

## TEMPORARY CONSTRUCTION EASEMENT

This Indenture is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by and between **Meritex Enterprises, Inc.**, a Minnesota corporation (“Grantor”), and the **City of Saint Paul**, a Minnesota municipal corporation (“Grantee”).

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and the further consideration of the covenants and agreements set forth below, Grantor does hereby grant, sell, convey, transfer, and deliver unto Grantee, its contractors, subcontractors, successors and assigns, a non-exclusive Temporary Construction Easement (the “Easement”) over, under and across the real property described and depicted in Exhibit A attached hereto and incorporated herein by this reference (the “Easement Area”), for certain purposes including but not limited to entry, clearing, sloping, grading, and planting in conjunction with and during the construction of Grantee’s University Avenue Reconstruction Project (the “Project”) as it affects Grantor’s properties generally at the southwest corner of the intersection of University Avenue East and Olive Street in Saint Paul, Minnesota, Parcel Identification Numbers 32-29-22-14-0044 and 32-29-22-14-0076 (the “Parcels”).

The Easement is granted in accordance with, and subject to, the following terms, conditions, requirements and limitations:

1. Easement Term: The Easement will be effective from May 1, 2026 through June 30, 2027.
2. Restoration: Grantee will restore the Easement Area at the end of the Easement term to a similar or improved condition than exists at the commencement of the Easement term.
3. Access: Grantee will access the Easement Area only from the University Avenue right-of-way.
4. Signage: Grantee may provide signage as needed to direct traffic flow past the Parcels.

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

**MERITEX ENTERPRISES, INC.,**  
a Minnesota corporation  
**Grantor**

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA     )  
                                          ) SS.  
COUNTY OF RAMSEY     )

The forgoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by \_\_\_\_\_, the \_\_\_\_\_ of Meritex Enterprises, Inc., a Minnesota corporation, on behalf of the corporation.

\_\_\_\_\_  
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. 4<sup>th</sup> St., Rm. 1000  
St. Paul, MN 55102  
651-266-8850

## **EXHIBIT A**

### **Description and Depiction of the Easement Area**

#### **Description:**

A temporary easement for construction purposes over and across the following described property: Those portions of Lots 4 and 5, Block 2, and vacated portions of E. University Avenue (14<sup>th</sup> Street) adjacent to Lots 1, 2, and 3 in said Block 2, Paterson's Addition to the City of St. Paul, Ramsey County, Minnesota, described as follows, to-wit:

Beginning at the intersection of the South Right-of-Way line of E. University Avenue, as now located and constructed, with the West Right-of-Way line of Olive Street, according to the recorded plat thereof; thence Southerly along said West Right-of-Way line of Olive Street a distance of 229.00 feet to the point of intersection with the North Right-of-Way line of E. 13th Street according to the recorded plat thereof; thence Westerly along said North Right-of-Way line of E. 13th Street, a distance of 139.0 feet; thence Northerly parallel with said West Right-of-Way line of Olive Street a distance 116.0 feet; thence Westerly parallel with said North Right-of-Way of E. 13th Street a distance of 14.0 feet; thence Northerly parallel with said West Right-of-Way line of Olive Street a distance of 4.0 feet to the beginning of a curve to the left, concave to the West, having a radius of 469.34 feet; thence Northerly along the arc of said curve to the point of intersection with said South Right-of-Way line of E. University Avenue; thence Easterly along said South Right-of-Way line to the point of beginning.

Said temporary easement being 5 feet wide, adjoining and lying southerly and southwesterly of the following described line:

Beginning at a point on the west line of said property lying 8 feet south of said north line; thence easterly to a point that is 19.17 feet west and 8.00 feet south of the northeast corner of said property; thence southeasterly to a point on the east line of said property, distant 27.13 feet south of said northeast corner and there terminating.

## EXHIBIT A (cont'd)

Depiction:

