

**AGREEMENT TO APPROVE MODIFICATIONS TO THE
GROUND LEASE AGREEMENTS WITHIN COUNCIL
GROVE CITY LAKE PARK
(Effective 4-1-16)**

THIS AGREEMENT is hereby entered into by, and between, the City of Council Grove, Kansas and the Council Grove City Lake Association on this 15 day of March, 2016.

WHEREAS, the City of Council Grove, Kansas, (the "City") has entered into certain Ground Lease Agreements (the "Leases") related to lots located within the Final Plat, Council Grove City Lake Park, an addition to Morris County, Kansas (the "Council Grove City Lake Park"); and,

WHEREAS, the Council Grove City Lake Association (the "CGCLA") is a Kansas Not for Profit Corporation, formed for the purpose of representing the interests of the leaseholders of the Leases; and,

WHEREAS, the Leases recognize the CGCLA as an official representative of the leaseholders at the Council Grove City Lake Park if the membership thereof includes a majority of all leaseholders; and,

WHEREAS, the membership of the CGCLA includes a majority of all leaseholders; and,

WHEREAS, the Leases provide that the City, with the consultation of the CGCLA, may modify certain terms and conditions of the Leases and further that the leaseholders are bound by those modifications; and,

WHEREAS, the City desires to modify certain terms and conditions of the Leases, as reflected on the document entitled "Ground Lease Agreement (Modified as of 4-1-16)" (the "Modified Lease"), attached hereto and incorporated herein by reference; and,

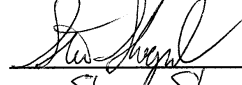
WHEREAS, the City has consulted with the CGCLA regarding the Modified Lease and the Board of Directors of the CGCLA has approved the Modified Lease.

NOWHEREFORE, the City and the CGCLA hereby agree, as follows:

1. The Modified Lease shall be effective as to all leasehold interests regarding lots at the Council Grove City Lake Park, as of April 1, 2016 (the "Effective Date").
2. The Modified Lease shall pertain to all Leases, whether entered into prior to, on, or after the Effective Date. All current Leases shall be deemed to be amended and replaced by the Modified Lease, whether or not the leaseholders actually execute the Modified Lease.
3. The City shall provide a copy of this Agreement, along with a copy of the Modified Lease, to all current leaseholders as soon as practical after its execution.

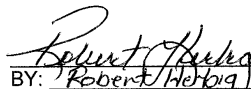
IN WITNESS WHEREOF, the City and the CGCLA have executed this Agreement as of the day and year first above written.

CITY OF COUNCIL GROVE, KANSAS



By: Steve Shepard
MAYOR

COUNCIL GROVE CITY LAKE ASSOCIATION



BY: Robert Herbig
PRESIDENT

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF MORRIS) ss:

BE IT REMEMBERED that on this 15th day of March, 2016, before me, a notary public in and for said county and state, came Steve Sheppard, Mayor of the City of Council Grove, Kansas, a municipal corporation of the State of Kansas, who is personally known to me to be the same person who executed, as such officer, this Agreement, and such person duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.



Kelly S. Gaston
Notary Public

My Appointment Expires: 12-20-16

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF MORRIS) ss:

BE IT REMEMBERED that on this 23rd day of March, 2016, before me, a notary public in and for said county and state, came _____, President of the Council Grove City Lake Association, a Kansas not-for-profit corporation, and who is personally known to me to be the same person who executed, as such officer, this Agreement, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Laura Worrell
Notary Public

My Appointment Expires: 1-23-19

