

EASEMENT FOR INGRESS AND EGRESS USE OF BOAT RAMP

THIS EASEMENT for ingress and egress and use of boat ramp ("Agreement") is entered into this 5th day of April, 1994, by and between Village Lakeshares, L.P. ("Village Lakeshares") and Long Lines, Ltd. ("Long Lines").

WITNESSETH:

WHEREAS, Long Lines is the owner of certain real estate legally described on attached Exhibit "A" hereto (the "Long Lines Real Estate"); and

WHEREAS, Village Lakeshares is the owner of certain real property legally described on attached Exhibit "B" hereto (the "Village Lakeshares Real Estate"); and

WHEREAS, there are certain buildings located on the Long Lines Real Estate which have been leased for use by a marina and such lease provides for an ingress and egress right across currently existing or to be constructed roads on the Village Lakeshares Real Estate and for the use of the boat ramp located on the Village Lakeshares Real Estate; and

WHEREAS, Long Lines and Village Lakeshares desire to establish the ingress-egress easement across the Village Lakeshares Real Estate and the use of the boat ramp located on the Village Lakeshares Real Estate;

NOW, THEREFORE, in and for the considerations set forth herein, the parties agree as follows:

1. Village Lakeshares hereby grants to the owner of the Long Lines Real Estate a non-exclusive ingress and egress easement across the roadways existing and any to be built on the Village Lakeshares Real Estate for access from the public road to and from the boat ramp and a non-exclusive easement for the use of the boat ramp and turn-around area for launching and removing of water-craft into and from West Lake Okoboji.
2. This easement shall exist for the benefit of the Long Lines Real Estate until at least December 31, 2001 and will exist thereafter for as long as there is a boat ramp located on the Village Lakeshares Real Estate. After December 31, 2001 Village Lakeshares may remove all boat ramps from the Village Lakeshares Real Estate without recourse from the owner of the Long Lines Real Estate. If all boat ramps are removed from the Village Lakeshares Real Estate, such that there are no boat ramps on the Village Lakeshares Property for a period of five consecutive years, this easement will terminate. The five year period shall begin to run when the boat ramps are removed and a notice is served on the owner of Long Lines Real Estate so stating. If a boat ramp is reopened on the Village Lakeshares Real Estate within five years after service of the notice required herein, this easement shall remain in full force and effect, and not be terminated, subject nevertheless, to the right of the owner of the Village Lakeshares Real Estate to hereinafter terminate the easement by the removal of the boat ramp pursuant to the provisions herein for the subsequent period of five consecutive years provided herein.
3. Village Lakeshares shall have the right to relocate the boat ramp from time to time as long as reasonable ingress-egress roads are available for accessing the boat ramp from the public road across the Village Lakeshares Real Estate.

SENT BY Long Lines, Ltd.

: 3-11-94 : 8:29AM :

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LEGAL DESCRIPTIONAG. TRACT 1

Commencing at the N4 corner of Section 14, ⁸⁹⁻³⁷ thence S 88° 55.2' E along the north line of the NE4 for a distance of 90.31 feet to a point on the east right-of-way line of Iowa Highway No. 32; thence continuing S 88° 55.2' E along said north line for a distance of 1,018.22 feet; thence S 01° 04.8' W for a distance of 490.44 feet to a point on the north line of the entrance road easement; thence S 84° 04' W along said north easement line for a distance of 94.45 feet; thence N 51° 17' W along said north easement line for a distance of 388.12 feet; thence N 89° 37' W along said north easement line for a distance of 489.78 feet to the east right-of-way line of Iowa Highway No. 32; thence N 12° 51.1' E along said right-of-way line for a distance of 151.99 feet to the Point of Beginning.

Ag. Tract 1 contains 8.10 tillable acres.

AND

A parcel of land located on a portion of Village West Resort at West Lake Okoboji, in the NW 1/4 NE 1/4 and Government Lot 1, all in the NE 1/4 of Section 14, T30N, R37W of the 5th Principal Meridian, Dickinson County, Iowa. Said parcel is more particularly described as follows:

Commencing at the N 1/4 corner of Section 14; thence S 88° 55.2' E along the north line of the NE 1/4 for a distance of 1,108.83 feet to the NE corner of AG, Tract 1, and the Point of Beginning; thence continuing S 88° 55.2' E along said north line for a distance of 250.00 feet; thence S 01° 04.8' W for a distance of 490.44 feet to a point on the north line of the entrance road easement; thence S 84° 04' W along said north easement line for a distance of 292.19 feet to the SE corner of AG, Tract 1; thence N 01° 04.8' E along the east line of said AG, Tract 1 for a distance of 490.44 feet to the Point of Beginning.

Said parcel of land contains 3.15 acres.

EXHIBIT "A"

SENT BY: Long Lines, Ltd.

: 3-11-94 : 8:23AM :

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Portions of Government Lot 2 and the Southwest Quarter of the Northeast Quarter of Section 14, Township 99 North, Range 37 West of the 5th Principal Meridian, Dickinson County, Iowa, described as follows:-

Commencing at the North quarter corner of said Section 14; thence on an assumed bearing South 0°23.0' West 1318.73 feet along the Westerly line of the Northeast Quarter of said Section 14 to the northerly line of the South Half of said Northeast Quarter; thence South 89°03.0' East 83.10 feet along said Northeast Quarter South Half northerly line to the point of beginning at the easterly right-of-way line of Iowa Primary Road No. 32 (Iowa State Highway Commission Project F-490 Official Plans); thence continuing South 89°03.0' East 2073.73 feet along said Northeast Quarter South Half northerly line; thence South 1°32.3' West 1329.95 feet to the southerly line of the Northeast Quarter of said Section 14 at a point South 88°48.1' East 600.01 feet from the East quarter corner of said Section 14; thence North 88°48.1' West 1977.86 feet along said Northeast Quarter southerly line to the easterly right-of-way line of Iowa Primary Road No. 32; thence North 43°24.4' West 101.08 feet along said right-of-way line; thence North 0°23.2' East 1249.10 feet along said right-of-way line to the point of beginning, containing 62.63 acres subject to all easements of record. (Described as Parcel B on the survey).

AND

To the Southerly portion of Parcel C (per Survey) in Government Lots 1 and 2 of the NE¼ of Section 14, Township 99 North, Range 37 West of the 5th P.M., Dickinson County, Iowa, described as follows:- Beginning at the East quarter corner of said Section 14; thence North 88°48.1' West (Section 14-99-37 Northeast Quarter westerly line assumed to bear South 0°23.0' West) 600.01 feet along the Southerly line of the Northeast Quarter of said Section 14; thence North 1°32.3' East a distance of 1,329.95 feet along the west line of Parcel "C" to a point on the North line of Gov't Lot 2; thence South 41°52.7' East for a distance of 629.04 feet; thence South 87°27.3' East for a distance of 167.68 feet to a point on the east line of the NE¼ and Parcel "C"; thence South 01°32.3' West for a distance of 866.33 feet along the east line of the NE¼ and Parcel "C" to the point of beginning; said described parcel of land contains 14.26 acres, subject to easements of record.

EXHIBIT "B"

SENT BY Long Lines, Ltd.

7-11-34 3:30AM

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Portions of Gov't Lot 1 and the NW $\frac{1}{4}$ of Section 14, Twp. 99 North, Range 37 West of the 5th P.M., Dickinson County, Iowa, described as follows:-

Commencing at the North quarter corner of said Section 14; thence on an assumed bearing of South 0°23.0' West 1318.23 feet along the westerly line of the NW $\frac{1}{4}$ of said Section 14 to the southerly line of the North Half of said NW $\frac{1}{4}$; thence South 89°03.0' East 83.10 feet along said NW $\frac{1}{4}$ North Half southerly line to the point of beginning at the westerly right-of-way line of Primary Road No. 32 (Iowa State Highway Commission Project F-490 Official Plans); thence continuing South 89°03.0' East 2073.73 feet along said Northeast Quarter North Half southerly line; thence North 1°32.3' East 88.34 feet; thence North 49°42.8' East 390.37 feet to the Iowa State Conservation Commission West Okoboji Lake westerly shoreline; thence North 43°23.4' West 61.53 feet along said shoreline; thence North 28°33.0' West 96.08 feet along said shoreline; thence North 32°02.2' West 107.28 feet along said shoreline; thence North 35°39.6' East 76.34 feet along said shoreline; thence North 1°01.0' West 120.66 feet along said shoreline; thence North 4°26.3' West 203.91 feet along said shoreline; thence North 14°12.6' West 55.32 feet along said shoreline; thence North 24°51.6' West 91.18 feet along said shoreline; thence North 30°26.9' West 197.98 feet along said shoreline; thence North 17°54.4' West 61.43 feet along said shoreline to a point 3 feet southerly of the northerly line of the Northeast Quarter of said Section 14; thence North 89°33.8' West 258.50 feet to a point 5.84 feet southerly of the southwest corner of Lot 42 of Auditor's Plat No. 121, Dickinson County, Iowa; thence North 1°04.2' East 5.84 feet to the southwest corner of said Lot 42 and the northerly line of the NW $\frac{1}{4}$ of said Section 14; thence North 88°55.2' West 1807.78 feet along said NW $\frac{1}{4}$ northerly line to the easterly right-of-way line of Iowa Primary Road No. 32; thence South 12°51.1' West 168.92 feet along said right-of-way line; thence South 0°25.2' West 49.47 feet along said right-of-way line; thence South 89°37.0' East 15.00 feet along said right-of-way line; thence South 0°25.2' West 981.51 feet along said right-of-way line; thence South 6°38.8' East 121.93 feet along said right-of-way line to the point of beginning, containing 67.37 acres.

EXCEPT a tract described as follows:-

Commencing at the north quarter corner of said Section 14; thence South 88°55.2' East (Section 14-99-37 Northeast Quarter westerly line is assumed to bear South 0°23.0' West) 1898.09 feet along the northerly line of the Northeast Quarter of said Section 14 to the southwest corner of Lot 42 of Auditor's Plat #121, Dickinson County, Iowa, a Reg. #3869 capped 5/8" rebar 569.3 feet easterly of the northwest corner of said Government Lot 1; thence South 1°04.2' West 5.84 feet to the point of beginning; thence South 7°34.5' East 30.49 feet; thence South 89°33.8' East 268.04 feet to the Iowa State Conservation Commission West Okoboji Lake westerly shoreline; thence North 17°54.4' West 52.67 feet along said shoreline to a point 3 feet southerly of the northerly line of said Gov't Lot 1; thence North 89°33.8' West 258.50 feet to the point of beginning, containing 0.30 acres;

SENT BY: Long Lines, Ltd.

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Portions of Gov't Lot 1 and the NW $\frac{1}{4}$ of Section 14, Twp. 99 North, Range 37 West of the 5th P.M., Dickinson County, Iowa, described as follows:-

Commencing at the North quarter corner of said Section 14; thence on an assumed bearing of South 0°23.0' West 1318.23 feet along the westerly line of the NW $\frac{1}{4}$ of said Section 14 to the southerly line of the North Half of said NW $\frac{1}{4}$; thence South 89°03.0' East 83.10 feet along said NW $\frac{1}{4}$ North Half southerly line to the point of beginning at the westerly right-of-way line of Primary Road No. 32 (Iowa State Highway Commission Project F-490 Official Plans); thence continuing South 89°03.0' East 2073.73 feet along said Northeast Quarter North Half southerly line; thence North 1°32.3' East 88.34 feet; thence North 49°42.8' East 390.37 feet to the Iowa State Conservation Commission West Okoboji Lake westerly shoreline; thence North 43°23.4' West 81.33 feet along said shoreline; thence North 23°53.0' West 96.08 feet along said shoreline; thence North 32°02.2' West 107.28 feet along said shoreline; thence North 33°39.6' East 75.24 feet along said shoreline; thence North 1°01.0' West 120.66 feet along said shoreline; thence North 4°26.3' West 203.91 feet along said shoreline; thence North 14°12.6' West 55.32 feet along said shoreline; thence North 24°51.6' West 91.18 feet along said shoreline; thence North 30°26.9' West 197.98 feet along said shoreline; thence North 17°54.4' West 61.43 feet along said shoreline to a point 3 feet southerly of the northerly line of the Northeast Quarter of said Section 14; thence North 89°33.8' West 258.50 feet to a point 5.84 feet southerly of the southwest corner of Lot 42 of Auditor's Plat No. 121, Dickinson County, Iowa; thence North 1°04.2' East 5.84 feet to the southwest corner of said Lot 42 and the Northerly line of the NW $\frac{1}{4}$ of said Section 14; thence North 88°53.2' West 1807.78 feet along said NW $\frac{1}{4}$ northerly line to the easterly right-of-way line of Iowa Primary Road No. 32; thence South 12°51.1' West 168.92 feet along said right-of-way line; thence South 0°25.2' West 49.47 feet along said right-of-way line; thence South 89°37.0' East 13.00 feet along said right-of-way line; thence South 0°25.2' West 982.31 feet along said right-of-way line; thence South 6°36.8' East 121.93 feet along said right-of-way line to the point of beginning, containing 87.37 acres.

EXCEPT a tract described as follows:-

Commencing at the north quarter corner of said Section 14; thence South 88°53.2' East (Section 14-99-37 Northeast Quarter westerly line is assumed to bear South 0°23.0' West) 1898.09 feet along the northerly line of the Northeast Quarter of said Section 14 to the southwest corner of Lot 42 of Auditor's Plat #121, Dickinson County, Iowa, a Reg. #8869 capped 5/8" rebar 369.3 feet easterly of the northwest corner of said Government Lot 1; thence South 1°04.2' East 5.84 feet to the point of beginning; thence South 7°34.5' East 50.49 feet; thence South 89°33.8' East 268.04 feet to the Iowa State Conservation Commission West Okoboji Lake westerly shoreline; thence North 17°54.4' West 52.67 feet along said shoreline to a point 3 feet southerly of the northerly line of said Gov't Lot 1; thence North 89°33.8' West 258.50 feet to the point of beginning, containing 0.30 acres;

SENT BY: Long Lines, Ltd.

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AND EXCEPT:-

The following two parcels contains 6.10 acres and 3.15 acres, respectively:

AG. TRACT 1

Commencing at the NE corner of Section 14; thence S 88° 55.2' E along the north line of the NW 1/4 for a distance of 90.31 feet to a point on the east right-of-way line of Iowa Highway No. 32; thence continuing S 88° 55.2' E along said north line for a distance of 1,018.22 feet; thence S 01° 04.8' W for a distance of 490.44 feet to a point on the north line of the entrance road easement; thence S 84° 04' W along said north easement line for a distance of 94.45 feet; thence N 31° 17' W along said north easement line for a distance of 388.12 feet; thence N 89° 37' W along said north easement line for a distance of 489.78 feet to the east right-of-way line of Iowa Highway No. 32; thence N 12° 51.1' E along said right-of-way line for a distance of 131.99 feet to the Point of Beginning.

Ag. Tract 1 contains 6.10 tillable acres.

AND

A parcel of land located on a portion of Village West Resort at West Lake Okoboji, in the NW 1/4 NE 1/4 and Government Lot 1, all in the NE 1/4 of Section 14, T99N, R17W of the 5th Principal Meridian, Dickinson County, Iowa. Said parcel is more particularly described as follows:

Commencing at the N 1/4 corner of Section 14; thence S 88° 55.2' E along the north line of the NE 1/4 for a distance of 1,108.53 feet to the NE corner of Ag. Tract 1, and the Point of Beginning; thence continuing S 88° 55.2' E along said north line for a distance of 390.00 feet; thence S 01° 04.8' W for a distance of 494.76 feet to a point on the north line of the entrance road easement; thence S 84° 04' W along said north easement line for a distance of 293.19 feet to the NE corner of Ag. Tract 1; thence N 01° 04.8' E along the east line of said Ag. Tract 1 for a distance of 490.44 feet to the Point of Beginning.

Said parcel of land contains 3.15 acres.