

4. Additional Terms and Provisions. The parties agree this is a special agreement between the City and Township resulting from unique circumstances. The Township does not intend, by this Agreement, to set any precedent for permitting future annexations. The City, likewise, does not intend to set any precedent for the forms of future agreements that might be negotiated between the parties.

Either party may sue the other for specific performance of this Agreement.

This Agreement is a complete resolution of the matter of the annexation of the Property between the parties and shall not be treated as an admission of either party for any other purpose.

This Agreement may not be modified or terminated in any manner except by official legislative action of both the City and Township.

This Agreement shall be binding upon and inure to the benefit of the parties, their agents, servants, members, officials, trustees, employees, representatives, assigns and successors.

In the event any one or more of the provisions contained in this Agreement are held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement. The titles to the paragraphs of this Agreement are descriptive only and are not to be considered substantive provisions of this Agreement.

This Agreement constitutes the entire agreement of the parties and supercedes any prior understandings or previous oral or written agreements between the parties respecting the subject matter hereof.

This Agreement, and all the rights, duties and obligations of the City and the Township, shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties hereunder are performable in Lorain County, Ohio.