**TERMINATION OF DEVELOPMENT AGREEMENT GRACE BIBLE CHURCH**

THIS TERMINATION OF DEVELOPMENT AGREEMENT is made this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2017, by and between the City of Ann Arbor, a Michigan municipal corporation (“City”), with principal address of 301 East Huron Street, Ann Arbor, Michigan 48107, and Grace Bible Church of Ann Arbor, Michigan, a Michigan nonprofit corporation (a/k/a Grace Bible Church) (“Proprietor”), with principal address at 1300 South Maple Road, Ann Arbor, Michigan 48103.

RECITALS:

1. City and Proprietor are parties to that certain Grace Bible Church Development Agreement dated September 8, 2008, as recorded in Liber 4712, page 616, Washtenaw County Records (the “Development Agreement”), covering certain real property owned by Proprietor and located in the City of Ann Arbor, Washtenaw County, Michigan, as more particularly described in Exhibit A, attached hereto and incorporated herein by reference (the “Property”).
2. The Development Agreement was executed and recorded in connection and as a condition of a certain site plan approval granted by the City to Proprietor at the time thereof, as referenced therein (the “2008 Site Plan Approval”).
3. The 2008 Site Plan Approval expired without the project anticipated thereby having been undertaken by Proprietor, and in light thereof City and Proprietor have determined that the basis and need for the Development Agreement no longer exist.

NOW, THEREFORE, in consideration of the foregoing, City and Proprietor covenant and agree as follows, effective as of the date first written above:

1. The Development Agreement, the terms and conditions thereof, and the application thereof to the Property, shall be and the same hereby are terminated and of no further force or effect.
2. The Property shall be and the same hereby is declared to be released from, and free and clear of, the Development Agreement.

IN WITNESS WHEREOF, the parties have executed this instrument on the date first above written.

CITY OF ANN ARBOR, MICHIGAN

301 East Huron Street

Ann Arbor, Michigan 48107

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

Christopher Taylor, Mayor

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

Jacqueline Beaudry, City Clerk

Approved as to Substance:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Howard Lazarus, City Administrator

Approved as to Form:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Stephen K. Postema, City Attorney

GRACE BIBLE CHURCH OF ANN ARBOR, MICHIGAN

1300 South Maple Road

Ann Arbor, Michigan 48103

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

Its: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF MICHIGAN )

:ss

COUNTY OF WASHTENAW )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2017, by Christopher Taylor and Jacqueline Beaudry, who are respectively the Mayor and the Clerk of the City of Ann Arbor, Michigan, a Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

Washtenaw County Michigan

Acting in Washtenaw County

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF MICHIGAN )

:ss

COUNTY OF WASHTENAW )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2017, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of Grace Bible Church of Ann Arbor, Michigan, a Michigan nonprofit corporation, on behalf of the corporation.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

Washtenaw County Michigan

Acting in Washtenaw County

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_

DRAFTED BY:

James C. Adams

Butzel Long, a Professional Corporation

301 East Liberty, Suite 500

Ann Arbor, Michigan 48104

WHEN RECORDED, PLEASE RETURN TO:

EXHIBIT A

LEGAL DESCRIPTION

Commencing at the East 1/4 corner of Section 36, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan; thence N 01°19’00" W 555.25 feet along the East line of said Section 36 and the centerline of Maple Road (66 feet wide) to the POINT OF BEGINNING; thence N 88o05’08" W 1239.30 feet; thence along the Easterly right-of-way of the 1-94 Expressway In the following three (3) courses: Northerly 500.31 feet in the arc of a curve to the right, radius 3674.83 feet, central angle 07°48’,02”, and chord N 01°02’41” W 499.92 feet; N 87°08’20”, W 20.00 feet and N 02°51”40”, E 568.31 feet; thence N 88°09’00" E 306.50 feet; thence S 04o27’00” E 649.24 feet; thence N 76°41’00" E 591.00 feet; thence N 01°19'00” W 110.00 feet; thence N 61°13’20" E 330.71 feet; thence S 01°19’00” E 877.98 feet along the East line of said Section 36 and the centerline of said Maple Road to the POINT OF BEGINNING, being a part of the NE 1/4 of Section 36, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan, and containing 21.08 acres of land, more or less, subject to the rights of the public over the East 33 feet as occupied by Maple Road and subject to easements and restrictions of record, if any.

Commonly known as: 1300 South Maple Road, Ann Arbor, Michigan 48103

Tax Parcel No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_