

## GRANT OF LICENSE

THE CITY OF MARQUETTE, a municipal corporation of 300 W. Baraga Ave., Marquette, MI 49855, ("City"), and 136 Baraga LLC, of 136 W. Baraga Avenue, Marquette, MI 49855, ("136 Baraga") licensee, enter into this agreement on April 9, 2024, subject to the following conditions:

1. **Background.** The City owns the West Baraga Avenue public right of way, in the City of Marquette, and State of Michigan.  
136 Baraga desires to construct a stoop and steps ("Steps"), on the real estate and to the specifications set forth in Exhibit A.
2. **Grant of the license.** In consideration of \$445.00, the City grants to 136 Baraga the right to construct the Steps on the real estate and to the specifications set forth in Exhibit A.
3. **Construction and Maintenance.** 136 Baraga shall construct, and at all times while this License is in effect, maintain the Steps in good repair. 136 Baraga shall be responsible for all fees and expenses related to the construction and maintenance of the Steps and real estate described in Exhibit A.
4. **Use.** The right to use the real estate described in Exhibit A is not exclusive, however as long as this License is in effect, the City shall not permit any use contrary to the Steps except as may be necessary to install, repair, remove or replace utilities. In the event the City repairs, removes or replaces utilities, 136 Baraga shall be responsible for any removal of, repair to or replacement of the Steps in connection with utility work. 136 Baraga shall not use the real estate for any purpose except as specifically allowed within this agreement, and shall not alter, injure or damage the City's public right of way.
5. **Reimbursement for damages.** 136 Baraga shall reimburse the City for any physical damages to the City's public right of way caused by 136 Baraga's use on the real estate. 136 Baraga, and any successor or assign shall indemnify, defend and hold harmless the City from and against any demand, claim, action or cause of action, assessment, loss, damage, liability cost and/or expense, including but not limited to, interest, penalties, consultants fees and expenses, and attorneys' fees and expenses, asserted against, imposed upon or incurred by the City due solely to 136 Baraga's use. 136 Baraga's obligations under this provision shall not extend to claims, losses, expenses or damages arising out of or in any way attributable to the negligence of the City or its agents, consultants, or employees. 136 Baraga reserves the right to control the defense and settlement of any claim for which 136 Baraga has an obligation to indemnify hereunder.
6. **Revocation.** This License may be revoked by either party at any time by providing at least 90 days' written notice of termination to the other party. On the termination date, all rights and obligations of the parties shall cease and on or before the termination date, 136 Baraga shall remove the Steps from the real estate, at its own expense. 136 Baraga shall not be entitled to a reimbursement for any portion of the fee previously paid to the City.
7. **Personal Interest.** The rights granted herein are personal to 136 Baraga, and terminate upon the transfer of ownership of 136 Baraga's premises.
8. **Entire Agreement.** This Grant of License constitutes the entire agreement between the parties.

The said parties have caused this document to be executed the day and year first written above.

CITY OF MARQUETTE

\_\_\_\_\_  
By: Sally Davis  
Its: Mayor

\_\_\_\_\_  
By: Kyle Whitney  
Its: Clerk

STATE OF MICHIGAN )  
COUNTY OF MARQUETTE )

Acknowledged before me in Marquette County, Michigan, on \_\_\_\_\_, 2024, by Sally Davis, Mayor and Kyle Whitney, Clerk, of the City of Marquette, a Michigan municipal corporation.

\_\_\_\_\_, Notary Public  
State of Michigan, County of Marquette  
My Commission Expires: \_\_\_\_\_  
Acting in the County of Marquette

136 BARAGA LLC




By: CHARLES E HOLSWORTH

Its: MANAGING MEMBER

STATE OF MICHIGAN )  
COUNTY OF MARQUETTE )

Acknowledged before me in Marquette County, Michigan, on April 9, 2024, by Charles Holsworth, Managing Member of 136 Baraga LLC.

  
\_\_\_\_\_, Notary Public  
State of Michigan, County of Marquette  
My Commission Expires: 11-22-24  
Acting in the County of Marquette

**ANN M. COOK**  
Notary public, Marquette County, Michigan  
My commission expires November 22, 2024.

**EXHIBIT A - 02-PRU-04-2024**

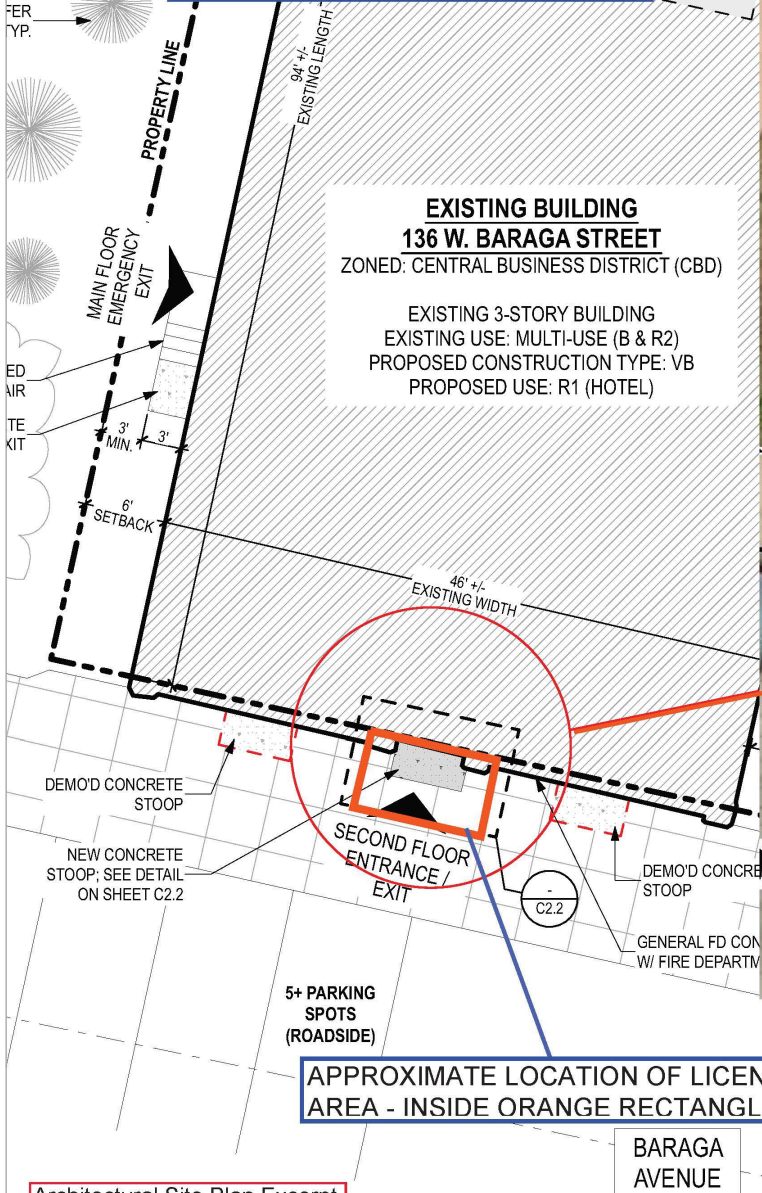
136 W. Baraga Ave.  
License Request to Remodel  
Access Steps/Stoop

**EXISTING BUILDING**  
**136 W. BARAGA STREET**  
ZONED: CENTRAL BUSINESS DISTRICT (CBD)  
  
EXISTING 3-STORY BUILDING  
EXISTING USE: MULTI-USE (B & R2)  
PROPOSED CONSTRUCTION TYPE: VB  
PROPOSED USE: R1 (HOTEL)

**APPROXIMATE LOCATION OF LICENSE AREA - INSIDE ORANGE RECTANGLE**



2023 Aerial Photograph - City of Marquette



Architectural Site Plan Excerpt

BARAGA AVENUE