

**Cross Reference: Instrument No. 200500009745**

**TERMINATION OF PARK IMPACT FEE AGREEMENT**

This Termination of Park Impact Fee Agreement is entered into this 11<sup>th</sup> day of June, 2014 by and between Platinum Properties, LLC, an Indiana limited liability company (“Platinum”), Maple Knoll Developer, LLC, an Indiana limited liability company (“MKD”) and City of Westfield, Indiana (previously, the Town of Westfield, “City of Westfield”).

**RECITALS**

WHEREAS, Platinum was the original developer of a mixed-use real estate project comprising 625 acres commonly known as Maple Knoll, located in the City of Westfield (“Maple Knoll”);

WHEREAS, Platinum and City of Westfield entered into that certain Park Impact Fee Agreement dated January 21, 2005 that was recorded on February 18, 2005 as Instrument No. 200500009745 in the Office of the Recorder of Hamilton County, Indiana (the “Park Impact Fee Agreement”);

WHEREAS, pursuant to the Park Impact Fee Agreement, City of Westfield agreed to have Platinum collect park impact fees from homebuilders and other users in the Maple Knoll real estate project to fund the costs of certain future park improvements to be installed in Maple Knoll;

WHEREAS, pursuant to the Park Impact Fee Agreement, Platinum collected park impact fees from homebuilders aggregating \$50,463.00 through December 6, 2006;

WHEREAS, on or about December 6, 2006, City of Westfield and Platinum decided to terminate the Park Impact Fee Agreement to the effect as if it had never occurred;

WHEREAS, in connection with the termination of the Park Impact Fee Agreement, Platinum paid to City of Westfield \$50,463.00 on December 6, 2006 representing the cumulative aggregate park impact fees collected by Platinum under the Park Impact Fee Agreement;

WHEREAS, on July 31, 2013, all of the remaining real estate in the Maple Knoll community owned by Platinum was transferred to MKD, and MKD is developing the remainder of Maple Knoll; and

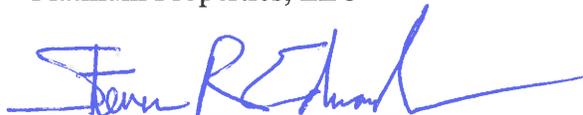
WHEREAS, the parties now desire to place a document of record to formally document the termination of the Park Impact Fee Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and in the Park Impact Fee Agreement, the parties hereby agree to the following:

1. The recitals above are incorporated herein by reference as if fully set forth herein and are true and correct in all material respects.
2. The Park Impact Fee Agreement is terminated effective December 6, 2006 (the "Effective Date"), and is no longer in effect in any way subsequent to the Effective Date.

IN WITNESS WHEREOF, the parties have executed this Termination of Park Impact Fee Agreement as of the date first above written.

Platinum Properties, LLC



Date: 06-11-14

Steven R. Edwards  
Vice President – Chief Financial Officer

Maple Knoll Developer, LLC

By: Platinum Properties Management Company, LLC, its Manager



Date: 06-11-14

Steven R. Edwards  
Vice President – Chief Financial Officer

City of Westfield, Indiana

\_\_\_\_\_  
Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

SS:

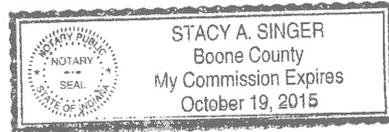
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steven R. Edwards and known to me to be the Vice President – Chief Financial Officer of Platinum Properties, LLC, and acknowledged the execution of the foregoing Termination of Park Impact Fee Agreement, for the uses and purposes therein set forth.

WITNESS my hand and notarial seal this 11<sup>th</sup> day of June, 2014.

Stacy A Singer  
Signature of Notary Public

Stacy A Singer  
Printed name of Notary Public

My commission expires: \_\_\_\_\_  
My county of residence is: \_\_\_\_\_

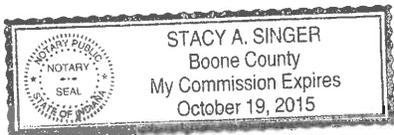


STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steven R. Edwards and known to me to be the Vice President – Chief Financial Officer of Platinum Properties Management Company, LLC, the Manager of Maple Knoll Developer, LLC, and acknowledged the execution of the foregoing Termination of Park Impact Fee Agreement, for the uses and purposes therein set forth.

WITNESS my hand and notarial seal this 11<sup>th</sup> day of June, 2014.



Stacy A Singer  
Signature of Notary Public

Stacy A Singer  
Printed name of Notary Public

My commission expires: \_\_\_\_\_  
My county of residence is: \_\_\_\_\_

STATE OF INDIANA        )  
  )  
COUNTY OF \_\_\_\_\_)

SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ and known to me to be the \_\_\_\_\_ of City of Westfield, Indiana, and acknowledged the execution of the foregoing Termination of Park Impact Fee Agreement, for the uses and purposes therein set forth.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of June, 2014.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed name of Notary Public

My commission expires: \_\_\_\_\_  
My county of residence is: \_\_\_\_\_

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Steven R. Edwards.

This instrument was prepared by Steven R. Edwards, Platinum Properties, LLC, 9757 Westpoint Drive, Suite 600, Indianapolis, Indiana 46256.