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\$46.00

***Document Total***

\$46.00

Existing Certs  
1496043

*(Reserved for recording)*

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**GRANT OF PERMANENT EASEMENT  
FOR PUBLIC DRAINAGE AND UTILITY PURPOSES**

**GEORGE C. DAUM** and **NORA K. DAUM**, husband and wife ("Grantors"), in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant unto the **CITY OF ORONO**, a Minnesota municipal corporation, the Grantee, hereinafter referred to as the "City", its successors and assigns, forever, a permanent easement for public drainage and utility purposes on, across, under and through the land situated in the County of Hennepin, State of Minnesota, legally described on the attached Exhibit "A" and depicted on the attached Exhibit "B" (the "Easement Property"), subject to the restrictions set forth in this easement.

INCLUDING the rights of the City, its contractors, agents, servants, and assigns, to enter upon the Easement Property at all reasonable times, with advance notice to Grantors when reasonable to do so, to construct, reconstruct, inspect, repair, and maintain said public drainage and utility systems across, on, under, and through the Easement Property, together with the right to grade, level, fill, drain, and excavate the Easement Property; provided, however, that the City will, upon completion of its work, backfill and restore any excavated areas, and the further right to remove trees, bushes, undergrowth, and other obstructions reasonably interfering with the

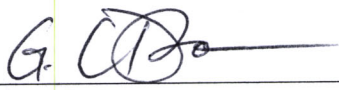
location, construction, and maintenance of said public drainage and utility systems, subject to the following:

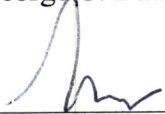
1. Any physical alterations of the Easement Property that are visible from exterior, including any grading of the property, shall be approved by the Grantors, or their successors, heirs and assigns, which consent shall not be unreasonably withheld.
2. The City shall repair any damage to the Easement Property caused by the City or its contractors, agents, servants, and assigns.

The above-named Grantors, for themselves, their successors, heirs and assigns, do covenant with the City, its successors and assigns, that they are well seized in fee title of the Easement Property; that they have the sole right to grant and convey the easement to the City; that there are no unrecorded interests in the Easement Property other than as described on Certificate of Title No. 1496043; and they will indemnify and hold the City harmless for any breach of the foregoing covenants.

**IN TESTIMONY WHEREOF**, the Grantors hereto have signed this easement this 26 day of APRIL, 2021.


GRANTORS:

  
\_\_\_\_\_  
George C. Daum

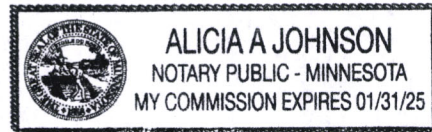
  
\_\_\_\_\_  
Nora K. Daum

STATE OF MINNESOTA    )  
                                  :SS  
COUNTY OF Hennepin )

The foregoing instrument was acknowledged before me this 26 day of April, 2021, by **George C. Daum** and **Nora K. Daum**, husband and wife.

  
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:  
**CAMPBELL KNUTSON**  
*Professional Association*  
Grand Oak Office Center I  
860 Blue Gentian Road, Suite 290  
Eagan, Minnesota 55121  
Telephone: (651) 452-5000  
SMM





**EXHIBIT "A"**  
**TO**  
**GRANT OF PERMANENT EASEMENT**

A 10.00 foot wide permanent easement for drainage and utility purposes on, under, across and through that part of the hereinafter described PARCEL B, according to Certificate of Title No. 1496043 on file and of record in the office of the County Recorder, Hennepin County, Minnesota:

**PARCEL B:**

Par 1: All that part of Lot 27, Fagerness lying North and East of a line described as follows: Commencing at a point on the Southeasterly line of Under the Linden Avenue which said point is marked by a judicial monument, a distance of 175 feet Northeasterly along said Avenue from the Southwest corner of said Lot 27; thence bearing South 34 degrees 14 minutes East a distance of 69.00 feet to a point marked by a judicial monument; thence continuing on an extension of said line to the shore of Lake Minnetonka and lying South and West of a line described as follows: Commencing at a point on the Southeasterly line of Under the Linden Avenue a distance of 100 feet Northeasterly along a straight line bearing North 35 degrees 00 seconds East from the beginning point of the Southwesterly line of this tract heretofore described; thence bearing South 37 degrees 55 seconds East to the shore of Lake Minnetonka.

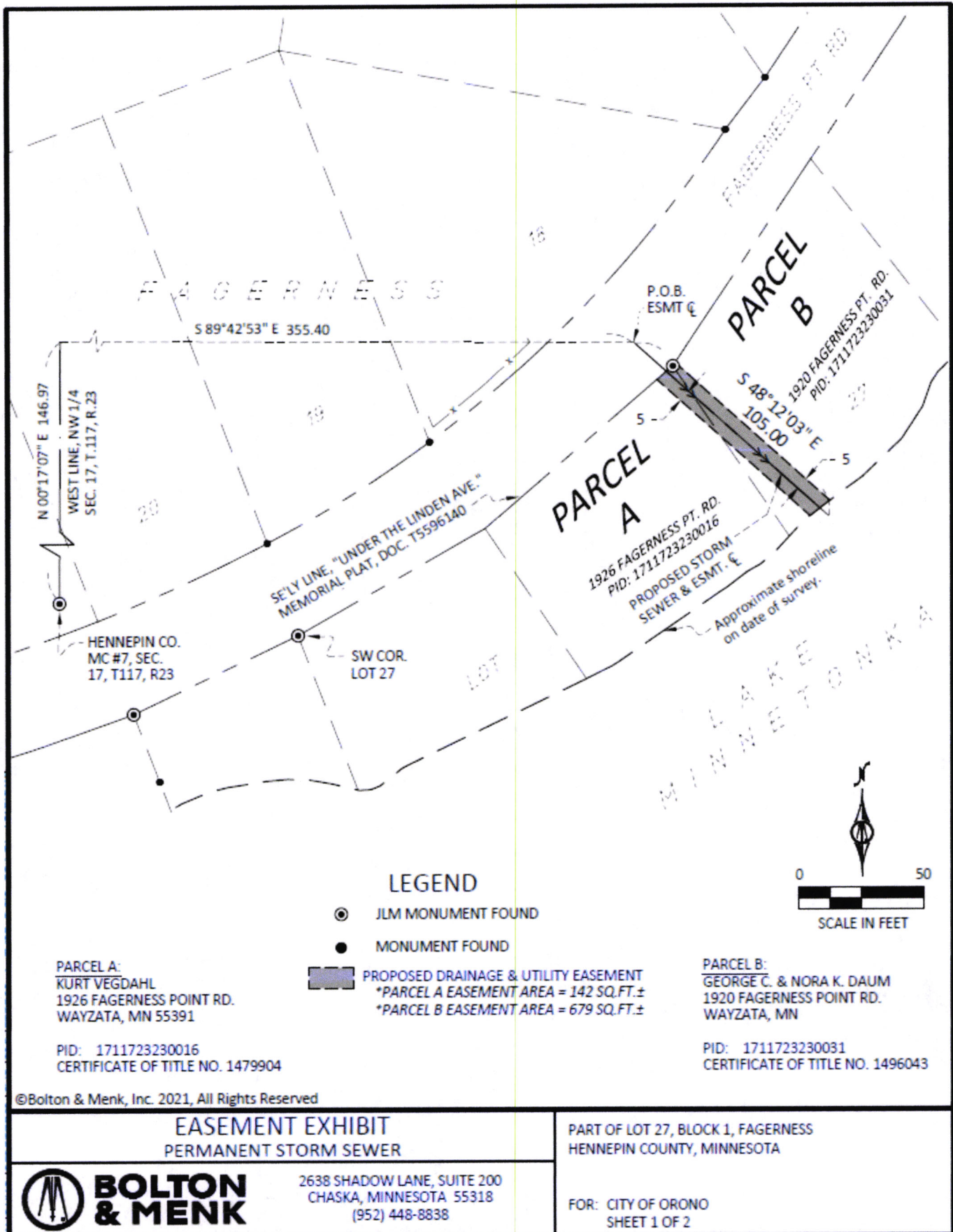
which lies 5.00 feet on each side of a centerline described as follows:

Commencing at Meander Corner No. 7, Section 17, T. 117, R. 23, Hennepin County, Minnesota; thence on an assumed bearing of North 00 degrees 17 minutes 07 seconds East along the west line of the Northwest Quarter of said Section 17 a distance of 146.97 feet; thence South 89 degrees 42 minutes 53 seconds East a distance of 355.40 feet to the POINT OF BEGINNING of the easement centerline to be described; thence South 48 degrees 12 minutes 03 seconds East a distance of 105 feet, more or less, to the shoreline of Lake Minnetonka and said centerline there terminating.

The sidelines of said easement shall be extended or shortened as necessary to terminate at the public road right-of-way and Lake Minnetonka, respectively. Subject to easements & restrictions of record, if any.

Property address: 1920 Fagerness Point Road, Orono, MN  
PID No. 17-117-23-23-0031  
Torrens Certificate of Title No. 1496043

# EXHIBIT "B" TO GRANT OF PERMANENT EASEMENT





**MORTGAGE HOLDER CONSENT  
TO  
GRANT OF PERMANENT EASEMENT**

**ASSOCIATED BANK, N.A.**, a corporation organized and existing under the laws of the United States of America, which holds a Mortgage on all or part of the property more particularly described in the foregoing Grant of Permanent Easement for Drainage and Utility Purposes, which Mortgage is dated September 23, 2019 and recorded December 6, 2019 as Hennepin County Document No. T05668523, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby join in, consents to, and is subject to the foregoing Grant of Permanent Easement.

Dated this 3RD day of May, 2021.

**ASSOCIATED BANK N.A.**

By: [Signature]  
Nancy Suchon [print name]  
Its: Vice President [title]

STATE OF WISCONSIN  
COUNTY OF PORTAGE )ss.



The foregoing instrument was acknowledged before me this 3RD day of May, 2021, by Nancy Suchon, the Vice President of **ASSOCIATED BANK N.A.**, a corporation organized and existing under the laws of the United States of America, on behalf of said entity.

Kathi Fellowes  
Notary Public  
My comm exp 4.14.2023

THIS INSTRUMENT WAS DRAFTED BY:  
**CAMPBELL KNUTSON, P.A. / SMM**  
Grand Oak Office Center I  
860 Blue Gentian Road, Suite 290  
Eagan, Minnesota 55121  
Telephone: (651) 452-5000