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Office of the County Recorder  
Ramsey County, Minnesota  
Todd J. Jecker, County Recorder  
Heather L. Bestler, County Auditor and Treasurer  
Deputy 1009 Pkg ID 1546862C

Document Recording Fee Abstract	\$46.00
<b><i>Document Total</i></b>	<b>\$46.00</b>



**EASEMENT FOR STORM WATER AND SURFACE DRAINAGE**

THIS EASEMENT is made effective as of the 20 day of September, 2022, by Yarusso Bros. Holdings, LLC, a Minnesota limited liability company whose current address is 637 Payne Avenue, St Paul, MN 55130, the fee owner of real property located in Ramsey County a legally described in Exhibit 1 attached hereto and incorporated by reference herein, (hereinafter referred to as the "Property").

**Recitals**

- A. Yarusso Bros. Holdings, LLC is in the process of completing a lot split for the Property in to two parcels, Parcel A and Parcel B in contemplation of selling one or both parcels sometime in the future.
- B. Parcel A is legally described in Exhibit 2 attached hereto and incorporated by reference herein. Yarusso Bros, Holdings, LLC, as the fee owner of Parcel A, along with its successors or assigns, shall be referred to hereto herein as "Grantor".
- C. Parcel B is legally described in Exhibit 3 attached hereto and incorporated by reference herein. Yarusso Bros, Holdings, LLC, as the fee owner of Parcel B, along its successors or assigns, shall be referred to hereto herein as "Grantee".
- D. That in order for the lot split to be approved by the City of St. Paul, the City of St. Paul is requiring Yarusso Bros. Holdings, LLC to enter into this Easement for Storm Water and Surface Drainage permitting and allowing the storm water and surface drainage from Parcel B to flow unto Parcel A.

**Easement**


NOW THEREFORE, based upon the foregoing and in consideration of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged,;

1. Grantor does reserve and grant, on behalf of itself, its heirs, successors, assigns and transferees, a private, non-exclusive, perpetual easement for purposes of storm water and surface drainage, over, upon, across, in, and through Parcel A from Parcel B.
2. This easement is for the benefit of Parcel B ("Grantee Property") and all heirs, successors, assigns and transferees of the Grantee. Storm water and surface drainage Parcel B shall be permitted to discharge and flow over, upon, across, through and under Parcel A.
3. The Grantor, shall be prohibited from altering or placing anything in the easement area which shall obstruct or impede the flow of storm water or surface drainage from the Grantee Property. However, as part of an approved site plan, the Grantor may construct and/or install surface improvements to the property, including paved driveways, parking and/or walkways; landscaping; utilities and/or similar improvements, which improvements do not interfere with use, operation, and maintenance, of the easement area.
4. Grantees shall be permitted to enter upon the easement area and sufficient land adjacent to said storm water drainage Easement Area for the purpose of exercising the rights and privileges granted herein.
5. This Easement does not grant or convey to Grantee, or any member of the general public, any right of ownership, possession or use of the easement area.

This instrument shall run with the land first described above and shall be binding upon and inure to the benefit of the Grantor, Grantee, and their respective heirs, representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned Grantor has affixed its signature this 20 day of September, 2022.

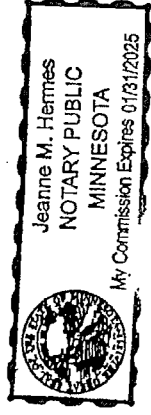
GRANTOR:  
  
YARUSSO BROS. HOLDINGS, LLC

By:   
Frederick Yarusso  
Its: Manager

STATE OF MINNESOTA )  
 )s.s.  
COUNTY OF RAMSEY )

The foregoing instrument was acknowledged before me on this 20<sup>th</sup> day of September, 2022, by Fredrick Yarusso, manager of grantor Yarusso Bros. Holdings, LLC, a Minnesota limited liability company.

Jeanne M. Hermes  
Notary public



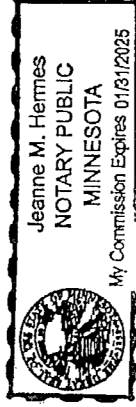
GRANTEE:  
YARUSSO BROS. HOLDINGS, LLC

By: Fredrick Yarusso  
Fredrick Yarusso  
Its: Manager

STATE OF MINNESOTA )  
 )s.s.  
COUNTY OF RAMSEY )

The foregoing instrument was acknowledged before me on this 20<sup>th</sup> day of September, 2022, by Fredrick Yarusso, manager of grantee Yarusso Bros. Holdings, LLC, a Minnesota limited liability company.

Jeanne M. Hermes  
Notary public



This Instrument Drafted By:  
Hitchcock Law Firm, PLLC  
The Barrister Building  
1465 Arcade Street  
St. Paul, MN 55106

**EXHIBIT 1**  
**Existing Legal Description for Entire Property**

Lots 8, 9, and 10, Block 3 of Phillips' s Addition, and Lot 3, Langevin' s Division, Ramsey County, Minnesota

**EXHIBIT 2**  
**Legal Description**  
**for**  
**Parcel A**

Lot 3, LANGEVIN'S DIVISION, and that part of Lot 10, Block 3, PHILLIPS' ADDITION, lying southerly and westerly of the following described line:

Beginning at a point on the South line of Lot 10, Block 3, PHILLIPS' ADDITION, lying 56.46 feet easterly of the Southwest corner of Lot 10, said South line of Lot 10 having an assumed bearing of North 89 degrees 43 minutes 08 seconds West; thence North 01 degree 42 minutes 25 seconds East a distance of 17.45 feet; thence South 89 degrees 45 minutes 06 seconds West a distance of 41.31 feet; thence North 01 degree 05 minutes 43 seconds West a distance of 20.56 feet; thence South 89 degrees 59 minutes 05 seconds West a distance of 15.18 feet, more or less, to a point on the East line of said Lot 10, 37.54 feet northerly of the Southwest corner thereof and there terminating, all in Ramsey County, Minnesota.

(commonly referred to as 635 Payne Avenue, St. Paul, MN)

**EXHIBIT 3**  
**Legal Description**  
**for**  
**Parcel B**

Lots 8, 9, and that part of Lot 10, Block 3, PHILLIPS' ADDITION, lying northerly and easterly of the following described line:

Beginning at a point on the South line of Lot 10, Block 3, PHILLIPS' ADDITION, lying 56.46 feet easterly of the Southwest corner of Lot 10, said South line of Lot 10 having an assumed bearing of North 89 degrees 43 minutes 08 seconds West; thence North 01 degree 42 minutes 25 seconds East a distance of 17.45 feet; thence South 89 degrees 45 minutes 06 seconds West a distance of 41.31 feet; thence North 01 degree 05 minutes 43 seconds West a distance of 20.56 feet; thence South 89 degrees 59 minutes 05 seconds West a distance of 15.18 feet, more or less, to a point on the East line of said Lot 10, 37.54 feet northerly of the Southwest corner thereof and there terminating, all in Ramsey County, Minnesota.

(commonly referred to as 672 Bedford Street, St. Paul, MN)



# EXHIBIT

