

American Title Escrow  
1310 W Norfolk Avenue Ste B  
Norfolk, NE 68701

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Chg \$32.00 No 5506 Paged General Indexed General

3:30 RERECORD  
American Title

THE STATE OF NEBRASKA } ss.  
MADISON COUNTY

This instrument filed for record  
the 17 day of November 20 10  
at 8:30 A.M. and recorded in  
2010-11 Page 1451 - 1456 Incl.

Nancy J. Mason  
Register of Deeds/Deputy Register of Deeds

Chg \$42.00 No. 5540 Paged General Indexed General

THE STATE OF NEBRASKA } ss.  
MADISON COUNTY

This instrument filed for record  
the 17 day of November 20 10  
at 3:30 P.M. and recorded in  
2010-11 Page 1567-1574

Nancy J. Mason  
Register of Deeds/Deputy Register of Deeds

## AGREEMENT

This Agreement is entered into as of October 5, 2010 by and between Patco, Inc., a Nebraska Corporation, hereinafter called Patco; John A. Ballantyne, Trustee of the John A. Ballantyne Trust, and Byron Ballantyne, hereinafter called Ballantyne; BVKTT Properties, L.L.C., a Nebraska Limited Liability Company, herein after called BVKTT; Lynn & Sons, G.W. Goods, Inc., a Nebraska Corporation, hereinafter Lynn & Sons; Elworth's Harley Davidson Sales & Service Inc., a Nebraska Corporation, hereinafter Elworth's; and VIN, Inc., a Nebraska Corporation, hereinafter called VIN, WITNESSETH:

WHEREAS, Patco, Inc. is the owner of the following described real estate:

A tract of land commencing at a point 65 feet North and 1063 feet West of the Southeast corner of the SE 1/4 of Section 20, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska; thence North 475 feet; thence West 248 feet; thence South 223 feet; thence East 150 feet; thence South 252 feet; thence East 98 feet to the place of beginning; being a part of Lot 2 of Westside Plaza Addition to Norfolk, Madison County, Nebraska;

EXCEPT a tract of land encompassed by the following boundaries the point of commencement is being 1063 feet West and 420 feet North of the Southeast Corner of the SE 1/4 of Section 20, Township 24 North, Range 1, West of the 6th P.M., Madison County, Nebraska; thence North 120 feet; thence West 248 feet; thence South 223 feet; thence East 146 feet; thence North 103 feet; thence East 102 feet to the point of beginning.

WHEREAS, Ballantyne Trust is the owner of the following described real estate:

An undivided One Half interest in the West 60 feet of the East 120 feet of the West 368 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska, and

WHEREAS, Ballantyne is the owner of the following described real estate:

An undivided One Half interest in the West 60 feet of the East 120 feet of the West 368 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska, and

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WHEREAS, BVKTT is the owner of the following described real estate:

The East 60 feet of the West 368 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska, and

WHEREAS, Lynn & Sons is the owner of the following described real estate:

Lots 1, and 3 of Cox's Addition to the City of Norfolk, Madison County, Nebraska, and

WHEREAS, Elworth's is the owner of the following described real estate:

Lot 2 of Cox's Addition to the City of Norfolk, Madison County, Nebraska, and

WHEREAS, VIN is the owner of the following described real estate:

East 260 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska, and

WHEREAS, the parties to this Agreement have ownership interests in the above described premises, and rights of ingress, egress and parking,

IT IS THEREFORE AGREED by and between the parties as follows:

1. The owners of said above described tracts agree that they grant to each other, their heirs, successors and assigns permanent easements running with the aforescribed land for the use of themselves and their customers, each others parking areas for free, open and unrestricted parking ingress and egress, including entry and departure to, and across from all parking areas from all accesses all as shown on Exhibit A.

Witness our signatures as of the first above written

PATCO, INC.

By

Maria E. Patton  
President

JOHN A. BALLANTYNE LIVING TRUST

By John A. Ballantyne  
Trustee

Byron Ballantyne  
Byron Ballantyne

BVKTT PROPERTIES

By [Signature]  
Managing Member

LYNN & SONS, G.W. FOODS, INC.

By John Cox  
President

ELWORTH'S HARLEY DAVIDSON, SALES & SERVICE, INC.

By Aug [Signature]  
President

VIN, INC.

By [Signature]  
President  
Title of Officer

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF MADISON )

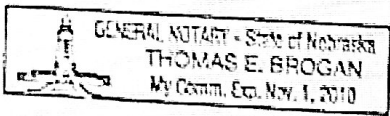
The foregoing instrument was acknowledged before me on October 5, 2010, by Nina Patton of Patco, Inc., a Corporation on behalf of the Corporation.

Thomas E. Brogan  
Notary Public

A GENERAL NOTARY - State of Nebraska  
THOMAS E. BROGAN  
My Comm. Exp. Nov. 1, 2010

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF MADISON )

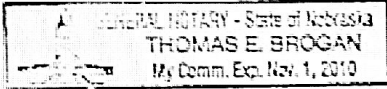
The foregoing instrument was acknowledged before me on October 8, 2010, by John A. Ballantyne, Trustee of the John A. Ballantyne Living Trust.



Thomas E. Brogan  
Notary Public

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF MADISON )

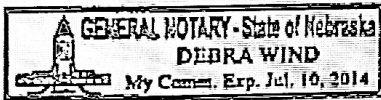
The foregoing instrument was acknowledged before me on October 8, 2010, by Byron Ballantyne.



Thomas E. Brogan  
Notary Public

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF MADISON )

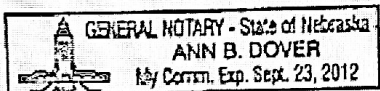
The foregoing instrument was acknowledged before on <sup>November</sup> ~~October~~ 5th, 2010, by Terry Stoural, managing member of BVKTT Properties, L.L.C., on behalf of said Limited Liability Company.



Debra Wind  
Notary Public

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF MADISON )

The foregoing instrument was acknowledged before me on October 23, 2010, by Jake Cox, of Lynn & Sons, G.W. Foods, Inc., a Nebraska Corporation, on behalf of the Corporation.



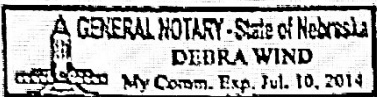
Ann B. Dover  
Notary Public

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STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF MADISON )

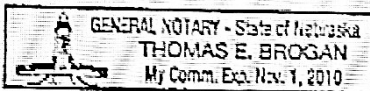
~~October~~ <sup>November</sup> The foregoing instrument was acknowledged before me on ~~October 16, 2010~~ by Greg Elworthy, of Elworth's Harley Davidson Sales and Service, Inc., a Nebraska Corporation, on behalf of the Corporation.



*Debra Wind*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF MADISON )

The foregoing instrument was acknowledged before me on October 25, 2010, by Greg Varnat, President, of VIN, Inc., a Nebraska Corporation, on behalf of said Corporation.



*Thomas E. Brogan*  
Notary Public

## EASEMENT DESCRIPTIONS

TRACT 1:

A tract of land lying wholly in Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska. Said tract of land is more particularly described as follows:

Beginning at a point on the South line of said Lot 2 which is 220.00 ft. West of the Southeast Corner of said Lot 2 and on the Northerly right-of-way of Norfolk Avenue; thence proceeding West, along the South line of said Lot 2, on an assumed bearing of South 89 degrees 58 minutes 45 seconds West, 40.00 ft. to the Southeast Corner of Lot 1 of Cox's Addition, a subdivision of the West 120 feet of the East 380 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska; thence N 00 degrees 30 minutes 35 seconds East, along the East line of Lot 1 of said Cox's Addition, 55.00 ft.; thence South 89 degrees 57 minutes 04 seconds East, 40.00 ft.; thence South 00 degrees 30 minutes 35 seconds West, 55.00 ft. to the point of beginning.

TRACT 2:

The North 25.00 ft. of the South 55.00 ft. of Lot 1, Cox's Addition, a subdivision of the West 120 feet of the East 380 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska.

TRACT 3:

The North 25.00 ft. of the South 55.00 ft. of Lot 2, Cox's Addition, a subdivision of the West 120 feet of the East 380 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska.

TRACT 4:

The North 25.00 ft. of the South 55.00 ft. of Lot 3, Cox's Addition, a subdivision of the West 120 feet of the East 380 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska.

TRACT 5:

A tract of land lying wholly in Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska. Said tract of land is more particularly described as follows:

Beginning at the Southwest Corner of Lot 3, Cox's Addition, a subdivision of the West 120 feet of the East 380 feet of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska, said point being on the South line of Lot 2, Westside Plaza Addition to the City of Norfolk, Madison County, Nebraska and the northerly right-of-way of Norfolk Avenue; thence proceeding West, along the South line of Lot 2 of said Westside Plaza Addition, on an assumed bearing of N 89 degrees 57 minutes 04 seconds West, 120.19 ft. to a point which is 65 feet North and 1063 feet West of the Southeast Corner of the SE 1/4 of Section 20, Township 24 North, Range 1 West of the 6th P.M., Madison County; thence North 00 degrees 31 minutes 01 seconds East, 244.02 ft.; thence South 89 degrees 56 minutes 54 seconds East, 25.00 ft.; thence South 00 degrees 31 minutes 01 seconds West, 189.02 ft.; thence South 89 degrees 57 minutes 04 seconds East, 95.19 ft. to a point on the West line of Lot 3 of said Cox's Addition; thence South 00 degrees 30 minutes 33 seconds West, 55.00 ft. to the point of beginning.

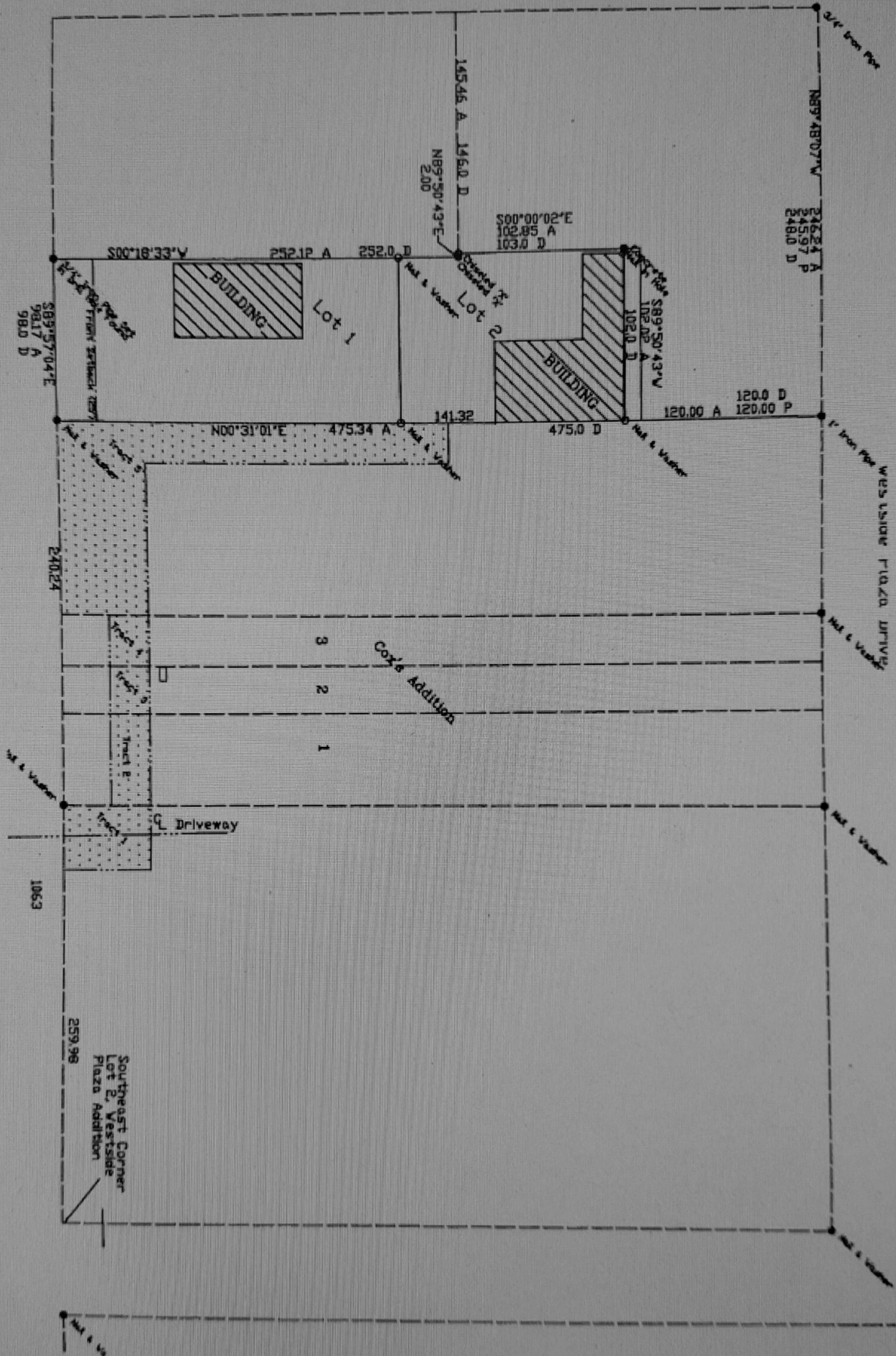


EXHIBIT A