

## EASEMENT

EASEMENT NO #: CO-CE-061

KNOW ALL PERSONS BY THESE PRESENTS, that City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota "Grantor", whether one or more, whose post office address is: 11155 Robinson Drive, Coon Rapids, MN 55433, in consideration of one dollar and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, does hereby grant unto Great River Energy, a Minnesota cooperative corporation, ("Grantee"), its post office address being 12300 Elm Creek Blvd, Maple Grove, MN 55369-4718, and to its successors and assigns, the right to enter upon the following described real property (the "easement area") in Anoka County, Minnesota situated in:

Section 35, Township 32N, Range 25W.

more particularly described on attached **Exhibits A and B**

for the following purposes:

To construct, reconstruct, relocate, operate, repair and maintain on the easement area, and in or upon all streets, roads or highways abutting said lands, an electric transmission line or system, consisting of single pole structures and appurtenances, and telecommunications facilities, including fiber optic cable.

To permit or otherwise agree to the joint use or occupancy of the transmission line or system and the easement area by any other person(s) or entity(ies) for the construction, reconstruction, relocation, operation, maintenance and repair of aboveground or underground facilities for the transmission or distribution of electric energy and telecommunications, including fiber optic cable.

Together with the right of reasonable ingress to and egress from the easement area over and across the lands adjoining the easement, the right to occupy and use that part of the lands adjoining the easement area necessary for the performance of the construction, reconstruction, maintenance, relocation and repair of the electric transmission or distribution line or system or communication facilities, the right from time to time to cut down, trim, or, in any manner, eliminate all trees, shrubbery or brush located within the easement area and the right to cut down from time to time all other dead, weak, leaning or dangerous trees located on lands adjoining said easement area that are tall enough to come within 5 feet of striking any part of said transmission line or system in falling. Election by Grantee to not exercise all or any part of its rights at any time shall not constitute forfeiture of any such rights.

Grantor reserves the right to cultivate, use and occupy said easement area, except, that without the prior written approval of Grantee, Grantor shall not erect thereon any structures or other objects or improvements, permanent or temporary, except fences, streets, roads, and underground improvements, such as utilities. Grantor further agrees not to perform any act which will interfere with or endanger said transmission line.

Grantee agrees to pay Grantor for this easement prior to the construction of said line or system on the easement area.

Grantor agrees to indemnify and hold harmless the Grantor for any damages or claims resulting directly and solely from the use of the easement.

Upon the completion of any construction, maintenance, or replacement project, Grantee will restore any disturbed areas including but not limited to the replacement of any damaged sod and plantings, subject to the tree removal provision contained herein.

All facilities installed and placed by Grantee or its permittee(s) on said lands shall remain the property of Grantee or its permittee(s), removable at the option of Grantee or its permittee(s).

This Easement has been duly executed by Grantor on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**GRANTOR**

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by

\_\_\_\_\_ of  
(NAME/TITLE)

City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota.  
(Name of Corporation Acknowledging) (State of Incorporation)

\_\_\_\_\_ (Notary)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by

\_\_\_\_\_ of  
(NAME/TITLE)

City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota.  
(Name of Corporation Acknowledging) (State of Incorporation)

\_\_\_\_\_ (Notary)

GRANTEE: GREAT RIVER ENERGY

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Craig Poorker  
Manager, Land Rights

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Craig Poorker, Manager, Land Rights of Great River Energy a Minnesota cooperative corporation, on behalf of the corporation.

\_\_\_\_\_ (Notary)

Drafted By: Great River Energy  
Land Rights Department  
12300 Elm Creek Blvd  
Maple Grove, MN 55369  
(763) 445-5000  
(To be returned to same after recording.)