

### **EASEMENT**

The City of Blaine, a home charter city of the State of Minnesota (“Grantor”), hereby conveys a perpetual easement to the Rice Creek Watershed District, a political subdivision of the State of Minnesota with powers set forth at Minnesota Statutes Chapters 103B and 103D (“Grantee”), under the terms set forth herein.

### **WITNESSETH**

WHEREAS, Grantor is the owner in fee of certain real property (the “Burdened Property”) located in Anoka County, Minnesota, designated by Anoka County Parcel No. 11-31-23-14-0004 and legally described as follows:

The South 123.38 feet of the North Half of the Northeast Quarter of Section 11, Township 31, Range 23, except the West 1170 feet of said Northeast Quarter, and the North 176.62 feet of the South Half of the Northeast Quarter of Section 11, Township 31, Range 23, except the West 1170 feet of said Northeast Quarter, EXCEPT Parcel 48, Anoka County Highway Right-of-Way Plat No. 61. (“Burdened Property”).

WHEREAS, Grantor and Grantee desire to provide for an easement in perpetuity over a portion of the Burdened Property in favor of Grantee for the purpose of maintaining ACD 53-62 across the Burdened Property.

NOW THEREFORE, in consideration of the premises, for one dollar and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by Grantor, the parties agree as follows.

1. Grantor hereby grants to Grantee an easement in perpetuity on and under that real property located within the Burdened Property legally described as follows (the “Easement Area”):

A strip of land 125.00 feet wide with the centerline of said strip of land being described as follows:

Commencing at the northwest corner of said Burdened Property; thence on an assumed bearing of South 89 degrees 26 minutes 55 seconds East along the north line of said Burdened Property, a distance of 44.40 feet to the point of beginning of the centerline to be described; thence South 12 degrees 21 minutes 14 seconds East, a distance of 97.73 feet; thence South 27 degrees 19 minutes 27 seconds East, a distance of 231.61 feet to the south line of said Burdened Property and said centerline there terminating.

The sidelines of said strip of land shall be prolonged or shortened to terminate on the north, west and south lines of said Burdened Property.

2. The easement in perpetuity granted herein is for flowage within the Easement Area and allows Grantee to use the Easement Area to construct, maintain, inspect, repair and reconstruct a ditch or buried tile to convey water across the Burdened Property.

3. For the purposes described in paragraph 2, Grantee may operate motorized and non-motorized vehicles and equipment; store equipment and materials; temporarily stockpile spoils, sediments and debris; place and erect temporary structures; and all other activities necessary or convenient for those purposes. Grantee shall pay for or repair any damage to the Burdened Property caused by its activity on the Easement Area under this easement. Grantee may cross and recross the Burdened Property at reasonable times and locations in order to conduct any activity authorized under this Easement.

4. Grantor may use the Easement Area for any purpose that does not diminish the hydraulic capacity of the ditch or tile and does not interfere with activity of Grantee under this Easement.

5. This Easement is perpetual without being rerecorded; shall run with and burden the Burdened Property; and shall be binding on Grantor's representatives, heirs, successors and assigns.

CITY OF BLAINE

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Notary Public

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Notary Public

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