

Prepared By and Return To:

Sara W. Bernard, P.A.
Broad and Cassel LLP
Bank of America Center
P.O. Box 4961
Orlando, Florida 32802-4961

**RELEASE AND TERMINATION OF
SOUTHERN GATEWAY DEVELOPER'S AGREEMENT**

THIS RELEASE AND TERMINATION OF SOUTHERN GATEWAY DEVELOPER'S AGREEMENT (the "**Termination**") is entered into effective as of this ____ day of _____, 2017, by and between **CNL DICKINSON, LTD.**, a Florida limited partnership, whose mailing address is 450 S. Orange Avenue, Orlando, Florida 32801 ("**Developer**"), and **CITY OF ORLANDO, FLORIDA**, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 400 South Orange Avenue, Orlando, Florida 32801 ("**City**").

W I T N E S S E T H:

WHEREAS, Developer, as successor-in-interest to Southern Gateway Corporation, a Florida corporation, and City are parties to that certain Southern Gateway Developer's Agreement recorded September 8, 1997, in Official Records Book 5322, Page 4639, in the Official Records of Orange County, Florida (the "**Development Agreement**"); and

WHEREAS, Developer and City desire to terminate the Development Agreement and release the Property (as defined therein) from the encumbrance of the Development Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein set forth and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby expressly acknowledged by Developer and City, the parties do hereby agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. The parties do hereby discharge, terminate, and release the Development Agreement. The Property shall be deemed freed and released from any and all of the terms, effect, and provisions of the Development Agreement.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, Developer and City have executed this Termination and the same shall be effective as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

“DEVELOPER”

CNL DICKINSON, LTD., a Florida
limited partnership

By: **CNL DICKINSON, INC.**, a Florida
corporation, its General Partner

Print Name:_____

By:_____

Name:_____

Title:_____

Print Name:_____

STATE OF FLORIDA)

)

COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017 by _____, as _____ of CNL DICKINSON, INC., a Florida corporation, the General Partner of **CNL DICKINSON, LTD.**, a Florida limited partnership, on behalf of said entities. She/He is either personally known to me or has produced _____ as identification.

Notary Public

Print Name:_____

My Commission Expires:_____

CITY OF ORLANDO

By: _____
Mayor/Pro Tem

Executed on _____, 2017

ATTEST:

Denise Aldridge, City Clerk

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the City of Orlando,
Florida, only

Executed on _____, 2017

Assistant City Attorney, City of Orlando, Florida

STATE OF FLORIDA)
)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017 by _____, and Denise Aldridge, to me known as the Mayor/Pro Tem and City Clerk, respectively, of the City of Orlando, who acknowledged before me that they have executed the foregoing instrument for the purposes therein expressed, and that they were duly authorized to do so.

Notary Public
Print Name: _____
My Commission Expires: _____