

## ACCESS EASEMENT

FOR AND IN CONSIDERATION OF One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, R W Ranch, LLC, a Delaware limited liability company ("R W Ranch"), and ELKHORN RIVER HOLDINGS, LLC, a Nebraska limited liability company ("Elkhorn") (R W Ranch and Elkhorn are collectively the "GRANTOR"), do hereby grant and convey to RIVERVIEW, LLP, a Minnesota limited liability partnership ("GRANTEE"), its successors and assigns, a permanent perpetual non-exclusive easement that runs with the land in, over, and upon real property located in, Holt County, Nebraska, to access Highway No. 11 and River Road, described below:

1. R W Ranch grants an easement running east and west over and across a portion of Section 19, and a part of Section 20, Township 33 North, Range 13 West of the 6<sup>th</sup> P. M., Holt County, Nebraska, as more fully described on the attached Exhibit "A"; and
2. Elkhorn grants an easement running east and west over and across a portion of Sections 20 and 21, Township 33 North, Range 13 West of the 6<sup>th</sup> P. M., Holt County, Nebraska, as more fully described on the attached Exhibit "B";

(collectively the "Burdened Parcels") for the non-exclusive use by Grantee, its successors and assigns, as the owner of the real property described in the attached Exhibit "C" (the "Benefitted Parcels") for ingress and egress to the Benefitted Parcels from State Highway 11 and River Road.

This Easement shall be forever binding on the Grantor and Grantee, their heirs, successors and assigns to the Burdened Parcels and Benefitted Parcels, respectively, and shall be deemed to be appurtenant to the Benefitted Parcels in perpetuity.

To have and to hold the aforesaid easement unto GRANTEE, its successors and assigns, forever.

GRANTOR shall have and reserves full right to use the above described real estate for any use not inconsistent with GRANTEE'S full enjoyment of the rights hereby granted.

This Easement may be executed in one or more counterparts, each of which shall be an original, but all of which together shall be deemed to constitute a single document. Separate signature pages and notary acknowledgments may be attached to this Easement in order to form a fully-executed document.

2013000807

STATE OF NEBRASKA 8  
 FILED FOR RECORD  
 HOLT COUNTY, NE  
 Mo. 3 Day 26 2013  
 At 3:40 O'Clock P. M. Recorded  
 in book 93 of Maps  
 Page 572  
 OATHY PAVEL, County Clerk  
*Jens Lorenson* CHIEF CLERK

953714.3 2013-0449

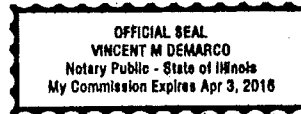
IN WITNESS WHEREOF, the GRANTOR has executed this instrument on the 20 day of March, 2013.

GRANTOR R W RANCH, LLC, a Delaware limited liability company	Elkhorn River Holdings, LLC., a Nebraska limited liability company
By: <u>[Signature]</u> GERARD J. KEATING, its Operating Manager and President	By: _____ Name: _____ Its: _____
	By: _____ Name: _____ Its: _____

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF KEOKU

The foregoing permanent easement was acknowledged before me on March 20, 2013, by GERARD J. KEATING, the Operating Manager and President R W RANCH, LLC, a Delaware limited liability company, on behalf of the company.

[Signature]  
Notary Public



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing permanent easement was acknowledged before me on March \_\_\_\_\_, 2013, by \_\_\_\_\_, its \_\_\_\_\_, and its \_\_\_\_\_, its \_\_\_\_\_ of Elkhorn River Holdings, LLC, a Nebraska limited liability company, on behalf of the company.

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

IN WITNESS WHEREOF, the GRANTOR has executed this instrument on the \_\_\_ day of March, 2013.

GRANTOR	
R W RANCH, LLC, a Delaware limited liability company	Elkhorn River Holdings, LLC., a Nebraska limited liability company
By: GERARD J. KEATING, its Operating Manager and President	By: <i>[Signature]</i> Name: <i>Keith T. McGovern</i> Its: <i>Governor and VP-operations</i>

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

The foregoing permanent easement was acknowledged before me on March \_\_\_\_, 2013, by GERARD J. KEATING, the Operating Manager and President R W RANCH, LLC, a Delaware limited liability company, on behalf of the company.

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

STATE OF NORTH DAKOTA )  
COUNTY OF CASS ) ss.

The foregoing permanent easement was acknowledged before me on March 22, 2013, by Keith T. McGovern, Governor and Vice President- Operations of Elkhorn River Holdings, LLC, a Nebraska limited liability company, on behalf of the company.

*[Signature]*  
Notary Public

KIMBERLY A. DANIELSON  
Notary Public  
State of North Dakota  
My Commission Expires Mar. 7, 2015

**EXHIBIT A**  
**Easements Across Elkhorn Property**

**Legal Description of Ingress Egress Easement A**

A 20 foot wide ingress egress easement located in the SW ¼ and the North ½ of Section 20, T33N, R13W of the 6th P.M., Holt County, Nebraska, 10 feet on each side of the following described centerline:

Commencing at the northwest corner of said SW ¼; thence S 00°02'20" W (assumed bearing) on the west line of said SW ¼, a distance of 17.55 feet to the True point of beginning; thence N 84°41'17" E, a distance of 21.32 feet; thence N 81°24'00" E, a distance of 110.64 feet to the south line of said North ½; thence continuing N 81°24'00" E, a distance of 96.60 feet; thence N 85°59'06" E, a distance of 183.96 feet; thence S 89°27'47" E, a distance of 827.74 feet; thence N 89°35'23" E, a distance of 685.13 feet; thence N 88°00'00" E, a distance of 331.96 feet; thence N 84°52'15" E, a distance of 173.20 feet; thence N 80°31'01" E, a distance of 197.82 feet; thence N 83°59'27" E, a distance of 175.71 feet; thence S 85°42'01" E, a distance of 675.90 feet; thence S 72°04'15" E, a distance of 75.19 feet; thence S 65°24'01" E, a distance of 8.28 feet to said south line of the North ½, also being the point of termination

**Legal Description of Ingress Egress Easement B**

A 20 foot wide ingress egress easement located in the SE ¼ of Section 20 and in the SW ¼ of Section 21, All in T33N, R13W, Holt County, Nebraska, 10 feet on each side of the following described centerline:

Commencing at the northwest corner of said SE ¼; thence N 89°34'36" E, a distance of 897.45 feet; thence S 65°24'01" E, a distance of 45.31 feet to the True point of beginning; thence continuing S 65°24'01" E, a distance of 57.77 feet to a curve concave northeasterly having a radius of 861.68 feet; thence easterly on said curve, an arc distance of 352.22 feet through an angle of 23°25'14"; thence N 89°07'58" E, a distance of 1058.70 feet; thence N 86°26'39" E, a distance of 171.85 feet; thence N 84°32'52" E, a distance of 86.91 feet to the west line of said SW ¼; thence continuing N 84°32'52" E, a distance of 166.75 feet; thence N 87°25'51" E, a distance of 508.40 feet; thence N 89°29'19" E, a distance of 400.04 feet; thence S 89°49'12" E, a distance of 285.56 feet to the west line of a tract of land as surveyed by Steven L. Rasmussen, LS #624, on plat of survey dated 05/25/2011, being the point of termination.

## EXHIBIT B

Easements Across RW Ranch PropertyLegal Description of Ingress Egress Easement C

A 20 foot wide ingress egress easement located in the East ½ of Section 13 and the East ½ of Section 24, All in T33N, R14W and in the West ½ and the SE ¼ of Section 19, T33N, R13W of the 6<sup>th</sup> P.M., Holt County, Nebraska, 10 feet on each side of the following described centerline:

Commencing at the northeast corner of said East ½ of Section 13; thence S 89°22'46" W (assumed bearing) on the north line of said East ½ of Section 13, a distance of 136.05 feet to the True point of beginning; thence S 00°12'31" E, a distance of 2813.28 feet; thence S 00°53'37" E, a distance of 1580.59 feet; thence S 00°30'39" W, a distance of 230.01 feet; thence S 01°12'55" W, a distance of 638.38 feet; thence S 01°02'42" E, a distance of 9.82 feet to the north line of said East ½ of Section 24; thence continuing S 01°02'42" E, a distance of 576.75 feet; thence S 03°32'03" E, a distance of 452.51 feet; thence S 05°00'02" E, a distance of 329.40 feet; thence S 02°28'05" E, a distance of 1205.02 feet; thence S 10°28'08" E, a distance of 26.81 feet to the west line of said West ½ of Section 19; thence continuing S 10°28'08" E, a distance of 93.31 feet to a curve concave northeasterly having a radius of 166.58 feet; thence southeasterly on said curve, an arc distance of 250.85 feet through an angle of 86°17'01"; thence N 88°32'24" E, a distance of 2640.22 feet; thence N 87°44'17" E, a distance of 1796.29 feet; thence N 84°41'17" E, a distance of 660.00 feet to the east line of said SE ¼ of Section 19, being the point of termination.

Legal Description of Ingress Egress Easement D

A 20 foot wide ingress egress easement located in the East ½ and the SW ¼ of Section 24, T33N, R14W, of the 6<sup>th</sup> P.M., Holt County, Nebraska, 10 feet on each side of the following described centerline:

Commencing at the northeast corner of said SW ¼; thence S 89°25'05" W (assumed bearing) on the north line of said SW ¼, a distance of 31.86 feet; thence S 00°06'30" E, a distance of 13.14 feet; thence S 00°07'07" E, a distance of 21.14 feet to the True point of beginning; thence N 85°06'25" E, a distance of 49.57 feet; thence N 89°57'49" E, a distance of 1208.51 feet; thence N 82°46'25" E, a distance of 303.33 feet; thence N 78°24'49" E, a distance of 89.75 feet; thence N 71°34'00" E, a distance of 96.88 feet; thence N 65°26'34" E, a distance of 58.56 feet; thence N 63°04'54" E, a distance of 117.44 feet; thence N 61°49'51" E, a distance of 214.39 feet; thence N 56°55'58" E, a distance of 264.46 feet to a curve concave northwesterly having a radius of 322.61 feet; thence northeasterly on said curve, an arc distance of 221.79 feet through an angle of 39°23'25"; thence N 15°04'19" E, a distance of 232.40 feet; thence N 10°01'09" E, a distance of 122.62 feet; thence N 12°54'34" E, a distance of 116.90 feet; thence N 21°53'03" E, a distance of 157.02 feet to the point of termination.

**Legal Description of Ingress Egress Easement E**

A 20 foot wide ingress egress easement located in the SE ¼ of Section 20, T33N, R13W of the 6<sup>th</sup> P.M., Holt County, Nebraska, 10 feet on each side of the following described centerline:

Commencing at the northwest corner of said SE ¼; thence N 89°34'36" E, a distance of 897.45 feet to the True point of beginning; thence S 65°24'01" E, a distance of 45.31 feet to the point of termination.

**Easement Across Pasture Selling**

**Legal Description of Ingress Egress Easement F**

A 20 foot wide ingress egress easement located in the SW ¼ of Section 21, T33N, R13W of the 6<sup>th</sup> P.M., Holt County, Nebraska, 10 feet on each side of the following described centerline:

Commencing at the northwest corner of said SW ¼; thence N 89°57'56" E (assumed bearing) on the north line of said SW ¼, a distance of 1328.97 feet to the northwest corner of a tract of land as surveyed by Steven L. Rasmussen, LS #624, on plat of survey dated 05/25/2011; thence S 39°50'52" E on the west line of said tract of land, a distance of 47.26 feet to the True point of beginning; thence S 89°49'12" E, a distance of 1217.84 feet to the west right of way line of State of Nebraska Highway #11, being the point of termination.

EXHIBIT C  
Benefited Parcels

**Legal Description of Surveyed Tract M**

An irregular tract of land located in the South ½ of the SE ¼ of Section 23, T33N, R14W of the 6<sup>th</sup> P.M., Holt County, Nebraska, described as follows:

Beginning at the southeast corner of said South ½ of the SE ¼; thence S 89°39'31" W (assumed bearing) on the south line of said South ½ of the SE ¼, a distance of 2086.03 feet; thence N 22°55'31" E, a distance of 946.59 feet; thence N 18°45'07" W, a distance of 471.39 feet to the north line of said South ½ of the SE ¼; thence N 89°38'43" E on said north line of the South ½ of the SE ¼, a distance of 1868.71 feet to the northeast corner of said South ½ of the SE ¼; thence S 00°00'23" E on the east line of said South ½ of the SE ¼, a distance of 1317.33 feet to the point of beginning, containing 56.382 acres of land, more or less.

**Legal Description of Surveyed Tract B**

An irregular tract of land located in the NW ¼ of Section 25, T33N, R14W of the 6<sup>th</sup> P.M., Holt County, Nebraska, described as follows:

Beginning at the northwest corner of said NW ¼; thence N 89°25'56" E (assumed bearing) on the north line of said NW ¼, a distance of 705.08 feet; thence S 06°40'47" W, a distance of 470.30 feet; thence S 05°51'57" W, a distance of 111.24 feet to a curve concave northwesterly having a radius of 1369.46 feet; thence southwesterly on said curve, an arc distance of 1193.81 feet through an angle of 49°56'49" to the west line of said NW ¼; thence N 00°23'46" E on said west line of the NW ¼, a distance of 1527.52 feet to the point of beginning, containing 18.222 acres of land, more or less.

**Legal Description of Surveyed Tract C**

An irregular tract of land located in the West ½ of Section 24, T33N, R14W of the 6<sup>th</sup> P.M., Holt County, Nebraska, described as follows:

Beginning at the southwest corner of said West ½; thence N 89°25'56" E (assumed bearing) on the south line of said West ½, a distance of 2598.85 feet; thence N 00°07'07" W, a distance of 2622.10 feet; thence S 84°36'45" W, a distance of 507.66 feet; thence N 61°46'37" W, a distance of 646.27; thence S 79°11'47" W, a distance of 1546.13 feet to the west line of said West ½; thence S 00°00'23" E on said west line of the West ½, a distance of 2616.00 feet to the point of beginning, containing 162.083 acres of land, more or less.

**Legal Description of Surveyed Tract D**

An irregular tract of land located in the North ½ of the SE ¼ of Section 23, T33N, R14W of the 6<sup>th</sup> P.M., Holt County, Nebraska, described as follows:

Beginning at the northeast corner of said North ½ of the SE ¼; thence S 89°37'55" W (assumed bearing) on the north line of said North ½ of the SE ¼, a distance of 29.82 feet; thence S 00°17'40" W, a distance of 1317.38 feet to the south line of said North ½ of the SE ¼; thence N 89°38'45" E on said south line of the North ½ of the SE ¼, a distance of 36.74 feet to the southeast corner of said North ½ of the SE ¼; thence N 00°00'23" W on the east line of said North ½ of the SE ¼, a distance of 1317.33 feet to the point of beginning, containing 1.006 acres of land, more or less.

**Legal Description of Surveyed Tract O**

An irregular tract of land located in the NE ¼ of Section 26, T33N, R14W of the 6<sup>th</sup> P.M., Holt County, Nebraska, described as follows:

Commencing at the northwest corner of said NE ¼; thence N 89°39'31" E (assumed bearing) on the north line of said NE ¼, a distance of 557.37 feet to the True Point of Beginning; thence S 22°55'31" W, a distance of 110.76 feet; thence S 01°01'51" E, a distance of 311.27 feet; thence S 06°20'08" E, a distance of 155.33 feet; thence S 11°05'03" E, a distance of 99.67 feet to a curve concave northeasterly having a radius of 1343.96 feet; thence southeasterly on said curve, an arc distance of 461.04 feet through an angle of 19°39'18"; thence S 42°09'25" E, a distance of 307.02 feet; thence S 54°55'06" E, a distance of 444.64 feet; thence S 67°22'55" E, a distance of 210.76 feet; thence S 74°41'40" E, a distance of 77.62 feet; thence S 83°30'26" E, a distance of 409.49 feet; thence N 81°57'49" E, a distance of 167.80 feet; thence N 78°08'48" E, a distance of 108.37 feet; thence N 74°39'44" E, a distance of 144.88 feet to a curve concave northwesterly having a radius of 1365.13 feet; thence northeasterly on said curve, an arc distance of 257.44 feet through an angle of 10°48'18" to the east line of said NE ¼; thence N 00°23'46" E on the east line of said NE ¼, a distance of 1527.52 feet to the northeast corner of said NE ¼; thence S 89°39'31" W on said north line of the NE ¼, a distance of 2086.04 feet to the point of beginning, containing 72.559 acres of land, more or less.