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Agreement

This Agreement covers the lots at Water Sports, Incorporated, aka Kopecky's Subdivision, in Section 27, Twp. 17 N, Range 8 East of the 6th P.M., in Dodge County, Nebraska, legal description per Attached Exhibit "A" attached.

Originally the subdivision consisted of residential lots 1-11, 13-15, and Lot 16, ~~and~~ and non-residential areas owned by Water Sports, Inc. that include the lake, and undeveloped area between lots 14 and 16, plus a non-residential area denoted as Lot 12 used and known as the boat ramp area.

Now the owner of Lot 16, roughly a 3 acre lot, Ray and Doris Kopecky, husband and wife, wish to subdivide Lot 16 per the metes and bounds description set forth on Exhibit B attached. Said subdivision requires approval by the Planning Commission and City Council of the City of Fremont. ~~Kopecky's~~ Kopecky's children, Gary and Sherry ~~Christ~~ <sup>Christ</sup>, are to purchase the new subdivided lot.

In consideration of Water Sports Inc. and its separate lot owners agreeing to said subdivision and agreeing not to contest said subdivision the parties agree as follows.

1. The subdivision is approved and said approval is to be conveyed to the Front Range Planning Commission and Zoning Commission and City Council.
2. At a special mtg. of Water Sports, Inc held at 5:00 p.m. on Monday, December 18, 2000 after written notice to all lot owners members of Water Sports, Inc, this Agreement was unanimously approved by all members present in person and by proxy, said members present constituting a legal quorum.
3. The north portion of former Lot 16 shall hereafter be designated Lot 16. The south portion of former Lot 16 hereafter shall be designated Lot 17. Each per legal description on Exh B.
4. Recognizing that Water Sports Inc has historically limited the number of boats and corresponding issues regarding access to the lake, it is agreed that the subdivision of former Lot 16 into new Lots 16 and 17 shall result in no additional access to the lake. For all purposes from the date of this Agreement forward, whatever lake access and lake use restriction apply to the individual Lots at Water Sports Inc. shall apply to Lots 16 and 17 as if said Lots 16 and 17 constituted one Lot. It shall be up to the then current owners <sup>of Lots 16 and 17</sup> to work out the allocation of the available access as between the two lots, and should they be unable to do so between themselves the matter shall be submitted to the Board of Directors of Water Sports Inc. which

shall have sole authority to decide any dispute between the two lots.

5. For purposes of voting at annual and special meetings of Water Sports, Inc, Lots 16 and 17 shall have only one vote. If they cannot agree on how to cast a particular vote a coin toss shall determine how the vote for Lots 16 and 17 shall be cast.

6. For dues Lot 16 shall pay one-half the annual dues and any special assessments and Lot 17 shall pay the other half.

7. This agreement shall be binding upon all lots at Water Sports, Inc, including all the real estate described on Exhibit "A" attached, and also upon the two subdivided lots described on ~~the~~ Exhibit B attached, and shall inure to and be binding upon the current and all subsequent owners of all the real estate described on ~~the~~ Exhibits A and B attached. This Agreement shall be binding and shall be filed of record at the Register of Deeds of Dodge County, Nebraska. There shall be no further subdivision of any of the platted lots at Water Sports, Inc. and/or Kopecky's Subdivision in Section 27, Twp 17 N, Range 8 East of the 6th P.M. in Dodge County, Nebraska.

Dated December 18, 2000.

So agreed and executed this 18th Day of  
December, 2000

Water Sports, Inc.

by Betty Koborg

Betty Koborg President

Gary Cervise

Gary Cervise,  
proposed new owner  
Lot 17

Sherry McCrease 727-7157

Sherry Cervise  
proposed new owner  
Lot 17

Sherry Cervise signing for

Ray Kopecky

Ray Kopecky

Sherry Cervise signing

for Doris Kopecky

Doris Kopecky

Water Sports, Inc.,

by the following

lot owner/members present

at December 18, 2000

meeting of Water Sports,

Inc.

<u>Name</u>	<u>lot number</u>
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E.A. Heston	2
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R.H. Hester	3
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Harold M. Heston	13
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Robert L. Knudsen	11
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Joe Sniederwind	17
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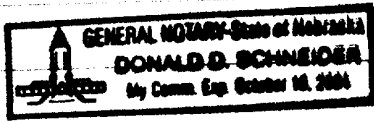
Kenneth Saylor	15
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Bob Jensen	14
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Jack Jensen	Proxy by Bob Jensen
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STATE OF NEBRASKA )  
 COUNTY OF DOUGLAS )

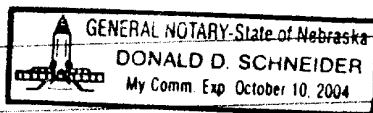
The foregoing instrument was acknowledged and executed before me on December 18, 2000 by the following individuals: Gary Cerise; Sherry Cerise; Sherry Cerise signing on behalf of Ray Kopecky and Doris Kopecky as their agent; E.H. Nestander; Luke M. Aldy; R.L. Thacker; Robert L. Knuth; Robert Knuth signing on behalf of Joe Sniederwind as his proxy and agent; Bob Jensen signing on behalf of Jack Jensen as his proxy and agent; Kenneth C. Snyder; and, Bob Jensen.



Donald D. Schneider  
 Notary Public

STATE OF NEBRASKA )  
 COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged and executed before me on December 21, 2000 by Betty Koborg in her capacity as President of Water Sports, Inc., a Nebraska Corporation.



Donald D. Schneider  
 Notary Public

## Exhibit "A"

All lots at Kopecky's Subdivision,  
in Section 27, Twp. 17 N, Range 8 East  
of the 6th P.M., in Dodge County, Nebraska,  
including lots 1-11, 13-16.