

DRAINAGE AND UTILITY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That **Bruce Conrad**, a single adult, hereinafter referred to as “Grantor” for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby convey unto the **City of Rockville**, hereinafter referred to as “Grantee,” a 10 foot wide perpetual easement along Prairie Drive for drainage and utility purposes under, over, on, through and across the real property legally described in **Exhibit A** as depicted in **Exhibit B**.

1. Grantor shall not erect any structure under, over, on, through, across or within the easement area without obtaining the prior written consent of the Grantee.

2. The Grantee and its permittees and licensees shall have the right of access to the easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area, including the right to remove any unauthorized obstructions or structures placed or erected under, over, on, through, across or within the easement area.

3. This Easement shall be for the benefit of the Grantee and its successors and assigns. This Easement shall be deemed to run with the land and shall be binding upon Grantor and on Grantor’s successors and assigns.

STATE OF MINNESOTA)
) SS
COUNTY OF STEARNS)

On this ____ day of _____, 2016, before me, a Notary Public for this County, personally appeared Jeff Hagen, who, being by me duly sworn, did say that he is the Mayor of the City of Rockville, a Minnesota municipal corporation, and that this instrument was signed on behalf of said corporation by authority of its City Council and acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

STATE OF MINNESOTA)
) SS
COUNTY OF STEARNS)

On this ____ day of _____, 2016, before me, a Notary Public for this County, personally appeared Martin Bode, who, being by me duly sworn, did say that he is the City Administrator-Clerk of the City of Rockville, a Minnesota municipal corporation, and that this instrument was signed on behalf of said corporation by authority of its City Council and acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

THIS INSTRUMENT DRAFTED BY:

Rinke Noonan (AAR/mjr)
1015 W. St. Germain St., Suite 300
P.O. Box 1497
St. Cloud, MN 56302-1497
(320) 251-6700
File No. 24793-0032

EXHIBIT A

(Legal Description of Property)

That part of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4), Section 17, Township 123, Range 29, Stearns County, Minnesota, and that part of Prairie Drive according to the plat of PRAIRIE INDUSTRIAL PARK, Stearns County, Minnesota, partially vacated per Resolution No. 2004-38, filed for record on September 22, 2004, as Document Number 1127544, lying northerly of the north line of Lot 1, Block 1, said PRAIRIE INDUSTRIAL PARK, and lying easterly of the right of way boundary lines designated by right of way boundary corners B3, B4, and B5 on MINNESOTA DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT OF WAY PLAT NO. 73-50, and lying southerly and southwesterly of the following described boundary:

Commencing at the northwest corner of the Prairie Drive, according to the plat of PRAIRIE INDUSTRIAL PARK; thence North 00 degrees 05 minutes 00 seconds West, plat bearing, along said east right-of-way line of County Road 140, 34.56 feet to the point of beginning; thence North 89 degrees 54 minutes 42 seconds East 37.77 feet, thence easterly 97.73 feet along a tangential curve concave to the south, radius 260.00 feet, central angle 21 degrees 32 minutes 12 seconds; thence South 68 degrees 33 minutes 06 seconds East, along tangent, 185.27 feet; thence southeasterly 140.33 feet along a tangential curve, concave to the southwest, radius 260.00 feet, central angle 30 degrees 55 minutes 24 seconds, to a point on the southerly right-of-way line of said Prairie Drive and there terminating.

Containing 27,169 Square Feet, more or less.

