
RIGHT-OF-WAY EASEMENT AGREEMENT

ALAN R. PEARSON and ELIZABETH J. PEARSON, TRUSTEES husband and wife, owners of real property located at 8846 Bowers Drive, Ramsey, Minnesota, “LANDOWNER”, hereby grants, sells, and conveys in consideration of One Dollar to the CITY OF RAMSEY, a Minnesota municipal corporation, “CITY”, a perpetual easement for the public purposes described in paragraph 1 below, over, under and upon the real property described as follows:

See attached **Exhibit A** for legal description and diagram (the “Easement Area”)

EXEMPT FROM STATE DEED TAX

1. **The Easement Purposes.** The Easement shall be used for the following public purposes:

A perpetual easement for right of way purposes over, under and across that part of OUTLOT A, RIVERSTONE SOUTH, according to the recorded plat thereof, Anoka County, Minnesota, lying within the circumference of a circle having a radius of 65.00 feet, the center of said circle is described as follows:

Commencing at the most northerly corner of said OUTLOT A, thence on an assumed bearing of South 22 degrees 30 minutes 18 seconds West, along the northwest line of said OUTLOT A, a distance of 94.69 feet; thence North 67 degrees 29 minutes 42 seconds West, a distance of 1.18 feet, to the center of said circle and there terminating.

2. **Hazardous Substances.**

The CITY shall not be responsible for any costs, expenses, damages, demands, obligations, including penalties and attorney’s fees, or losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants which may have existed on, or which relate to the Easement Area or adjacent property prior to the date hereof.

3. **Liability and Indemnification.**

To the extent allowed by law, the **CITY** hereby agrees to indemnify and save the **LANDOWNER** harmless from and against any and all suits, demands, liabilities, costs and other expenses, including reasonable attorney's fees, incurred in connection with or arising out of the use of the Easement Area by the **CITY**, its contractors and agents, or the general public, for the purposes granted herein, excluding, however, from such indemnity any loss resulting from acts of **LANDOWNER**.

4. **No Waiver of Governmental Immunity.**

Nothing contained herein shall be deemed a waiver by the **CITY** of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by **LANDOWNER**, its successors or assigns, shall be subject to any government immunity defenses of the **CITY** and maximum liability limits provided in Minnesota Statute Chapter 466.

5. **Disposal of Excavated Material.**

The right is hereby granted to the **CITY** to remove or otherwise dispose of all earth or other material excavated from the Easement Area as the **CITY** may deem fit, and to remove trees, brush, undergrowth and other obstructions interfering with the location, construction and maintenance of the Easement Area.

6. **Granting Clause.**

LANDOWNER covenants that they are the fee owners of the Easement Area and have the right, title, and capacity to grant the Easement for the purposes described herein.

IN WITNESS WHEREOF, the **LANDOWNER** has caused this Easement Agreement to be executed on this the _____ day of _____, 2022.

LANDOWNER

By: _____
Alan R. Pearson

By: _____
Elizabeth J. Pearson

THIS INSTRUMENT WAS DRAFTED BY:

THIS INSTRUMENT WAS REVIEWED BY:

The City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303
Ph. (763) 427-1410

HKB LAW, P.A.
Frederic W. Knaak, Attorney
4501 Allendale Drive
St. Paul, MN 55127
Ph. (612) 490-9078

STATE OF MINNESOTA)
) SS.

COUNTY OF ANOKA)

The forgoing instrument was acknowledged before me on this the ____ day of _____, 2022, by Alan R. Pearson, owner of real property having the address of 8846 Bowers Drive N.W., Ramsey, Minnesota.

Notary Public

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

STATE OF MINNESOTA)
) SS.

COUNTY OF ANOKA)

The forgoing instrument was acknowledged before me on this the ____ day of _____, 2022, by Elizabeth J. Pearson, owner of real property having the address of 8846 Bowers Drive N.W., Ramsey, Minnesota.

Notary Public

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

EXHIBIT A

PROPOSED DESCRIPTION:

A perpetual easement for right of way purposes over, under and across that part of OUTLOT A, RIVERSTONE SOUTH, according to the recorded plat thereof, Anoka County, Minnesota, lying within the circumference of a circle having a radius of 65.00 feet, the center of said circle is described as follows:


Commencing at the most northerly corner of said OUTLOT A, thence on an assumed bearing of South 22 degrees 30 minutes 18 seconds West, along the northwest line of said OUTLOT A, a distance of 94.69 feet; thence North 67 degrees 29 minutes 42 seconds West, a distance of 1.18 feet, to the center of said circle and there terminating.

SURVEYOR'S NOTES:

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.
2. Distances are in feet.
3. Bearings shown on this survey assume the northwest line of OUTLOT A bears South 22 degrees 30 minutes 18 seconds West

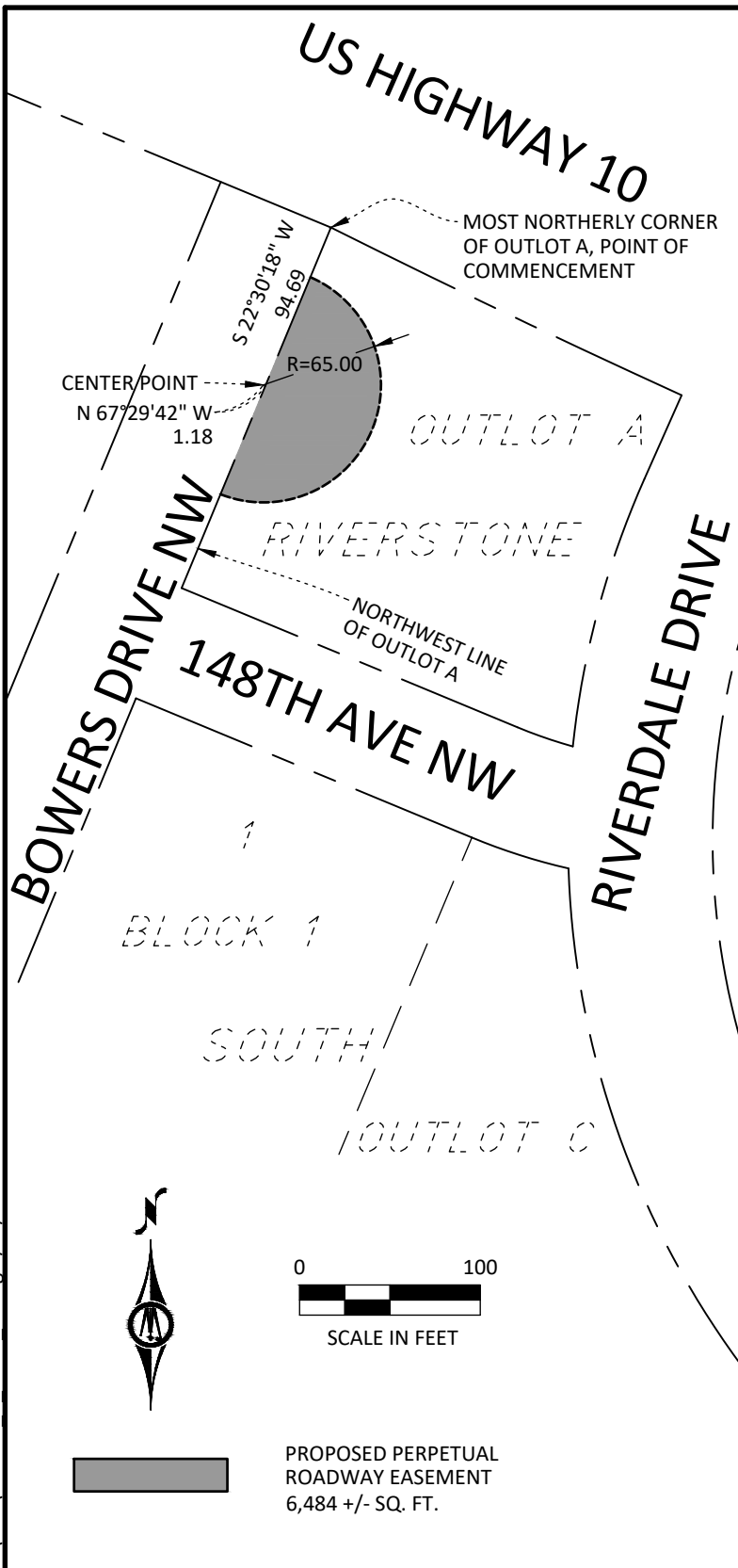
SURVEYOR'S CERTIFICATION

I hereby certify that this survey 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.


 Andrew Hill
 License Number 57632

05/13/2022

Date



PROPOSED PERPETUAL
 ROADWAY EASEMENT
 6,484 +/- SQ. FT.

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EASEMENT EXHIBIT
BOWERS DRIVE NORTHWEST, CITY OF RAMSEY, MINNESOTA



BOLTON & MENK
 7533 SUNWOOD DR NW, SUITE 206
 RAMSEY, MINNESOTA 55303
 (763) 433-2851

OUTLOT A
 RIVERSTONE SOUTH
 ANOKA COUNTY, MINNESOTA

FOR: CITY OF RAMSEY

R25-T32-S30-11