
SPACE ABOVE THIS LINE FOR RECORDER'S USE

PREPARED BY AND WHEN
RECORDED MAIL TO:

TERMINATION OF EASEMENT, ABUTTING AND PARTY WALL AGREEMENT

THIS TERMINATION (this "Termination") is made and as of _____, 2016 (the "Effective Date") by DULUTH ECONOMIC DEVELOPMENT AUTHORITY, an economic development authority created and existing under Minnesota Statutes (1989) Chapter 469 ("DEDA").

RECITALS:

WHEREAS, DEDA is the owner of the property located in Duluth, Minnesota, and legally described on Exhibit A attached hereto (the "Theater Property") and is the owner of the property legally described on Exhibit B attached hereto (the "Annex and Temple Property"); and

WHEREAS, the Theater Property and the Annex and Temple Property are encumbered by an Easement, Abutting and Party Wall Agreement, dated March 2, 1990, filed September 3, 1992 as Document No. 553574 in the Office of Registrar of Titles of St. Louis County (the "Easement Agreement"); and

WHEREAS, DEDA, as the owner of both the Theater Property and the Annex and Temple Property, has determined that the Easement Agreement is no longer necessary and desires to terminate the Easement Agreement pursuant to the terms and conditions of this Termination.

NOW, THEREFORE, in consideration of \$1.00 and other good and valuable consideration, DEDA hereby terminates the Easement Agreement as of the Effective Date.

**SIGNATURE PAGE TO
TERMINATION OF EASEMENT, ABUTTING AND PARTY WALL AGREEMENT**

IN WITNESS WHEREOF, DEDA has caused this Termination to be executed and delivered as of the Effective Date.

DULUTH ECONOMIC DEVELOPMENT
AUTHORITY, an economic development
authority under Minn. Stat. § 469 (1989)

Its President

Its Secretary

STATE OF MINNESOTA)
) ss.
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this _____th day of _____, 2016, by Nancy Norr and Zack Filipovich, the President and Secretary, respectively, of DEDA, an economic development authority created and existing under the Laws of the State of Minnesota, on behalf of DEDA.

Notary Public

**EXHIBIT A
TO
TERMINATION OF EASEMENT, ABUTTING AND PARTY WALL AGREEMENT**

Legal Description

Theater Property

The Northerly 68.60 feet of Lots Thirty-three (33), Thirty-five (35) and Thirty-seven (37), East Superior Street, DULUTH PROPER FIRST ADDITION, Duluth, Minnesota

EXHIBIT B
TO
TERMINATION OF EASEMENT, ABUTTING AND PARTY WALL AGREEMENT

Legal Description

Annex and Temple Property

Lots Thirty-three (33), Thirty-five (35) and Thirty-seven (37), and the west Half (W 1/2) of Lot Thirty-nine (39), EXCEPT the Northerly 68.60 feet of said Lots Thirty-three (33), Thirty-five (35), and Thirty-seven (37), East Superior Street, DULUTH PROPER FIRST ADDITION, Duluth, Minnesota,