

Space above reserved for recording information

**AMENDMENT TO DEED OF DEDICATION OF EASEMENTS
FOR PEDESTRIAN PURPOSES AND FOR DRAINAGE AND UTILITY**

THIS AMENDMENT is made and entered into as of ____, day of ____, 2024 by and between **Snelling-Midway Redevelopment, LLC**, a Minnesota limited liability company ("Grantor"), and the **City of Saint Paul**, a municipal corporation of the State of Minnesota, its successors and assigns (the "Grantee"), and

RECITALS

A. Grantor granted to Grantee certain easements and other rights pursuant to that certain Deed of Dedication of Easement for Pedestrian Purposes dated February 21, 2019 between the Grantee and RK Midway Shopping Center LLC, predecessor in interest to the Grantor, and recorded in the office of the Registrar of Titles of Ramsey County as Document No. T02634499 on March 1, 2019 (the "Deed of Dedication").

B. The parties desire to amend the Deed of Dedication as provided herein. Terms used herein and not defined have the meanings ascribed to them in the Deed of Dedication.

NOW THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the parties hereby agree as follows:

1. The Grantor and Grantee agree to replace Paragraph 1, the Pedestrian Easement in its entirety with the following language:

Grantor, for good and valuable consideration, to Grantor in hand paid and the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the **City of Saint Paul**, a municipal corporation of the State of Minnesota, its successors and assigns, as Grantee, a non-exclusive permanent easement for pedestrian purposes (the "Pedestrian Easement") on and across the easterly 5.00 feet of Outlot C, MLS SOCCER REDEVELOPMENT, Ramsey County, Minnesota (the "Parcel"). The Pedestrian Easement is depicted on Exhibit A attached hereto.

2. Except as hereinabove expressly modified or amended, all of the terms and provisions of the Deed of Dedication shall remain in full force and effect.

Signature page of Grantor

IN TESTIMONY WHEREOF, the parties have executed this Amendment to Deed of Dedication as of the date first written above.

GRANTOR:

SNELLING-MIDWAY REDEVELOPMENT, LLC

By: _____
William W. McGuire, Managing Member

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN

On this ____ day of _____, 2024, the undersigned William W. McGuire, Managing Member of Snelling-Midway Redevelopment, LLC, appeared before me and acknowledged that he signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

This Instrument was drafted by:

Kaplan, Strangis and Kaplan, P.A. (sjs)
730 Second Avenue South, Suite 1450
Minneapolis, MN 55402
(sjs) 612-904-5638

GRANTEE:

CITY OF SAINT PAUL

By: _____
Deputy Mayor

By: _____
Director of the Office of Financial
Services

By: _____
City Clerk

Approved as to form:

Assistant City Attorney

CITY ACKNOWLEDGMENT

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY

On this ____ day of _____, 2024, the undersigned _____, Deputy Mayor of the City of Saint Paul, appeared before me and acknowledged that she signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

On this ____ day of _____, 2024, the undersigned _____, Director of Financial Services for the City of Saint Paul, appeared before me and acknowledged that he signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY

On this ____ day of _____, 2024, the undersigned _____, City Clerk of the City of Saint Paul, appeared before me and acknowledged that she signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

Acknowledgment of Grantee

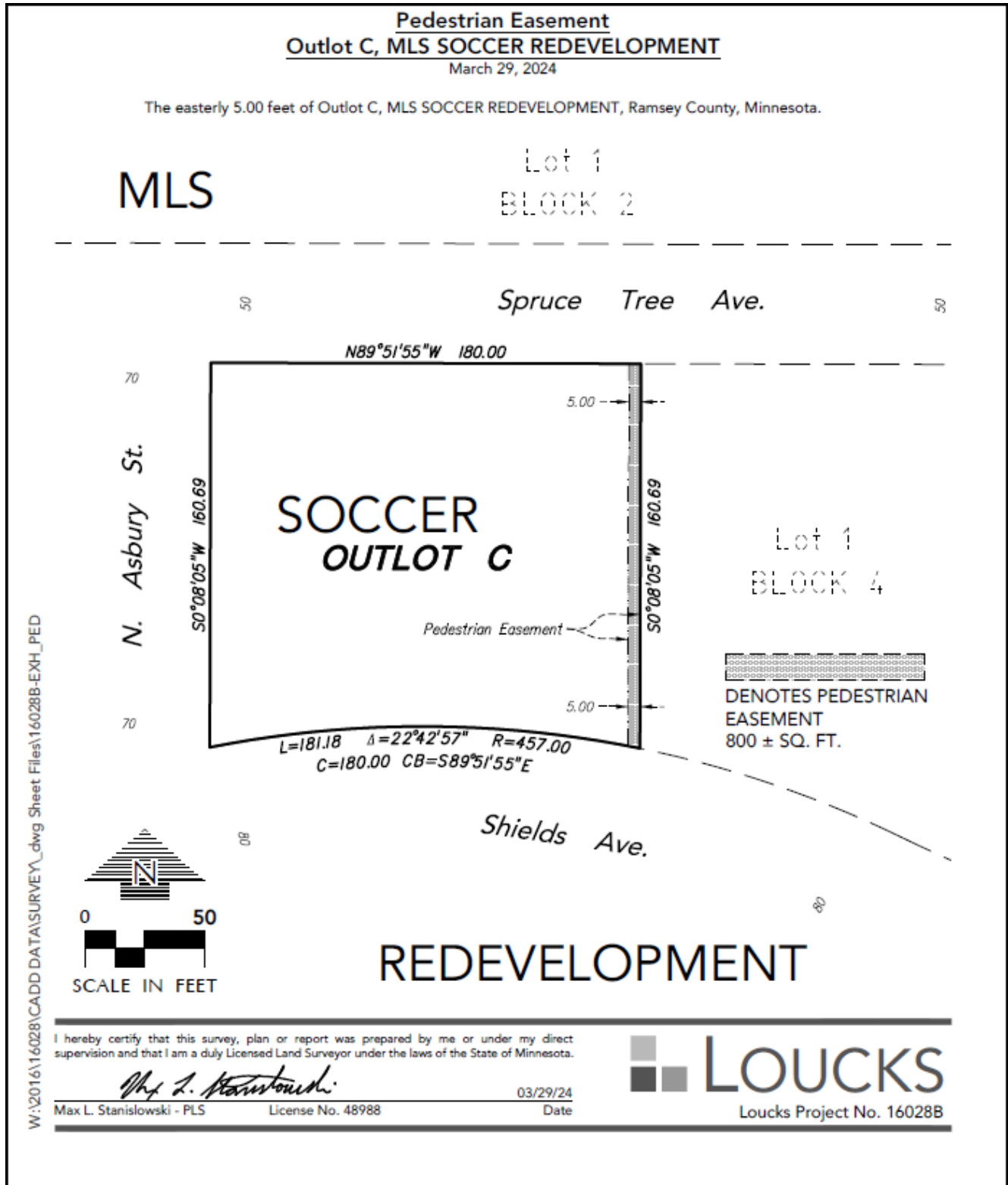
The undersigned, pursuant to that certain Development Agreement dated April 1, 2016, as amended by, as amended by Amendment No. 1 to Development Agreement dated October 31, 2016, Amendment No. 2 to Development Agreement dated May 19, 2017 and Amendment No. 3 to Development Agreement dated November 15, 2017 by and between the City of Saint Paul, a municipal corporation of the State of Minnesota ("Grantee") and MUSC Holdings, LLC, a Minnesota limited liability company ("Team"), does hereby join in and consent to the foregoing Amendment to which this Consent is attached and incorporated, and agrees to be bound by the terms thereof and agrees that its interest in the property described therein shall be subordinate to the Deed of Dedication as amended . In granting this consent, the Team does not waive the right to consent to any further amendments or modification of the Deed of Dedication.

By: _____
William W. McGuire, Managing Member

On this ____ day of _____, 2024, the undersigned William W. McGuire, Managing Member of MUSC Holdings, LLC, appeared before me and acknowledged that he signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

Signature of Notary

EXHIBIT A
PEDESTRIAN EASEMENT DEPICTION



Space above reserved for recording information

**AMENDMENT TO DEED OF DEDICATION OF EASEMENTS
FOR PEDESTRIAN PURPOSES AND FOR DRAINAGE AND UTILITY**

THIS AMENDMENT is made and entered into as of ____, day of ____, 2024 by and between **Snelling-Midway Redevelopment, LLC**, a Minnesota limited liability company (“Grantor”), and the **City of Saint Paul**, a municipal corporation of the State of Minnesota, its successors and assigns (the “Grantee”), and

RECITALS

A. Grantor granted to Grantee certain easements and other rights pursuant to that certain Deed of Dedication of Easement for Pedestrian Purposes and for Drainage and Utility dated February 21, 2019 between the Grantee and RK Midway Shopping Center LLC, predecessor in interest to the Grantor, and recorded in the office of the Registrar of Titles of Ramsey County as Document No. T02634500 on March 1, 2019 (the “Deed of Dedication”).

B. The parties desire to amend the Deed of Dedication as provided herein. Terms used herein and not defined have the meanings ascribed to them in the Deed of Dedication.

NOW THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the parties hereby agree as follows:

1. The Grantor and Grantee agree to replace the Pedestrian Easement language appearing on page one with the following:

(1) A non-exclusive permanent easement for pedestrian purposes (the "Pedestrian Easement") on and across the westerly 30.00 feet of Lot 1, Block 4, MLS SOCCER REDEVELOPMENT, Ramsey County, Minnesota (the "Parcel"). The Pedestrian Easement is depicted on Exhibit A attached hereto.

2. The Grantor and Grantee agree to replace the Drainage and Utility Easement language appearing page one with the following:

(2) A non-exclusive permanent easement for drainage and utility purposes (the "Drainage and Utility Easement") under and across the westerly 20.00 feet of Lot 1, Block 4, MLS SOCCER REDEVELOPMENT, Ramsey County, Minnesota. The Drainage and Utility Easement is depicted on Exhibit B attached hereto.

3. Except as hereinabove expressly modified or amended, all of the terms and provisions of the Deed of Dedication shall remain in full force and effect.

[Signatures and notarization appear on the following page.]

IN TESTIMONY WHEREOF, the parties have executed this Amendment to Deed of Dedication as of the date first written above.

GRANTOR:

SNELLING-MIDWAY REDEVELOPMENT, LLC

By: _____
William W. McGuire, President

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN

On this ____ day of _____, 2024, the undersigned William W. McGuire, Managing Member of Snelling-Midway Redevelopment, LLC, appeared before me and acknowledged that he signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

This Instrument was drafted by:

Kaplan, Strangis and Kaplan, P.A. (sjs)
730 Second Avenue South, Suite 1450
Minneapolis, MN 55402

GRANTEE:

CITY OF SAINT PAUL

By: _____
Deputy Mayor

By: _____
Director of the Office of Financial
Services

By: _____
City Clerk

Approved as to form:

Assistant City Attorney

CITY ACKNOWLEDGMENT

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY

On this ____ day of _____, 2024, the undersigned _____, Deputy Mayor of the City of Saint Paul, appeared before me and acknowledged that she signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY

On this ____ day of _____, 2024, the undersigned _____, Director of Financial Services for the City of Saint Paul, appeared before me and acknowledged that he signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY

On this ____ day of _____, 2024, the undersigned _____, City Clerk of the City of Saint Paul, appeared before me and acknowledged that she signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above.

Signature of Notary

Acknowledgment of Grantee

The undersigned, pursuant to that certain Development Agreement dated April 1, 2016, as amended by, as amended by Amendment No. 1 to Development Agreement dated October 31, 2016, Amendment No. 2 to Development Agreement dated May 19, 2017 and Amendment No. 3 to Development Agreement dated November 15, 2017 by and between the City of Saint Paul, a municipal corporation of the State of Minnesota ("Grantee") and MUSC Holdings, LLC, a Minnesota limited liability company ("Team"), does hereby join in and consent to the foregoing Amendment to which this Consent is attached and incorporated, and agrees to be bound by the terms thereof and agrees that its interest in the property described therein shall be subordinate to the Deed of Dedication as amended . In granting this consent, the Team does not waive the right to consent to any further amendments or modification of the Deed of Dedication.

By: _____
William W. McGuire, Managing Member

On this ____ day of _____, 2024, the undersigned William W. McGuire, Managing Member of MUSC Holdings, LLC, appeared before me and acknowledged that he signed this instrument freely and voluntarily and for the purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

Signature of Notary

EXHIBIT A
PEDESTRIAN EASEMENT DEPICTION

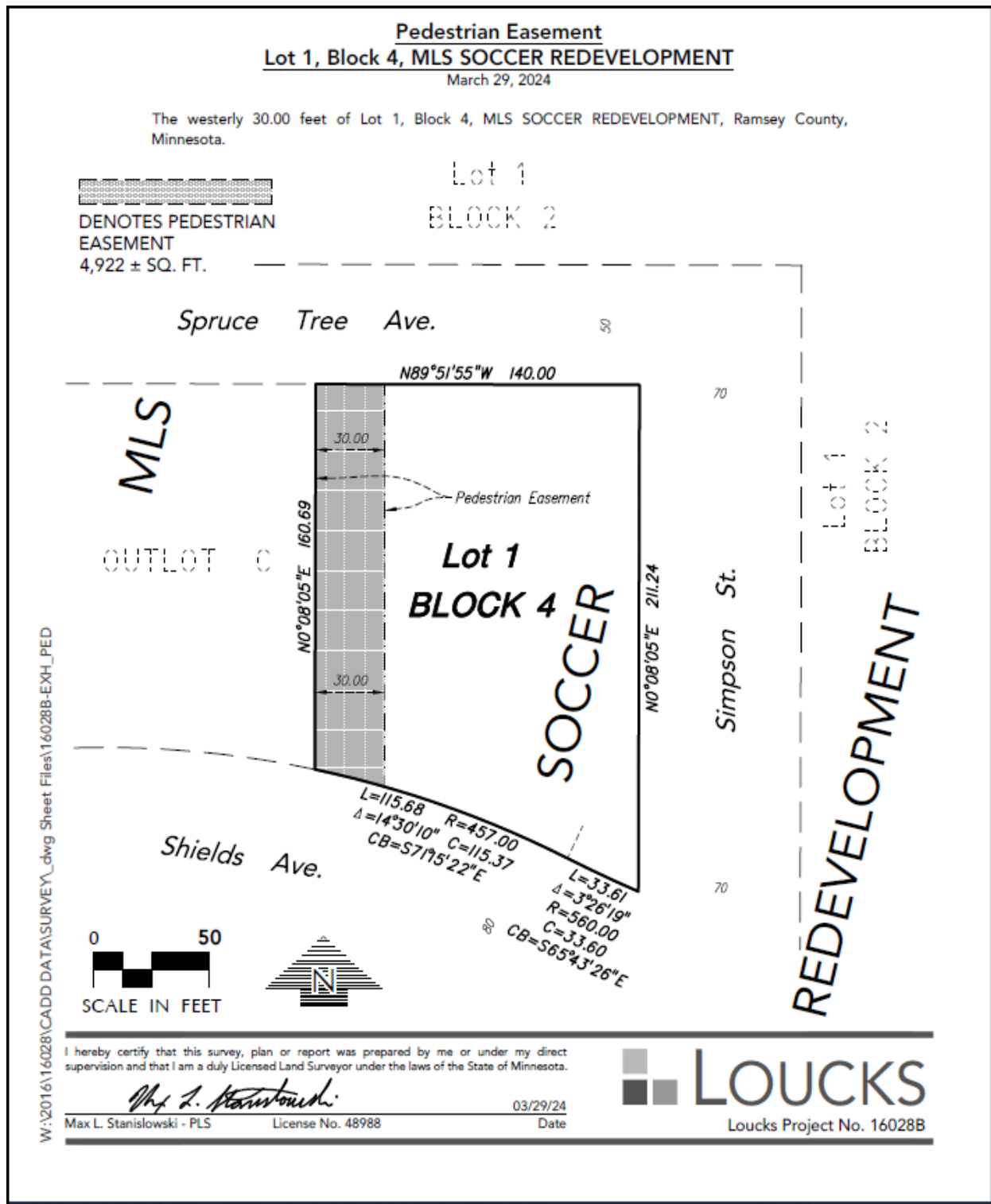


EXHIBIT B
DRAINAGE AND UTILITY EASEMENT DEPICTION

