

# Attachment E

## EASEMENT GRANT

THIS EASEMENT GRANT (hereinafter referred to as the “Grant”) is made as of January 27, 2023 by CURT SWANSON HOMES, LLC, a Minnesota limited liability company, (hereinafter referred to as the “Grantor”) to and in favor of the CITY OF MAPLE GROVE, a Minnesota municipal corporation (hereinafter referred to as the “Grantee”).

WHEREAS, the Grantor is the owner of a tract of land located in Hennepin County, Minnesota, legally described on attached Exhibit 1 (hereinafter referred to as the “Parcel”); and

WHEREAS, the Grantor wishes to grant and convey to Grantee a permanent drainage and utility easement (hereinafter referred to as “Easement”) over, under, and across those parts of the Parcel legally described on attached Exhibit 2 (hereinafter referred to as the “Easement Area”).

NOW, THEREFORE, the Grantor makes the following grants, covenants, and restrictions:

1. INCORPORATION. The above recitals and attached exhibits are a material part of this Grant and are incorporated herein.
2. GRANT OF EASEMENT. The Grantor hereby grants to the Grantee the Easement for permanent drainage and utility purposes over, under, and across the Easement Area.
3. IMPROVEMENTS. Grantor acknowledges that Grantee may alter and improve all or part of the Easement Area to the design of Grantee’s choosing. Grantor hereby grants and conveys unto Grantee the right, privilege, and authority to freely enter upon said Easement Area at any and all times with all machinery, tools, equipment, vehicles and materials necessary for the purposes above set forth, and to use and remove all earth and other materials lying within the Easement Area. Grantor further agrees not to place any structure upon or near the Easement Area that will interfere with the operation or maintenance of said Easement grant without first securing the written approval of Grantee.
4. WARRANTIES OF TITLE. Grantor warrants and guarantees that it has good and indefeasible fee simple title to the Parcel and Grantor warrants that it has full authority to grant the Easement free and clear of all other claims.
5. RUNNING OF BENEFITS AND BURDENS. All provisions of this instrument, including the benefits and burdens, run with the Parcel and are binding upon and enure to the heirs, assigns, successors, tenants, and personal representatives of the parties hereto.

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**EXHIBIT 1**

Lot 1, Block 5, THE RIDGE AT ELM CREEK, according to the recorded plat thereof, Hennepin County, Minnesota.

Both Torrens and Abstract

PID No. 32-119-22-42-0008

## EXHIBIT 2

A 12.00 foot strip of land for drainage and utility purpose, over, under and across that part of Lot 1, Block 5, THE RIDGE AT ELM CREEK, according to the recorded plat thereof, Hennepin County, Minnesota. The center line of said easement is described as commencing at the northwest corner of Lot 1; thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds East along the westerly line of said Lot 1 a distance of 44.77 feet to the actual point of beginning; thence South 89 degrees 59 minutes 25 seconds East, a distance of 17.37 feet; thence North 45 degrees 08 minutes 54 seconds East, a distance of 16.76 feet; thence South 89 degrees 45 minutes 01 seconds East, a distance of 34.86 feet; thence South 45 degrees 08 minutes 54 seconds East, a distance of 16.56 feet; thence South 89 degrees 59 minutes 25 seconds East, a distance of 9.11 feet to the east line of said Lot 1 and there terminating.

Side lines of said easement to be shorted or extended to terminate at said east and west lines.

Excepting therefrom the westerly and easterly 5.00 feet of said strip.