

**DEVELOPMENT AGREEMENT TERMINATION AGREEMENT**  
**319 NORTH 28<sup>TH</sup> AVENUE WEST**  
**CITY OF DULUTH**  
**FATHERS RISE TOGETHER**

THIS TERMINATION AGREEMENT (this “Agreement”) entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022 (the “Effective Date”), by and between the CITY OF DULUTH, hereinafter referred to as the “City” and FATHERS RISE TOGETHER a 501(c)(3) non-profit corporation, created and existing under Minnesota Statute (1989) Chapter 317A, hereinafter referred to as “Developer.”

WHEREAS, on July 27, 2022 the City and Developer entered into a Development Agreement bearing City Contract No. 24357, which Development Agreement was recorded in the office of The County Recorder for St. Louis County Minnesota on October 13, 2022 as Abstract Document No. 01454183 (the “Development Agreement”) pursuant to which the Developer is held to the construction of project as described in Article III, all as described therein and under the terms and conditions set forth therein; and

WHEREAS, due to circumstances, Developer is unable to so develop the Property and therefore the parties are desirous of terminating the Development Agreement as hereinafter set forth.

NOW THEREFORE, the parties hereto hereby agree as follows:

1. That as of the execution of this Termination Agreement by both parties, the Development Agreement shall be terminated and of no further force and effect and, except as set forth in this Termination Agreement, neither party shall have any further rights hereunder nor any further obligations to the other party thereunder.
2. That upon execution of this Termination Agreement, Developer shall cause this Termination Agreement to be recorded in the office of the County Recorder for St. Louis County Minnesota and, upon the successful recording thereof, shall cause a fully executed copy thereof with recording information affixed thereto to be provided to the City at the address provided for

Notifications in Article VIII of the Development Agreement.

[Signature Pages to Follow.]

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and date first above shown.

**CITY OF DULUTH:**

a municipal corporation organized and existing under the laws of the State of Minnesota

By: \_\_\_\_\_  
Its Mayor

Attest: \_\_\_\_\_  
Its: City Clerk

Countersigned:

By: \_\_\_\_\_  
Its Auditor

Approved as to form:

By: \_\_\_\_\_  
City Attorney

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

This instrument was acknowledged before me on \_\_\_\_\_, 2022, by Emily Larson, Mayor of the City of Duluth, a municipal corporation organized and existing under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

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

This instrument was acknowledged before me on \_\_\_\_\_, 2022, by Ian Johnson, City Clerk of the City of Duluth, a municipal corporation organized and existing under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

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

This instrument was acknowledged before me on \_\_\_\_\_, 2022, by Rebecca St. George, City Attorney of the City of Duluth, a municipal corporation organized and existing under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

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

This instrument was acknowledged before me on \_\_\_\_\_, 2022, by Josh Bailey, Auditor of the City of Duluth, a municipal corporation organized and existing under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

**DEVELOPER:**

FATHERS RISE TOGETHER, a 501(c)(3) non-profit corporation

By: \_\_\_\_\_

Name: ChaQuana McEntyre

Its: Executive Director

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

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_ by  
ChaQuana McEntyre, the Executive Director of Fathers Rise Together, a Minnesota 501(c)(3)  
non-profit corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public