

TERMINATION AGREEMENT
CITY OF DULUTH
DULUTH ECONOMIC DEVELOPMENT AUTHORITY
NEW BURNHAM, LLC
HISTORIC ST. LOUIS COUNTY JAIL PROJECT

THIS TERMINATION AGREEMENT, effective as of the date of execution thereof by the parties hereto as shown below, by and between the CITY OF DULUTH, a municipal corporation created and existing under the laws of the State of Minnesota, hereinafter referred to as "City", the DULUTH ECONOMIC DEVELOPMENT AUTHORITY, an economic development authority created and existing under Minnesota Statutes (1989) Chapter 469, hereinafter referred to as "DEDA", and NEW BURNHAM, LLC , a Minnesota limited liability company, hereinafter referred to as "Developer".

WHEREAS, effective as of January 21, 2022 the parties hereto entered into an agreement bearing City Contract No. 24268 (the "Agreement") for the provision of additional assistance by the City to Developer to provide additional units of affordable housing in the Historic St. Louis County Jail Project; and

WHEREAS, the parties desire to provide such support to the Project in another manner and therefore to terminate the Agreement.

NOW THEREFORE, the parties hereto hereby agree to terminate the Agreement as of the effective date of this Termination Agreement and agree that none of the parties shall have any further rights or obligations to each other or to any other party as of the effective date of this Termination Agreement.

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DULUTH ECONOMIC DEVELOPMENT
AUTHORITY

Its President

Its Secretary

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Matt Cartier and Ellie Just, the President and Secretary, respectively, of the Duluth Economic Development Authority of Duluth, an economic development authority created and existing under Minnesota Statutes, on behalf of the Authority.

Notary Public

CITY OF DULUTH, a Minnesota municipal Corporation

By: _____

Emily Larson

Its Mayor

STATE OF MINNESOTA)

) SS

COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Emily Larson, the Mayor, respectively, of the City of Duluth, a Minnesota Municipal Corporation, on behalf of the corporation

Notary Public

Attest:

By _____

Ian B. Johnson

STATE OF MINNESOTA)

) SS

COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Ian B. Johnson, the City Clerk, respectively, of the City of Duluth, a Minnesota Municipal Corporation, on behalf of the corporation

Notary Public

Approved: _____

Rebecca St. George

City Attorney

Countersigned: _____

Josh Bailey

City Auditor

NEW BURNHAM, LLC,

A Minnesota limited liability company

By: _____

Name: _____

Its: _____

STATE OF MINNESOTA)

) SS

COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by _____, the _____ of New Burnham, LLC, a Minnesota limited liability company, for and on behalf of the company.

Notary Public

This instrument was drafted by:

Robert Asleson

Attorney for the Duluth Economic
Development Authority

410 City Hall

Duluth, MN 55802

(218) 730-5490