LEGAL LAND DESCRIPTION

First American Title Insurance Company Title Commitment Number 1601588 Schedule A (Date: September 13, 2022 at 8:00 AM)

The Land referred to herein below is situated in the County of St. Louis, State of MN, and is described as follows:

Lots 9 through 24, inclusive, Block 57; Lots 1 through 28, inclusive, Block 58; Lots 1 through 6, inclusive, Block 59; Lots 1 through 28, inclusive, Block 63; and Lots 9 through 30 inclusive, Block 64, EXCEPT all those parts of Lots 28, 29, and 30, said Block 64, lying southerly of the following described line:

BEGINNING at a point where the north line of vacated Oneida Alley intersects the common boundary line between Lots 8 and 9, Block 64, thence run easterly to a point where the north line of vacated Tioga Street intersects the common boundary line between Lots 27 and 28, Block 64, and said line there terminating; all in LESTER PARK FOURTH DIVISION, according to the recorded plat thereof, Saint Louis County, Minnesota;

AND

Lot 11, EDGEWATER, according to the recorded plat thereof, Saint Louis County, Minnesota;

AND

All those parts of Lots 10 and 13, EDGEWATER, and Lots 1 through 4, inclusive, and Lots 23 through 28, inclusive, Block 62, LESTER PARK FOURTH DIVISION, lying southerly of the following described line:

Commencing at the West Quarter Corner of Section 4, Township 50 North, Range 13 West, Saint Louis County, Minnesota, according to the US Government Survey thereof, thence North 1 degree 04 minutes 21 seconds West, assigned bearing, along the west line of said Section 4, a distance of 381.59 feet; thence North 89 degrees 27 minutes 39 seconds East a distance of 567.80 feet to a point on the west line of said Lot 10, EDGEWATER, said west line of Lot 10 being the centerline of Benson Road, according to said plat of EDGEWATER, said Benson Road now being known as Lester River Road, and said point being the POINT OF BEGINNING; thence continuing North 89 degrees 27 minutes 39 seconds East a distance of 961.27 feet to the northwesterly line of East Oneida Street, LESTER PARK FOURTH DIVISION; said line also being the southeasterly line of said Lot 13, EDGEWATER; thence continuing North 89 degrees 27 minutes 39 seconds East a distance of 511.49 feet, more or less, to the southeast line of said Lot 23, Block 62, LESTER PARK FOURTH DIVISION, and there terminating.

To be split out of the following:

Parcel 1:

All of Lots 10, 12 and 13, Edgewater, St. Louis County, Minnesota (Torrens Property, Certificate of Title No. 70402.0)

Parcel 2:

Lot 11, Edgewater, St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358402.0)

Parcel 3: Lot 9, Block 57, Lester Park Fourth Division Lot 10, Block 57, Lester Park Fourth Division Lot 11, Block 57, Lester Park Fourth Division Lot 12, Block 57, Lester Park Fourth Division Lot 13, Block 57, Lester Park Fourth Division

Lot 14, Block 57, Lester Park Fourth Division Lot 15, Block 57, Lester Park Fourth Division Lot 16, Block 57, Lester Park Fourth Division Lot 17, Block 57, Lester Park Fourth Division

Lot 19, Block 57, Lester Park Fourth Division Lot 20, Block 57, Lester Park Fourth Division Lot 21, Block 57, Lester Park Fourth Division Lot 22, Block 57, Lester Park Fourth Division

Lot 23, Block 57, Lester Park Fourth Division Lot 24, Block 57, Lester Park Fourth Division, all in St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358383.0)

Lot 18, Block 57, Lester Park Fourth Division, St. Louis County, Minnesota.

(Torrens Property, Certificate of Title No. 358377.0)

Parcel 4: Lots 1, 2, 3 and 4, Block 58:

Lots 1, 2, 3, 4, 25, 26, 27 and 28, Block 63; and

Lots 9 to 30 inclusive, Block 64, Lester Park Fourth Division, St. Louis County, Minnesota,

Except all that part of Lots 28, 29 & 30, Block 64, Lester Park Fourth Division lying southerly of the following described line: Beginning at a point where the north line of vacated Oneida Alley intersects the common boundary line between Lots 8 and 9, Block 64, Lester Park Fourth Division: thence run easterly to a point where the north line of vacated Tioga Street intersects the common boundary line between Lots 27 and 28, Block 64, Lester Park Fourth

Division, an said line there terminating. (Torrens Property, Certificate of Title No. 320488.0)

Parcel 5: Lot 5, Block 58, Lester Park Fourth Division

Lot 6. Block 58. Lester Park Fourth Division Lot 7, Block 58, Lester Park Fourth Division Lot 8, Block 58, Lester Park Fourth Division

Lot 9, Block 58, Lester Park Fourth Division Lot 10, Block 58, Lester Park Fourth Division Lot 11, Block 58, Lester Park Fourth Division Lot 12. Block 58. Lester Park Fourth Division

Lot 13, Block 58, Lester Park Fourth Division Lot 14, Block 58, Lester Park Fourth Division, all in St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358385.0)

Lot 15, Block 58, Lester Park Fourth Division, St. Louis County, Minnesota.

(Torrens Property, Certificate of Title No. 358356.0)

Lot 16, Block 58, Lester Park Fourth Division, St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358358.0)

Lot 17, Block 58, Lester Park Fourth Division

Lot 18. Block 58. Lester Park Fourth Division Lot 19, Block 58, Lester Park Fourth Division

Lot 20, Block 58, Lester Park Fourth Division

Lot 21, Block 58, Lester Park Fourth Division Lot 22, Block 58, Lester Park Fourth Division

Lot 23, Block 58, Lester Park Fourth Division, all in St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358347.0)

Lot 24, Block 58, Lester Park Fourth Division, St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358379.0)

Lot 27, Block 58, Lester Park Fourth Division, St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358381.0)

Lot 25, Block 58, Lester Park Fourth Division

Lot 26, Block 58, Lester Park Fourth Division

Lot 28, Block 58, Lester Park Fourth Division, all in St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 248185.0)

LEGAL LAND DESCRIPTION (continued)

Parcel 7:

Lot 1. Block 59. Lester Park Fourth Division Lot 2, Block 59, Lester Park Fourth Division Lot 3. Block 59. Lester Park Fourth Division Lot 4, Block 59, Lester Park Fourth Division Lot 5, Block 59, Lester Park Fourth Division

Lot 6, Block 59, Lester Park Fourth Division, all in St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358360.0)

Parcel 8:

Lots 1 to 3, inclusive, and Lots 5 to 28, inclusive, Block 62; Lots 5 to 24, inclusive, Block 63;

Lester Park Fourth Division, all in St. Louis County, Minnesota.

(Torrens Property, Certificate of Title No. 358516.0) AND Lot 4, Block 62, Lester Park Fourth Division, St. Louis County, Minnesota. (Torrens Property, Certificate of Title No. 358518.0)

EXCEPTIONS FROM COVERAGE

First American Title Insurance Company Title Commitment Number 1601588

Schedule A (Date: September 13, 2022 at 8:00 AM) Items 1 through 7 are not plottable survey matters.

- 8. The terms and provisions contained in the document entitled "Order and Judgment" recorded January 07, 1942 as Doc. No. 159290 of Official Records. Affects Parcel 6. DOES NOT AFFECT THE SUBJECT PROPERTY - NOT SHOWN. REFERENCE TO THIS DOCUMENT IN THE MEMORIAL OF CERTIFICATE OF TITLE 248185 APPEARS TO BE NO LONGER ACCURATE.
- 9. An easement for slopes and fills or retaining walls for cuts and fills and for sewer purposes in the document recorded August 24, 1948 as Doc. No. 196046 of Official Records. Affects Parcel 6. **DOES NOT AFFECT THE SUBJECT PROPERTY - NOT SHOWN. REFERENCE TO THIS DOCUMENT IN THE** MEMORIAL OF CERTIFICATE OF TITLE 248185 APPEARS TO BE NO LONGER ACCURATE.
- 10. An easement for highway purposes in the document recorded May 28, 1964 as Doc. No. 306451 of Official Records. Affects Lot 16 of Parcel 5. **AFFECTS SUBJECT PARCEL - AS SHOWN.**
- 11. The terms and provisions contained in the document entitled "Resolution 08-0720" recorded March 06, 2009 as Doc. No. 865452.0 of Official Records. Affects Parcel 4. AFFECTS - AS SHOWN - VACATION OF PARTS OF ONEIDA STREET, TIOGA STREET, AND 63RD AVENUE EAST ABUT THE SUBJECT PARCEL, WHILE VACATION OF PART OF ONEIDA ALLEY ABUTS THE SUBJECT PARCEL AND ALSO AFFECTS THAT PART OF VACATED ONIEDA ALLEY ACCRUED TO LOT 9, BLOCK 64, LYING SOUTH OF A LINE BEGINNING AT THE SOUTHEAST CORNER OF LOT 8 AND TERMINATING AT THE SOUTHEAST CORNER OF LOT 28 OF SAID BLOCK 64, BEING WITHIN THE SUBJECT PARCEL.
- 12. Condemnation of certain lands taken for Trunk Highway purposes by the State of Minnesota as contained in Final Certificate recorded May 17, 1979 as Doc. No. 421570 together with all right of access, being the right of ingress to and egress from that portion of the last above described tract, not acquired herein, to Trunk Highway No. 61. Above affects part of Parcels 5, 7 and 8. AFFECTS - AS SHOWN.
- 13. Any interest outstanding of record in and to all the oil, gas and other minerals in and under and that may be produced from said premises, together with all rights incident to or growing out of said outstanding minerals, including but not limited to outstanding oil and gas leases and easements. **AFFECTS - NOT SHOWN - BLANKET IN NATURE**
- 14. Reservation of all minerals and mineral rights in favor of the State of Minnesota. Including but not limited to Document No. 507878. AFFECTS NOT SHOWN - BLANKET IN NATURE OVER FORMER TAX FORFEIT PARCELS.
- 15. Water rights, claims or title to water, whether or not shown by the public records. MAY AFFECT NOT SHOWN THE SURVEYOR FINDS NO SURFACE WATERS ON SITE OR TOUCHING THE SUBJECT PROPERTY.
- 16. Rights of the United States of America and/or the State of Minnesota, the county, the municipality, and the public, in and to that part of the land which may be within ponds and wetlands. MAY AFFECT - NOT SHOWN - A WETLAND DELINEATION WAS NOT PERFORMED AS PART OF THIS SURVEY. THE SURVEYOR FINDS NO EVIDENCE OF WETLAND DELINEATION MARKS ON THE SUBJECT PROPERTY.
- 17. The following Recital(s) appears in the Certificate of Title, and will be carried forward to any Certificate of Title: Except all minerals and mineral rights. Affects Parcels 2, 3, 5, 7 and 8. AFFECTS THOSE PORTIONS OF SAID PARCELS 2, 3, 5, 7, AND 8 LYING WITHIN THE

SUBJECT PROPERTY - NOT SHOWN - BLANKET IN NATURE. Subject to the rights and easements of The Duluth and Iron Range Railroad Company and City of Duluth in Certificate of Title No. 21653 registered in the office of the Registrar of Titles, in Book 71 page 89. Affects Parcels 3, 5, 7 and 8. Except minerals. MAY AFFECT - ST. LOUIS AND LAKE COUNTY SCENIC RAILROAD, AS SHOWN, DOES NOT TOUCH THE SUBJECT PARCEL. HOWEVER, THE SURVEYOR IS UNABLE TO MAP THE EXACT LOCATION OF ALL

RIGHTS GRANTED BASED ON THE NON-SPECIFIC NATURE OF THE DESCRIPTION PROVIDED BY THE RECORDED DOCUMENTS Lots 1, 2, 3 and 4, Block 58 and Lots 1, 2, 3, 4, 25, 26, 27 and 28 Block 63 Lester Park Fourth Division are Subject to such easements and servitudes as are incident to the reservation of the mineral estate by the State of Minnesota effected by deed recorded in the office of the Registrar of Titles as Document No. 222107. AFFECTS - NOT SHOWN - BLANKET IN NATURE.

Lots 9 to 30 inclusive Block 64 Lester Park Fourth Division are Subject to such easements and servitudes as are incident to the reservation of the mineral estate by the State of Minnesota effected by deed recorded in the office of the Registrar of Titles as Document No. 385174. Affects Parcel 4. Except minerals. AFFECTS - NOT SHOWN - BLANKET IN NATURE.

Subject to such easements and servitudes as are incident to the reservation of the mineral estate by the State of Minnesota effected by deed registered in the office of the Registrar of Titles as Document No. 222107. Affects Parcel 6. AFFECTS - NOT SHOWN - BLANKET IN NATURE.

Except all minerals and mineral rights. Affects Parcel 8. AFFECTS - NOT SHOWN - BLANKET IN NATURE

- 18. The following Memorial(s) appears in the Certificate of Title, and will be carried forward to any Certificate of Title: Lis Pendens recorded June 11, 1964 as Doc. No. 306653. Affects Parcel 5, 7 and 8. AFFECTS - NOT SHOWN - AREA SUBJECT TO LIS PENDENS IS SUBJECT TO SUBSEQUENT ACQUISITION OF EASEMENT BY DOCUMENT NUMBER 421570, WHICH IS SHOWN ON THE SURVEY. SEE EXCEPTION 12. Lis Pendens recorded November 18, 1975 as Doc. No. 388067. Affects Parcels 5, 7 and 8. AFFECTS - NOT SHOWN - AREA SUBJECT TO LIS PENDENS IS SUBJECT TO SUBSEQUENT ACQUISITION OF EASEMENT BY DOCUMENT NUMBER 421570, WHICH IS SHOWN ON THE SURVEY. SEE EXCEPTION 12.
- 19. The terms, conditions, easements and provisions contained within document dated December 21, 2021, recorded February 15, 2022, as Doc. No. 1053373.0. AFFECTS - NOT SHOWN - BLANKET IN NATURE.
- 20. The terms, conditions, easements and provisions contained within document dated February 04, 2022, recorded February 15, 2022, as Doc. No. 1053374.0. AFFECTS - NOT SHOWN - BLANKET IN NATURE.
- 21. The terms, conditions, easements and provisions contained within document dated January 26, 2022, recorded February 15, 2022, as Doc. No. 1053375.0. The above document has been amended by document dated August 23, 2022, and recorded September 21, 2022, as Doc. No. 1061511.0. **AFFECTS - NOT SHOWN - BLANKET IN NATURE.**

OWNER

Parcel 1 - City of Duluth, a Municipal Corporation; Parcels 2, 3, 5, 7 and 8 - City of Duluth, a Municipal Corporation and Political Subdivision;

Parcel 4 - City of Duluth, a MN Municipal Corporation; Parcel 6 - City of Duluth, Minnesota, a Minnesota Municipal Corporation;

CERTIFICATION

To: Duluth Economic Development Authority, a Minnesota public body corporate and politic and a political subdivision, City of Duluth, Minnesota, a Minnesota Municipal Corporation, and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6 (a,b), 7(a, b1, c), 8, 11, 13, 16, 17, 18 and 19 of Table A thereof. The field work was completed on March 31, 2023.

3/31/2023 Chris A. Larsen, LS, MN No. 45848

ALTA/NSPS LAND TITLE SURVEY

DULUTH ECONOMIC DEVELOPMENT AUTHORITY

"TABLE A" NOTES

- The address of the property is currently unassigned, East Superior Street, Duluth, Minnesota.
- Flood Zone Classification: THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE C ACCORDING TO FIRM MAP 270421 0030 C, WITH AN EFFECTIVE DATE OF APRIL 2, 1982.
- Gross land area = 1,671,146 square feet = 38.364 acres
- 6.(a) If set forth in a zoning report or letter provided to the surveyor by the client, list the current zoning classification, setback requirements, the height and floor space area restrictions, and parking requirements. Identify the date and source of the report or letter. **ZONING REPORT** NOT PROVIDED.
- (b) If the zoning setback requirements are set forth in a zoning report or letter provided to the surveyor by the client, and if those requirements do not require and interpretation by the surveyor, graphically depict the building setback requirements. Identify the date and source of the report or letter. ZONING REPORT NOT PROVIDED.
- 7.(a) Exterior dimensions of all buildings at ground level. NO BUILDINGS WERE OBSERVED ON THE SUBJECT PROPERTY
- (b) Square footage of:
 - (1) exterior footprint of all buildings at ground level.
- (2) other areas as specified by the client.
- (c) Measured height of all buildings above grade at a location specified by the client. If no location is specified, the point of measurement shall be
- Substantial features observed in the process of conduction the fieldwork (in addition to the improvements and features required pursuant to Section 5 above) (e.g., parking lots, billboards, signs, swimming pools, landscaped areas, substantial areas of refuse). **SUBSTANTIAL FEATURES** DEPICTED AS SHOWN. IMPROVEMENTS AND FEATURES OF THE EXISTING GOLF COURSE, INCLUDING BUT NOT LIMITED TO DRAINAGE STRUCTURES, SIGNS, GREENS, TEE BOXES, FAIRWAYS, AND SIMPLE SHELTERS ARE SHOWN ON SHEET 3 VIA AERIAL PHOTOGRAPHY.
- 11. Location of utilities existing on or serving the surveyed property as determined by:

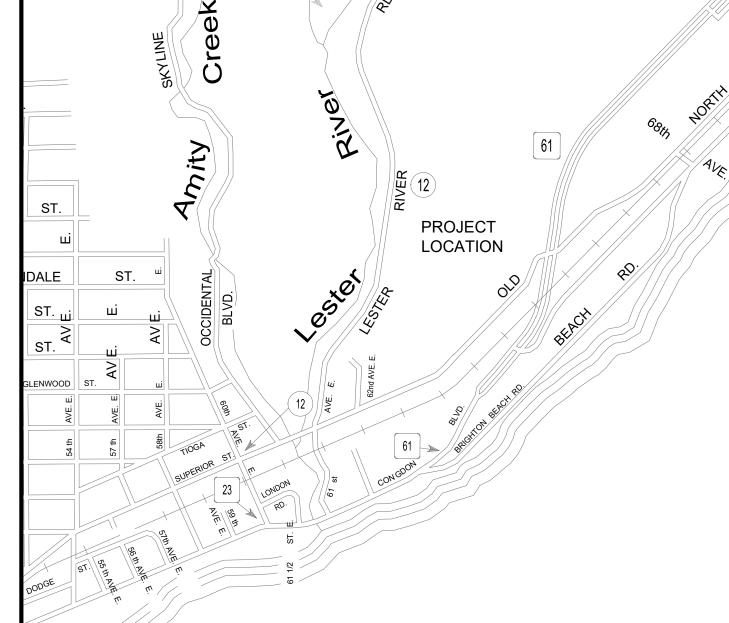
observed evidence collected pursuant to Section 5.E.iv., evidence from plans requested by the surveyor and obtained from utility companies, or provided by the client (with reference as to the sources of information), and markings requested by the surveyor pursuant to an 811 utility locate or similar request. UTILITIES AS SHOWN BASED ON MAPPING RECEIVED THROUGH GSOC.

Note to the client, insurer, and lender- With regard to Table A, item 11, source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

- 13. Names of adjoining owners according to current tax records. If more than one owner, identified the first owner's name listed in the tax records followed by "et al." ADJOINERS AS SHOWN BASED ON SAINT LOUIS COUNTY TAX RECORDS.
- 16. Evidence of recent earth moving work, building construction, or building additions observed in the process of conduction the fieldwork. RECENT EARTHWORK NOT OBSERVED DURING THE COURSE OF THE SURVEY.
- 18. Include any plottable offsite (i.e., appurtenant) easements or servitudes disclosed in documents provided to or obtained by the surveyor as a part of the survey pursuant to Sections 5 and 6 (and applicable selected Table A items) (client to obtain necessary permissions). NONE PROVIDED NOR DISCOVERED DURING THE COURSE OF THE SURVEY.

SURVEY NOTES

- Lester River Road right of way is depicted according to the recorded plat of EDGEWATER as shown. However, since the location of the current traveled roadway, shoulder grading, and vegetation clearing are found to be located outside of the platted right of way in some areas, the surveyor has sought and found additional information. St. Louis County Engineer's file V10-8 provides a newer, revised road alignment that more closely fits the current traveled and occupied roadway. However, since this document is not recorded, and the surveyor has neither been provided, nor discovered, additional recorded right of way acquisition documents in conformance with said County Engineer's files, the surveyor makes no statement as to the rights of the public in the specific areas where the roadway improvements leave the platted right of way according to the said plat of EDGEWATER.
- That part of platted Onieda Alley lying northeasterly of the southeasterly extension of the southwesterly line of Lot 9, northwesterly of the platted centerline of said Oneida Alley, and south of a line beginning at the southeast corner of Lot 8 and terminating at the southeast corner of Lot 28, all of said Block 64, LESTER PARK FOURTH DIVISION is depicted within the boundaries of the subject property based on the legal description provided by the subject property title commitment referenced hereon as well as the southerly adjoiner's legal description according to Quit Claim Deed recorded in Saint Louis County as torrens document number 884915, and Certificate of Title 350942. Said Quit Claim Deed legal description fails to include any part of said Lot 9, or portions of said vacated Oneida Alley accrued thereto, but was recorded after the vacation of said Oneida Alley according to document no. 865452 (T), Saint Louis County, Minnesota.



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. DATE _ 3/31/2023 LICENSE NO. _ 45848

Revision Issue DEDA0 164215 Description SEH Project Rev.# Date Drawn By Designed By ## Checked B



