 of Irvine's Addition to West St. Paul is also the same land identified as Block 161 in the Findings of Fact, Conclusions of Law, and Order for Judgment in that certain action entitled Jenny Lee, Inc., a Minnesota corporation, v. Charles L. Willes, et al., Ramsey County (Minn.) District Court File No. 481082, dated and entered March 24, 1987, and recorded March 27, 1987 as Ramsey County Recorder Doc. No. 2370645, and which is depicted on Exhibit "A" thereof.

EXCEPTING THEREFROM:

Those parts of Lots 1 and 2, Block 193, IRVINE'S ADDITION TO WEST ST. PAUL and Block 193, ROBERTSON'S ADDITION TO WEST ST. PAUL, lying North of the Northerly line of Plato Boulevard West, recorded as Document No. 527286 (Torrens), and as Document No. 1733685 (Abstract), being re-filed as Document No. 1752626 (Abstract), Ramsey County, Minnesota.

And

That part of the Southeasterly Half of vacated Fairfield Avenue, IRVINE'S ADDITION TO WEST ST. PAUL, lying Southwesterly of the Southwesterly line of vacated Moses Street, and

lying Northerly of the Northerly line of Plato Boulevard West recorded as Document No. 527286 (Torrens), and as Document No. 1733685 (Abstract), being re-filed as Document No. 1752626 (Abstract), Ramsey County, Minnesota.

Ramsey County, Minnesota
Abstract Property

EXHIBIT B

Depiction and Legal Description of the Easement Area

30459491v2

RIGHT-OF-WAY EASEMENT EXHIBIT
115 Plato Blvd,
St. Paul, Ramsey County, Minnesota

An easement for right-of-way purposes over and across that part of the following described property:

All that part of Blocks 161 and 193, Robertson's Addition to West St. Paul and of Blocks 161 and 193, Irvine's Addition to West St. Paul and of the vacated alley in said Block 161, Robertson's Addition and of vacated West Fairfield Avenue and of vacated Bidwell Street and of vacated Moses Street that is described as follows:

Beginning at the intersection of the centerlines of said vacated West Fairfield Avenue and Bidwell Street; thence South 30 degrees 19 minutes 30 seconds West, assumed bearing along the centerline of vacated Bidwell Street, a distance of 229.96 feet to the Northerly line of Plato Avenue as opened; thence South 59 degrees 34 minutes 30 seconds West, along said Northerly line, a distance of 80.31 feet; thence to the right on a tangential curve having a central angle of 29 degrees 51 minutes 30 seconds and a radius of 471.00 feet for an arc distance of 245.45 feet; thence North 89 degrees 26 minutes West a distance of 208.05 feet to the centerline of vacated Fairfield Avenue; thence North 39 degrees 29 minutes 30 seconds East, along said centerline, a distance of 185.91 feet; thence North 59 degrees 34 minutes 15 seconds East a distance of 321.03 feet to the point of beginning, according to the recorded plat thereof. Said Block 161 of Irvine's Addition to West St. Paul consists of all that part of said plat that is undesignated by a block number, but which lies:

- (i) Northeasterly of vacated Moses Street, designated as Chestnut Street in said Irvine's Addition to West St. Paul; and
- (ii) Southeasterly of vacated Fairfield Avenue, formerly known as Kate Street, originally dedicated as an unnamed street in Irvine's Addition to West St. Paul lying Southeasterly of Block 190 thereof. Said Block 161 of Irvine's Addition to West St. Paul is also the same land identified as Block 161 in the Findings of Fact, Conclusions of Law, and Order for Judgment in that certain action entitled Jenny Lee, Inc., a Minnesota corporation, v. Charles L. Willes, et al., Ramsey County (Minn.) District Court File No. 481082 dated and entered March 24, 1987, recorded March 27, 1987, as Ramsey County Recorder Document No. 2370645, and which is depicted on Exhibit "A" thereof.

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Ramsey

County, Minnesota.

And

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Ramsey County, Minnesota.

Said easement being a 30.00 foot wide strip of land, the northeasterly line of which is the centerline of said vacated Bidwell Street

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 18th day of December, 2024

Rory L. Synstelien

Minnesota License No. 44565

CivilSite
GROUP

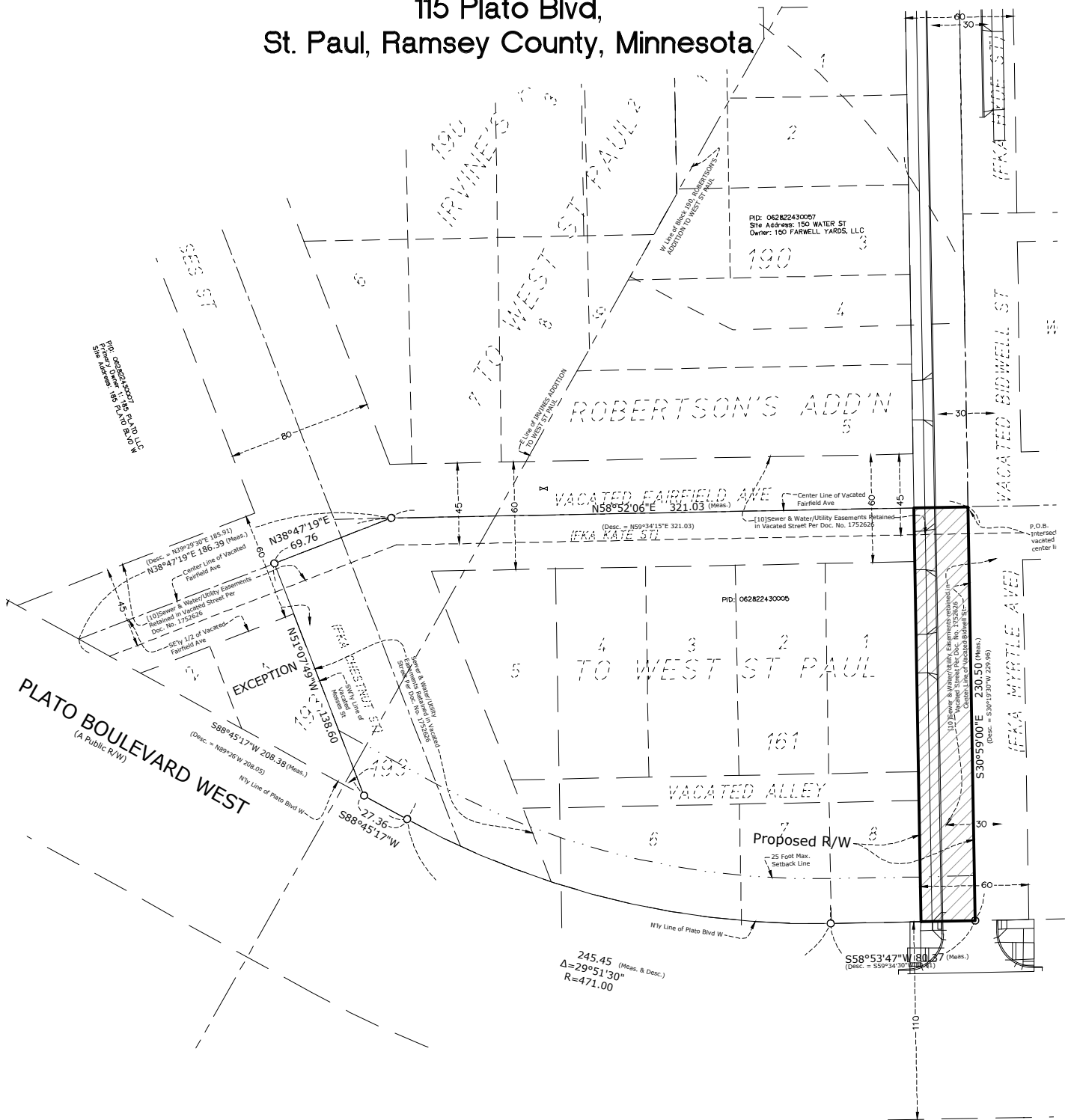
5000 GLENWOOD AVENUE
GOLDEN VALLEY, MN 55422
CivilSiteGroup.com

Drawn By:RS

Project No. 18275.03

SHEET 1 OF 2

RIGHT-OF-WAY EASEMENT EXHIBIT
115 Plato Blvd,
St. Paul, Ramsey County, Minnesota



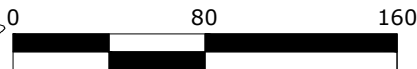
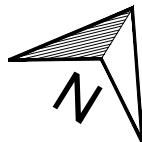
MINNESOTA CERTIFICATION

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 18th day of December, 2024

Rory L. Synstelien

Minnesota License No. 44565



SCALE IN FEET

CivilSite
GROUP

5000 GLENWOOD AVENUE
GOLDEN VALLEY, MN 55422
CivilSiteGroup.com

Drawn By:RS

Project No. 18275.03

SHEET 2 OF 2