JOHN F. MAGNUSON
Attorney at Law
P.O. Box 2350
1250 Northwood Center Court, Suite A
Coeur d'Alene, ID 83814
Phone: (208) 667-0100
ISB #4270

Attorney for

RECEIVED
MAR 09 2020
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE CSRBA

Case No. 49576

Subcase: 95-8275

DECLARATION OF JOHN F. MAGNUSON IN SUPPORT OF MOTION TO FILE LATE OBJECTION

I, JOHN F. MAGNUSON, under penalty of perjury, declare as follows:

1. I am over the age of 18, have personal knowledge of the matters set forth herein, and am otherwise competent to testify thereto.

2. I am a Managing Member of Black Rock Marina, LLC, an Idaho limited liability company. I also hold a membership interest in the Company indirectly through ownership in another limited liability company which is a Member.

3. I am also licensed as an attorney in the State of Idaho, with Idaho State Bar No. 4270.

4. The water right at issue (Water Right 95-8275) is associated with a commercial operation known as "The Black Rock Marina," which includes moorage facilities, boat maintenance

and storage facilities, and a restaurant ("Shooters") and a convenience store. The marina was previously known as the Rockford Bay Marina. The Marina is on Rockford Bay of Lake Coeur d'Alene.

5. Marshall Chesrown was the owner and developer of the Black Rock Golf Course and residential project. The Black Rock Golf Course and residential project is in close proximity to the Black Rock Marina. As part of the development of the Black Rock community, Mr. Chesrown acquired the Rockford Bay/Black Rock Marina.

6. On July 8, 1999, Mr. Chesrown, as the sole manager, formed Rockford Bay Investments, LLC. I enclose a copy of the Articles of Organization (labeled Exhibit A).

7. Approximately three (3) months after forming Rockford Bay Investments, LLC, Mr. Chesrown (through Rockford Bay Investments, LLC) acquired title to the marina through a Warranty Deed attached as Exhibit B. The property described in the Warranty Deed includes the property associated with the subject water right. Once he began operations, in conjunction with the development of the neighboring Black Rock Golf and residential community, the Marina was referred to as the "Black Rock Marina."

8. By March of 2009, with the Great Recession in full force, Mr. Chesrown (still holding title to "Black Rock Marina" under Rockford Bay Investments, LLC), conveyed the property to his lender (Washington Trust Bank). Attached as Exhibit C is the Warranty Deed by which Rockford Bay Investments, LLC transferred the Black Rock Marina to Washington Trust Bank. The Deed included all appurtenances to the real property, which included the subject water right.

9. Rockford Bay Investments, LLC, having conveyed all interest in the Marina to

Washington Trust Bank, was subsequently administratively dissolved by the Secretary of State on October 11, 2013. A copy of the last annual report for Rockford Bay Investments, LLC is attached as Exhibit D. That report evidences that the sole member at the time of dissolution, and since inception, was Marshall Chesrown.

10. During the period of Washington Trust Bank's ownership and operation of the Marina, Mr. Chesrown continued to provide management services for the Marina for Washington Trust Bank. On May 19, 2010, a "Notice of Claim to a Water Right" was made by Mr. Chesrown through Black Rock Marina, Inc. It should be noted from a review of the same that the claimant was misidentified as "Black Rock Marina," and someone hand-wrote in "Inc." after "Black Rock Marina."

11. The history of Black Rock Marina, Inc. is as follows:

(a) On September 24, 1999, Mr. Chesrown formed Rockford Bay Marina, Inc. as an Idaho corporation. A copy of the Articles of Incorporation are attached as Exhibit E.

(b) Rockford Bay Marina, Inc. changed its name to Black Rock Marina, Inc. on December 21, 2000. Attached is a copy of the Articles of Amendment filed with the Secretary of State confirming the same. These are attached as Exhibit F.

(c) While Mr. Chesrown owned the Marina under Rockford Bay Investments, LLC, he managed the Marina through an operating entity known as "Black Rock Marina, Inc." Black Rock Marina, Inc. was never in title to the property.

(d) Black Rock Marina, Inc. subsequently provided management services to Washington Trust Bank after it took title to the Marina from Rockford Bay Investments, LLC.

12. Mr. Chesrown provided management services for Washington Trust Bank, after it acquired the Marina, until Washington Trust Bank sold the Marina in 2011.

13. In completing the "Notice of Claim to Water Right" for Water Right No. 95-8275, Mr. Chesrown incorrectly identified the holder of the claim as Black Rock Marina, Inc. Black Rock Marina, Inc. never held the claim. It was held by Mr. Chesrown's other entity, Rockford Bay Investments, LLC. When Mr. Chesrown sold the real property that included a water right (Rockford Bay Investments, LLC) to Washington Trust Bank, Washington Trust Bank succeeded to that water right.

14. On March 16, 2011, Washington Trust Bank conveyed the Marina, and the water right, to the Marina at Black Rock, LLC. Attached as Exhibit G is a copy of this Deed.

15. On December 21, 2018, the Marina at Black Rock, LLC conveyed the real property, together with the water right, to Black Rock Marina, LLC. A copy of this Deed is attached as Exhibit H.

16. The chain of title evidences the fact that the Marina real property, to which the water right is appurtenant, and on which it is being continuously used, was conveyed by Rockford Bay Investments, LLC to Washington Trust Bank to the Marina at Black Rock, LLC to Black Rock Marina, LLC (the current owner and party seeking leave to file a late objection).

17. The inadvertent scrivener's error in the claim signed by Mr. Chesrown on May 19, 2010 is that the water right should have been identified as being held by Washington Trust Bank instead of Black Rock Marina, Inc. which, at that point in time, was simply the contract manager of the Marina property for Washington Trust Bank.

18. Black Rock Marina, Inc. has since been administratively dissolved, has no further operations to my knowledge, and has no registered agent. The address to which this Declaration and the supporting submissions have been served on Black Rock Marina, Inc. is the last known address

of record.

I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct.

DATED this 4th day of March, 2020.

John F. Magnuson
Attorney for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of March, 2020, I mailed the original and copies of this objection, including all attachments, to the following persons:

Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

United States Department of Justice
Environment & Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Black Rock Marina, LLC
P.O. Box 3070
Coeur d'Alene, ID 83816

ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

FILED
99 JUL -8 AM 10:28
STATE OF IDAHO

(Instructions on back of application)

1. The name of the limited liability company is: Rockford Bay Investments, L.L.C.

2. The address of the initial registered office is: 1322 W. Kathleen Avenue, Suite 2 (Not a PO Box)
Coeur d'Alene, Idaho 83815
agent at that address is: Stayna G. Kittrell and the name of the initial registered

Signature of registered agent:

3. Is management of the limited liability company vested in a manager or managers?
☐ Yes ☒ No (check appropriate box)

4. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:	Address:
Marshall B. Chesrown	816 Kidd Island Bay Road
	Coeur d'Alene, Idaho 83816

5. Signature of at least one person listed in #4 above:

Secretary of State use only

IDAHO SECRETARY OF STATE
07/08/1999 09:00
CK: none CT: 3934 BH: 232256
1 @ 100.00 = 100.00 ORGAN LLC # 2

W9260

EXHIBIT A

1608804

WARRANTY DEED

Order No.:202990004-RH

FOR VALUE RECEIVED

Rockford Bay Resort and Marina, Inc., ~~a Idaho Corporation~~ an Idaho Corporation

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Rockford Bay Investments, L.L.C., ~~a Idaho Corporation~~ a Limited Liability Company

whose current address is

P.O. Box 977 Wheat Ridge, CO 80034

the grantee(s), the following described premises, in Kootenai County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO FOR COMPLETE LEGAL DESCRITPION

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 29, 1999

Rockford Bay Resort & Marina, Inc.

By: Geraldine A. Hyatt
Geraldine A. Hyatt, President

By: Lawrence A. Hyatt
Lawrence A. Hyatt, Secretary

State of Idaho }
}ss.
County of ~~Kootenai~~ Ada }

On this 29 day of September, in the year 1999, before me, a Notary Public in and for said state, personally appeared ~~Rockford Bay Resort & Marina, Inc.~~ Lawrence A. Hyatt, Secretary of Rockford Bay Resort & Marina Inc.

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

NOTARY PUBLIC

Ann Marie Holmes
Notary Public for the State of Idaho
Residing at: Boise ID
Commission Expires: 8/14/02

State of Idaho
County Of Kootenai

On this 1st day of October, 1999, before me, a Notary Public in and for said state, personally appeared Geraldine A. Hyatt, known to me to be the President of the corporation that executed this instrument and the person who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the same.

In Witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kathryn Sabens
Notary Public
Residing at Coeur d'Alene, ID.
My Commission expires: 2/13/01

KATHRYN SABENS NOTARY PUBLIC STATE OF IDAHO

STATE OF IDAHO } ss
COUNTY OF KOOTENAI }
AT THE REQUEST OF
ALLIANCE TITLE & ESCROW CORP.
Oct 1 4 08 PM '99
DANIEL J. ENGLISH
FEE $ 21.00 DEPUTY

EXHIBIT B

1608804

STATE OF Idaho , COUNTY OF Ada , ss.

On this 30th day of Sept. in the year 1999 , before me, the undersigned, a Notary Public in and for said State personally appeared known to me to be the of the Secretary corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Signature: Nan Marie Holmes
Name: NAN MARIE HOLMES
(Type or Print)
Residing At: Boise ID
My Commission expires: 8/14/02

NAN MARIE HOLMES
NOTARY
PUBLIC
STATE OF IDAHO

1608804

Order No.: 202990004-RH

LEGAL DESCRIPTION

EXHIBIT 'A'

Parcel 1:

The West 128 feet of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian,

EXCEPT THAT PORTION described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

BEGINNING at the Southwest corner of Lot 1 of the Minnechewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East in accordance with the survey plat of the Minnechewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, which point is on the North right of way boundary line of an existing county road; thence

Continuing North 33° East in accordance with Minnechewa Park Subdivision plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West, in accordance with the Minnechewa Park Subdivision plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the True Point of Beginning; thence

North 12°56' West, in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point on the North right of way boundary line of an existing county road; thence

South 59°20' East along the North right of way boundary line of said county road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point; which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the True Point of Beginning.

Parcel 2:

That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, described as follows:

BEGINNING at a point on he North side of the county road where a line parallel and 128 feet East of the West line of Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, intersects said road; thence

North parallel with the West line of said Lot 1, to the North line of said Lot 1; thence

East along the North line of Lot 1, 242 feet; thence

South on a straight line about 533 feet to the Northeast corner of a tract deeded to the School District No. 64; thence

West along the North side of said School Tract, 209 feet to the Northwest corner of said School District; thence

South along the West line of said School District 160 feet; thence

In a Northwesterly direction on a straight line to the Point of Beginning, Kootenai County, Idaho.

EXCEPT THAT PORTION described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

BEGINNING at the Southwest corner of Lot 1 of the Minnechewa Park Subdivision, Kootenai county (now vacated); thence

North 33° East, in accordance with the survey plat of the Minnechewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point; which point is on the North right of way boundary line of an existing county road; thence

Continuing North 33° East in accordance with Minnechewa Park Subdivision plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West in accordance with the Minnechewa Park Subdivision plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the True Point of Beginning; thence

North 12°56' West in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point, on the North right of way boundary line of an existing county road; thence

South 59°20' West along the North right of way boundary line of said county road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the True Point of Beginning.

Parcel 3:

The East 90 feet of Lot 2, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying South of the county road;.

Parcel 4:

Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT the West 370 feet thereof;

ALSO EXCEPT the plat of Lenz Lakewood Park, Kootenai County, State of Idaho, recorded in Book "D" of Plats at page 137;

ALSO EXCEPT that portion of Government Lot 1, described as follows:

BEGINNING in the Southeast corner of said Government Lot 1; thence

North along the East line of said Government Lot 1, 150 feet, more or less, to a point of 20 feet south of the South line of Lot 1, Block 3, Lenz Lakewood Park; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park, 150 feet, more or less, to the shore line of Lake Coeur d' alene; thence

East 50 feet to the True Point of Beginning.

ALSO EXCEPT THAT portion conveyed in Warranty Deed recorded April 22, 1932, in Book 98 of Deeds at page 292, records of Kootenai county, Idaho, described as follows:

BEGINNING at the Southwest corner of Lot 1 of Minnechewa Park in Lot 1, Section 18, Township 48 North, Range 4 West; thence

North 33° East, 181.0 feet; thence

North 57° West, 218.0 feet; thence

South 33° West, 160.0 feet to a point on the county road; thence

Southeasterly along the North side of the county road to the Point of Beginning.

ALSO EXCEPT county roads.

ALSO EXCEPT that portion conveyed in Warranty Deed recorded April 2, 1962 as Instrument No. 464717 deeded as follows:

Beginning at the Southeast corner of said Lot 1; thence

North along the East line of said Lot 1, 170 feet more or less to the South line of Lot 2, Block 4, Lenz Lakewood Park extended East; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4,Lenz Lakewood Park 170 feet more or less to the shore line of Lake Coeur d' Alene; thence

East 50 feet to the Point of Beginning.

Parcel 5:

Lot 1, Block 2, LENZ LAKEWOOD PARK, Kootenai County, State of Idaho, according to the plat recorded in Book "D" of Plats at page 137.

Parcel 6:

Lots 11, 12 and 13, Block 4, LENZ LAKEWOOD PARK, Kootenai County, State of Idaho, all according to the plat recorded in Book "D" of Plats at page 137.

1608804

Parcel 7:

That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the Southwest corner of Lot 1 of the Minnechewa Park Subdivision, Kootenai County, (now vacated); thence

North 33° East, in accordance with the survey plat of said Minnechewa Park Subdivision and North 28°42' East in accordance with Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, which point is on the North right of way boundary line of an existing county road, and which point is the True Point of Beginning; thence

North 33° East, in accordance with the Minnechewa Park Subdivision plat and North 28°42' East, in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 86.27 feet to a point, which is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County and which point is East 370 feet from the West boundary lien of Government Lot 1; thence

North 57° West in accordance with the Minnechewa Park Subdivision survey plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 151.3 feet; thence

South 27°18'30" East in accordance with the Minnechewa Park Subdivision survey plat and south 31°36'30" East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 17.16 feet to the True Point of Beginning

Instrument Number

DANIEL J. ENGLISH GP I 2202925000
KOOTENAI CO. RECORDER Page 1 of 6
BBB Date 03/27/2009 Time 11:20:34
REC-REQ OF NORTH IDAHO TITLE INSURA
RECORDING FEE: 18.00
2202925000 DD

Escrow No.: 6001-23618-JAH

WARRANTY DEED

FOR VALUE RECEIVED, **ROCKFORD BAY INVESTMENTS, L.L.C., AN IDAHO LIMITED LIABILITY COMPANY,** Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **WASHINGTON TRUST BANK, A WASHINGTON CORPORATION,** Grantee, whose address is: PO BOX 2127, SPOKANE, WA 99210-2127, the following described premises, County of KOOTENAI, State of IDAHO, to-wit:

~TRACT A:~
A PORTION OF PARCEL OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS SOUTH 89 DEGREES 57'09" WEST, 330.97 FEET FROM THE SOUTHEAST CORNER OF SECTION 7;

THENCE CONTINUING SOUTH 89 DEGREES 57'09" WEST, 330.97 FEET TO A POINT;

THENCE NORTH 0 DEGREES 11'23" EAST, 638.53 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 48'09" EAST, 163.90 FEET TO A POINT;

THENCE SOUTH 46 DEGREES 32'30" EAST, 226.54 FEET TO A POINT;

THENCE SOUTH 0 DEGREES 13'13" WEST, 484.32 FEET TO THE POINT OF BEGINNING.

~TRACT B:~
THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 7, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN.

AND

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 7, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 7;

THENCE NORTH ALONG THE EAST LINE 647.70 FEET;

THENCE WEST 330.90 FEET;

THENCE SOUTH 644.65 FEET TO A POINT;

THENCE EAST 330.97 FEET ALONG THE SOUTH LINE TO THE POINT OF BEGINNING.

~TRACT C (CONSISTS OF 2 PARCELS):~
~PARCEL ONE:~
ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 7;

THENCE SOUTH 0 DEGREES 09'57" WEST, 1314.88 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 50'50" WEST, 330.59 FEET;

THENCE NORTH 0 DEGREES 10'35" EAST, 1314.24 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 7;

EXHIBIT C

THENCE NORTH 89 DEGREES 44'08" EAST, 330.35 FEET TO THE POINT OF BEGINNING.

~PARCEL TWO:~
A PARCEL OF LAND SITUATE IN GOVERNMENT LOT 8, AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 7, A 1/2 INCH REBAR WITH YELLOW CAP MARKED WELBORN 1020;

THENCE SOUTH 89 DEGREES 44'08" WEST, 330.35 FEET TO A 1/2 INCH REBAR WITH YELLOW CAP MARKED PLS 4182;

THENCE SOUTH 00 DEGREES 10'35" WEST, 1314.24 FEET TO A 1/2 INCH REBAR WITH YELLOW CAP MARKED PLS 4182;

THENCE SOUTH 89 DEGREES 50'50" WEST, 330.58 FEET TO A 1/2 INCH REBAR WITH YELLOW CAP MARKED PLS 4182;

THENCE NORTH 00 DEGREES 11'12" EAST, 1324.22 FEET THE SOUTHERLY RIGHT OF WAY LINE OF THE COUNTY ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 57'46" EAST, 660.68 FEET TO A POINT THAT BEARS NORTH 00 DEGREES 09'57" EAST, 8.00 FEET FROM THE EAST QUARTER CORNER OF SECTION 7;

THENCE SOUTH 00 DEGREES 09'57" WEST, 8.00 FEET TO THE POINT OF BEGINNING.

~TRACT D (CONSISTS OF 7 PARCELS):~
~PARCEL 1:~
THE WEST 128 FEET OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN;

EXCEPT THAT PORTION DESCRIBED IN WARRANTY DEED TO THE STATE OF IDAHO DEPARTMENT OF FISH AND GAME, DATED NOVEMBER 5, 1974 AND RECORDED NOVEMBER 19, 1974 AS INSTRUMENT NO. 661608, RECORDS OF KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF THE MINNECHEWA PARK SUBDIVISION, KOOTENAI COUNTY (NOW VACATED);

THENCE NORTH 33 DEGREES EAST IN ACCORDANCE WITH THE SURVEY PLAT OF THE MINNECHEWA PARK SUBDIVISION AND NORTH 28 DEGREES 42' EAST IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION SURVEY PLAT, A DISTANCE OF 94.73 FEET TO A POINT, WHICH POINT IS ON THE NORTH RIGHT OF WAY BOUNDARY LINE OF AN EXISTING COUNTY ROAD;

THENCE CONTINUING NORTH 33 DEGREES EAST IN ACCORDANCE WITH MINNECHEWA PARK SUBDIVISION PLAT AND NORTH 28 DEGREES 42' EAST IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANCE OF 86.27 FEET TO A POINT, WHICH POINT IS THE NORTHEAST CORNER OF A LAND TRACT RECORDED AS INSTRUMENT NO. 609242 IN BOOK 258 AT PAGE 209, RECORDS OF KOOTENAI COUNTY, AND WHICH POINT IS EAST 370 FEET DISTANCE FROM THE WEST BOUNDARY LINE OF SAID GOVERNMENT LOT 1;

THENCE NORTH 57 DEGREES WEST, IN ACCORDANCE WITH THE MINNECHEWA PARK SUBDIVISION PLAT AND NORTH 61 DEGREES 18' WEST IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANCE OF 151.3 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF THAT PROPERTY RECORDED AS INSTRUMENT NO. 609242, WHICH POINT IS THE TRUE POINT OF BEGINNING;

THENCE NORTH 12 DEGREES 56' WEST, IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANCE OF 100.4 FEET TO A POINT;

THENCE NORTH 61 DEGREES 18' WEST, A DISTANCE OF 37 FEET TO A POINT;

THENCE SOUTH 28 DEGREES 42' WEST, A DISTANCE OF 178.46 FEET, MORE OR LESS, TO A POINT ON THE NORTH RIGHT OF WAY BOUNDARY LINE OF AN EXISTING COUNTY ROAD;

THENCE SOUTH 59 DEGREES 20' EAST, ALONG THE NORTH RIGHT OF WAY BOUNDARY LINE OF SAID COUNTY ROAD, A DISTANCE OF 37.02 FEET TO A POINT ON THE WEST BOUNDARY LINE OF THAT PROPERTY RECORDED AS INSTRUMENT NO. 609242;

THENCE NORTH 28 DEGREES 42' EAST, ALONG SAID WEST PROPERTY LINE, A DISTANCE OF 103.39 FEET TO A POINT, WHICH POINT IS THE NORTHWEST CORNER OF THAT PROPERTY RECORDED AS INSTRUMENT NO. 609242;

THENCE SOUTH 61 DEGREES 18' EAST, ALONG SAID PROPERTY BOUNDARY LINE, A DISTANCE OF 66.7 FEET TO THE TRUE POINT OF BEGINNING.

~PARCEL 2:~
THAT PORTION OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH SIDE OF THE COUNTY ROAD, WHERE A LINE PARALLEL AND 128 FEET EAST OF THE WEST LINE OF LOT 1, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, INTERSECTS SAID ROAD;

THENCE NORTH, PARALLEL WITH THE WEST LINE OF SAID LOT 1, TO THE NORTH LINE OF SAID LOT 1;

THENCE EAST ALONG THE NORTH LINE OF LOT 1, 242 FEET;

THENCE SOUTH ON A STRAIGHT LINE ABOUT 533 FEET TO THE NORTHEAST CORNER OF A TRACT DEEDED TO THE SCHOOL DISTRICT NO. 64;

THENCE WEST ALONG THE NORTH SIDE OF SAID SCHOOL TRACT, 209 FEET TO THE NORTHWEST CORNER OF SAID SCHOOL DISTRICT;

THENCE SOUTH ALONG THE WEST LINE OF SAID SCHOOL DISTRICT 160 FEET;

THENCE IN A NORTHWESTERLY DIRECTION ON A STRAIGHT LINE TO THE POINT OF BEGINNING, KOOTENAI COUNTY, IDAHO.

EXCEPT THAT PORTION DESCRIBED IN WARRANTY DEED TO THE STATE OF IDAHO DEPARTMENT OF FISH AND GAME, DATED NOVEMBER 5, 1974 AND RECORDED NOVEMBER 19, 1974 AS INSTRUMENT NO. 661608, RECORDS OF KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF THE MINNECHEWA PARK SUBDIVISION, KOOTENAI COUNTY (NOW VACATED);

THENCE NORTH 33 DEGREES EAST, IN ACCORDANCE WITH THE SURVEY PLAT OF THE MINNECHEWA PARK SUBDIVISION AND NORTH 28 DEGREES 42' EAST, IN ACCORDANCE WITH LENZ LAKEWOOD PARK SUBDIVISION SURVEY PLAT, A DISTANCE OF 94.73 FEET TO A POINT, WHICH POINT IS ON THE NORTH RIGHT OF WAY BOUNDARY LINE OF AN EXISTING COUNTY ROAD;

THENCE CONTINUING NORTH 33 DEGREES EAST IN ACCORDANCE WITH MINNECHEWA PARK SUBDIVISION PLAT AND NORTH 28 DEGREES 42' EAST, IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANCE OF 86.27 FEET TO A POINT, WHICH POINT IS THE NORTHEAST CORNER OF A LAND TRACT RECORDED AS INSTRUMENT NO. 609242 IN BOOK 258 AT PAGE 209, RECORDS OF KOOTENAI COUNTY, AND WHICH POINT IS EAST 370 FEET DISTANCE FROM THE WEST BOUNDARY LINE OF SAID GOVERNMENT LOT 1;

THENCE NORTH 57 DEGREES WEST, IN ACCORDANCE WITH THE MINNECHEWA PARK SUBDIVISION PLAT AND NORTH 61 DEGREES 18' WEST IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANCE OF 151.3 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF THAT PROPERTY RECORDED AS INSTRUMENT NO. 609242, WHICH POINT IS THE TRUE POINT OF BEGINNING;

THENCE NORTH 12 DEGREES 56' WEST, IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANEC OF 100.4 FEET TO A POINT;

THENCE NORTH 61 DEGREES 18' WEST, A DISTANCE OF 37 FEET TO A POINT;

THENCE SOUTH 28 DEGREES 42' WEST, A DISTANCE OF 178.46 FEET, MORE OR LESS, TO A POINT ON THE NORTH RIGHT OF WAY BOUNDARY LINE OF AN EXISTING COUNTY ROAD;

THENCE SOUTH 59 DEGREES 20' WEST, ALONG THE NORTH RIGHT OF WAY BOUNDARY LINE OF SAID COUNTY ROAD, A DISTANCE OF 37.02 FEET TO A POINT ON THE WEST BOUNDARY LINE OF THAT PROPERTY RECORDED AS INSTRUMENT NO. 609242;

THENCE NORTH 28 DEGREES 42' EAST, ALONG SAID WEST PROPERTY BOUNDARY LINE, A DISTANCE OF 103.39 FEET TO A POINT, WHICH POINT IS THE NORTHWEST CORNER OF THAT PROPERTY RECORDED AS INSTRUMENT NO. 609242;

THENCE SOUTH 61 DEGREES 18' EAST, ALONG SAID PROPERTY BOUNDARY LINE, A DISTANCE OF 66.7 FEET TO THE TRUE POINT OF BEGINNING.

~PARCEL 3:~
THE EAST 90 FEET OF LOT 2, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, STATE OF IDAHO, LYING SOUTH OF THE COUNTY ROAD;

~PARCEL 4:~
GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, STATE OF IDAHO.

EXCEPT THE WEST 370 FEET THEREOF;

ALSO EXCEPT THE PLAT OF LENZ LAKEWOOD PARK, KOOTENAI COUNTY, STATE OF IDAHO, RECORDED IN BOOK "D" OF PLATS AT PAGE 137;

ALSO EXCEPT THAT PORTION OF GOVERNMENT LOT 1, DESCRIBED AS FOLLOWS:

BEGINNING IN THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1;

THENCE NORTH ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1, 150 FEET, MORE OR LESS, TO A POINT OF 20 FEET SOUTH OF THE SOUTH LINE OF LOT 1, BLOCK 3, LENZ LAKEWOOD PARK;

THENCE WEST 50 FEET;

THENCE SOUTH ALONG THE EAST LINE OF LOT 1, BLOCK 4, LENZ LAKEWOOD PARK, 150 FEET, MORE OR LESS, TO THE SHORE LINE OF LAKE COEUR D'ALENE;

THENCE EAST 50 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT THAT PORTION CONVEYED IN WARRANTY DEED RECORDED APRIL 22, 1932, IN BOOK 98 OF DEEDS AT PAGE 292, RECORDS OF KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF MINNECHEWA PARK IN LOT 1, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST;

THENCE NORTH 33 DEGREES EAST, 181.0 FEET;

THENCE NORTH 57 DEGREES 7 WEST, 218.0 FEET;

THENCE SOUTH 33 DEGREES WEST, 160.0 FEET TO A POINT ON THE COUNTY ROAD;

THENCE SOUTHEASTERLY ALONG THE NORTH SIDE OF THE COUNTY ROAD TO THE POINT OF BEGINNING.

ALSO EXCEPT COUNTY ROADS.

ALSO EXCEPT THAT PORTION CONVEYED IN WARRANTY DEED RECORDED APRIL 2, 1962 AS INSTRUMENT NO. 464717 DEEDED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1, 170 FEET MORE OR LESS TO THE SOUTH LINE OF LOT 2, BLOCK 4, LENZ LAKEWOOD PARK EXTENDED EAST;

THENCE WEST 50 FEET;

THENCE SOUTH ALONG THE EAST LINE OF LOT 1, BLOCK 4, LENZ LAKEWOOD PARK, 170 FEET MORE OR LESS TO THE SHORE LINE OF LAKE COEUR D'ALENE;

THENCE EAST 50 FEET TO THE POINT OF BEGINNING.

~PARCEL 5:~
LOT 1, BLOCK 2, LENZ LAKEWOOD PARK, KOOTENAI COUNTY, STATE OF IDAHO, ACCORDING TO THE PLAT RECORDED IN BOOK "D" OF PLATS AT PAGE 137.

~PARCEL 6:~
LOTS 11, 12 AND 13, BLOCK 4, LENZ LAKEWOOD PARK, KOOTENAI COUNTY, STATE OF IDAHO, ALL ACCORDING TO THE PLAT RECORDED IN BOOK "D" OF PLATS AT PAGE 137.

~PARCEL 7:~
THAT PORTION OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 48 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF THE MINNECHEWA PARK SUBDIVISION, KOOTENAI COUNTY, (NOW VACATED);

THENCE NORTH 33 DEGREES EAST, IN ACCORDANCE WITH THE SURVEY PLAT OF SAID MINNECHEWA PARK SUBDIVISION AND NORTH 28 DEGREES 42' EAST, IN ACCORDANCE WITH LENZ LAKEWOOD PARK SUBDIVISION SURVEY PLAT, A DISTANCE OF 94.73 FEET TO A POINT, WHICH POINT IS ON THE NORTH RIGHT OF WAY BOUNDARY LINE OF AN EXISTING COUNTY ROAD, AND WHICH POINT IS THE TRUE POINT OF BEGINNING;

THENCE NORTH 33 DEGREES EAST, IN ACCORDANCE WITH THE MINNECHEWA PARK SUBDIVISION PLAT AND NORTH 28 DEGREES 42' EAST, IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION PLAT, A DISTANCE OF 86.27 FEET TO A POINT, WHICH IS THE NORTHEAST CORNER OF A LAND TRACT RECORDED AS INSTRUMENT NO. 609242 IN BOOK 258 AT PAGE 209, RECORDS OF KOOTENAI COUNTY AND WHICH POINT IS EAST 370 FEET FROM THE WEST BOUNDARY LINE OF GOVERNMENT LOT 1;

THENCE NORTH 57 DEGREES WEST, IN ACCORDANCE WITH THE MINNECHEWA PARK SUBDIVISION SURVEY PLAT AND NORTH 61 DEGREES 18' WEST, IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION SURVEY PLAT, A DISTANCE OF 151.3 FEET;

THENCE SOUTH 27 DEGREES 18'30" EAST, IN ACCORDANCE WITH THE MINNECHEWA PARK SUBDIVISION SURVEY PLAT AND SOUTH 31 DEGREES 36'30" EAST, IN ACCORDANCE WITH THE LENZ LAKEWOOD PARK SUBDIVISION SURVEY PLAT, A DISTANCE OF 174.16 FEET TO THE TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever, and the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT GENERAL TAXES FOR THE YEAR 2009 (NOTE YET DUE OR PAYABLE) AND EASEMENTS, COVENANTS, RESTRICTIONS, AND CONDITIONS OF RECORD.

And that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED. March 26, 2009

ROCKFORD BAY INVESTMENTS, L.L.C., AN IDAHO
LIMITED LIABILITY COMPANY

By:_____
CHAD ROUNTREE, AUTHORIZED
REPRESENTATIVE

State of Idaho)
)ss.
County of Kootenai)

On this 27 day of March, 2009, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared CHAD ROUNTREE, known or identified to me to be the Authorized Representative of ROCKFORD BAY INVESTMENTS, L.L.C., the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

Notary Public for the State of Idaho
Residing at: Post Falls ID
Commission Expires: 10.31.2009

NANCY E. NICK NOTARY PUBLIC STATE OF IDAHO

No. W 9260	Due no later than Jul 31, 2012 **Annual Report Form**	2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 **NO FILING FEE IF RECEIVED BY DUE DATE**	**1. Mailing Address: Correct in this box if needed.** ROCKFORD BAY INVESTMENTS, L.L.C. MARSHALL R CHESROWN PO BOX 3070 COEUR D'ALENE ID 83816 USA	NANCY NICK 9889 W GALLOP LN POST FALLS ID 83854 3. New Registered Agent Signature:*

4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.

Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	MARSHALL R CHESROWN	PO BOX 3070	COEUR D'ALENE	ID	USA	83816

5. Organized Under the Laws of:	6. Annual Report must be signed.*	
ID W 9260	Signature: Nancy Nick	Date: 07/31/2012
	Name (type or print): Nancy Nick	Title: Registered Agent
Processed 07/31/2012	* Electronically provided signatures are accepted as original signatures.	

EXHIBIT D

FILED

99 SEP 24 PM 4:02

STATE OF IDAHO

ARTICLES OF INCORPORATION

OF

ROCKFORD BAY MARINA, INC.

The undersigned, acting as incorporators of a corporation under the Idaho Business Corporation Act, adopt the following Articles of Incorporation for such corporation:

FIRST: The name of the corporation is: ROCKFORD BAY MARINA, INC

SECOND: The period of its duration is perpetual.

THIRD: The purpose or purposes for which the corporation is organized are: The transaction of a business and any or all other lawful business for which corporations may be incorporated under the Idaho Business Corporation Act.

FOURTH: The aggregate number of shares which the corporation shall have authority to issue is 100,000 of which 100,000 shall have voting rights. The shares shall have no par value.

FIFTH: The address of the initial registered office of the corporation is 1322 W. Kathleen Avenue, Suite 2, Coeur d'Alene, Idaho 83815, and the name and address of its initial registered agent is: Steven C. Wetzel, 1322 W. Kathleen Avenue, Suite 2, Coeur d'Alene, Idaho 83815

SIXTH: The number of Directors shall be set by the Bylaws but the initial Board of Directors of the corporation shall be 3, and the name(s) and address(es) of the person(s) who is/are to serve as Director(s) until the first annual meeting of shareholders

IDAHO SECRETARY OF STATE
09/24/1999 09:00
CK: none CT: 3934 BH: 252759
1 @ 100.00 = 100.00 CORP # 2
EXPEDITE 60.00 EXPEDITE C # 3
C130550

EXHIBIT E

or until its successors are elected and qualified is/are:

NAME	ADDRESS
Marshall R. Chesrown	615 Kidd Island Bay Road Coeur d'Alene, Idaho 83816
George W. Schillinger	P.O Box 977 Wheatridge Colorado 80034
Beverly Rath	P O Box 977 Wheatridge Colorado 80034

SEVENTH: The name and address of the incorporator is:

NAME	ADDRESS
Ronald P. Ringel	1322 W. Kathleen Avenue, Suite 2 Coeur d'Alene, Idaho 83815

DATED this 24th day of September, 1999.

Ronald P. Ringel
RONALD P RINGEL

STATE OF IDAHO)
) ss.
County of Kootenai)

I, Nancy E. Chambers, a Notary Public, do hereby certify that on this 24th day of September, 1999, personally appeared before me, RONALD P RINGEL who, being by me first duly sworn, declared that he signed the foregoing document, and that the statements therein contained are true.

NANCY E. CHAMBERS
NOTARY PUBLIC
STATE OF IDAHO

Notary Public and for the State of Idaho
Residing at: CdA
My Commission Expires: 10-31-2005

ROCKFORD BAY RESORT & MARINA, INC.

Telephone (208).664.6831
Facsimile (208).664.6018

September 24, 1999

Idaho Secretary of State
Corporations Division
700 W. Jefferson
P.O. Box 83720
Boise, ID 83720-0080

Re: [redacted] Rockford Bay

Dear Secretary of State:

The undersigned, being an officer of Rockford Bay Resort & Marina, Inc., an Idaho Corporation in good standing, does hereby grant Rockford Bay Marina permission to use the name "Rockford Bay Marina" in and as it's corporate name.

Thank you.

Sincerely,

G. Hyatt

Geraldine Hyatt, President
Rockford Bay Resort & Marina, Inc.

cc: Steven C. Wetzel, Esquire

ARTICLES OF AMENDMENT
(General Business)

00 DEC 21 AM 9:22
SECRETARY OF STATE
STATE OF IDAHO

To the Secretary of State of the State of Idaho
Pursuant to Title 30, Chapter 1, Idaho Code, the undersigned corporation amends its articles of incorporation as follows:

1. The name of the corporation is: ROCKFORD BAY MARINA, INC.

2. The text of each amendment is as follows:

The name of the Corporation shall be BLACK ROCK MARINA, INC.

FILED/EFFECTIVE
00 DEC 22 PM 2:19
SECRETARY OF STATE
STATE OF IDAHO

3. The date of adoption of the amendment(s) was: 12.1.00

4. Manner of adoption (check one):

☐ The amendment consists exclusively of matters which do not require shareholder action pursuant to section 30-1-1002, Idaho Code, and was, therefore, adopted by the board of directors.

☐ None of the corporation's shares have been issued and was, therefore, adopted by the ☐ incorporator ☐ board of directors.

☒ The number of shares outstanding and entitled to vote was _____

The number of shares cast for and against each amendment was:

Amended article	Shares for	Shares against
The sole shareholder unanimously adopted the amendment.		

Customer Acct #:
(if using pre-paid account)

Secretary of State use only
IDAHO SECRETARY OF STATE
12/22/2000 09:00
CK: 2655 CT: 139960 BH: 368532
1 @ 30.00 = 30.00 AMEND PROF # 2
C130550

Dated: _____

Signed by: _____

Its President Marshall R. Chesrown
(Capacity of signer)

EXHIBIT F

CLIFFORD T. HAYES 17P I 2306314000
KOOTENAI CO. RECORDER Page 1 of 17
BBB Date 03/16/2011 Time 12:10:01
REC-REQ OF ALLIANCE TITLE
RECORDING FEE: 58.00
2306314000 DD

8

Filed for Record at Request of and
copy returned to:

Dean Oberst
Washington Trust Bank
717 W. Sprague Ave
Spokane, WA 99201

100328

DEED

FOR VALUE RECEIVED, WASHINGTON TRUST BANK, a Washington corporation, whose current address is Corporate Banking, 717 West Sprague Avenue, Spokane, Washington 99201, of the County of Spokane, State of Washington, as Grantor, does hereby convey, release, remise, and forever quit claim unto THE MARINA AT BLACK ROCK, LLC, an Idaho limited liability company, whose address is 18168 S. Kimberlite Drive, Coeur d'Alene, Idaho 83814, of the County of Kootenai, State of Idaho, as Grantee, the following described premises which is located in Kootenai County, Idaho, to wit:

GDB 3/14/01

Legal Description: See Exhibit A hereto,

together with all existing buildings, improvements, fixtures, easements, rights of way, appurtenances, water rights, docks, dock permits, ditch rights (including stock in utilities with ditch or irrigation rights), and all other rights, royalties, and property relating to the real property described in Exhibit A hereto, including without limitation all minerals, oil, gas, geothermal and similar matters, but

SUBJECT TO Exceptions 1 through 6 and 18 through 51 set forth in Exhibit B hereto.

Grantor warrants that it possesses title to the above-described property, subject to the above-described exceptions.

EXHIBIT G

Dated: March 15th, 2011.

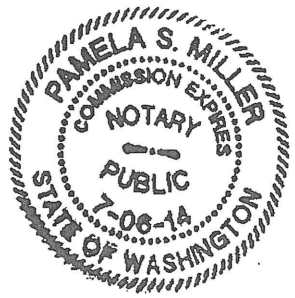
WASHINGTON TRUST BANK

By _____
Gregory Siverly
Assistant ~~Vice~~ President

STATE OF WASHINGTON)
: ss
County of Spokane)

On this 15th day of March, 2011, before me personally appeared Gregory Siverly, to me known to be an Assistant Vice President of Washington Trust Bank, the corporation that executed the foregoing instrument, and the officer acknowledged on oath that he was authorized to execute the said instrument on behalf of said corporation.

GIVEN UNDER MY HAND AND OFFICIAL SEAL the day and year in this certificate first above written.



(Seal or Stamp)

Pamela S. Miller
Notary Public (Signature)
Pamela S. Miller
(Print Name)
My appointment expires: 7-6-2014

K:\1725585\00007\17034_TR\17034A25TF

EXHIBIT A

Ref: 100328AC

TRACT A:
A portion of parcel of land in the Southeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Beginning at a point that is South 89°57'09" West, 330.97 feet from the Southeast corner of Section 7; thence

Continuing South 89°57'09" West, 330.97 feet to a point; thence

North 0°11'23" East, 638.53 feet to a point; thence

South 89°48'09" East, 163.90 feet to a point; thence

South 46°32'30" East, 226.54 feet to a point; thence

South 0°13'13" West, 484.32 feet to the Point of Beginning.

TRACT B:
The East Half of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter, Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

AND

A parcel of land in the Southeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 7; thence

North along the East line 647.70 feet; thence

West 330.90 feet; thence

South 644.65 feet to a point; thence

East 330.97 feet along the South line to the Point of Beginning.

TRACT C (Consists of 2 Parcels):
Parcel One:
All that portion of the Northeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

Beginning at the East Quarter corner of said Section 7; thence

South 0°09'57" West, 1314.88 feet to the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence

South 89°50'50" West, 330.59 feet; thence

North 00°10'35" East, 1314.24 feet to a point on the North line of said Southeast Quarter of Section 7; thence

North 89°44'08" East, 330.35 feet to the Point of Beginning.

Parcel Two:
A parcel of land situated in Government Lot 8, and the West Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter, and the West Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Beginning at the East Quarter corner of said Section 7, a ½ inch rebar with yellow cap marked Welborn 1020; thence

South 89°44'08" West, 330.35 feet to a ½ inch rebar with yellow cap marked PLS 4182; thence

South 00°10'35" West, 1314.24 feet to a ½ inch rebar with yellow cap marked PLS 4182; thence

South 89°50'50" West, 330.58 feet to a ½ inch rebar with yellow cap marked PLS 4182; thence

North 00°11'12" East, 1324.22 feet to the Southerly right of way line of the County Road; thence

Along said Southerly right of way line, North 89°57'46" East, 660.68 feet to a point that bears North 00°09'57" East, 8.00 feet from the East Quarter corner of Section 7; thence

South 00°09'57" West, 8.00 feet to the Point of Beginning.

TRACT D (Consists of 7 Parcels):
Parcel 1:
The West 128 feet of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

Except that portion described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minnechewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East in accordance with the survey plat of the Minnechewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, which point is on the North right of way boundary line of an existing County Road; thence

Continuing North 33° East in accordance with Minnechewa Park Subdivision Plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West, in accordance with the Minnechewa Park Subdivision Plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the True Point of Beginning; thence

North 12°56' West, in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point on the North right of way boundary line of an existing County Road; thence

South 59°20' East along the North right of way boundary line of said County Road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the True Point of Beginning.

Parcel 2:
That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

Beginning at a point on the North side of the County Road where a line parallel and 128 feet East of the West line of Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, intersects said road; thence

North parallel with the West line of said Lot 1, to the North line of said Lot 1; thence

East along the North line of Lot 1, 242 feet; thence

South on a straight line about 533 feet to the Northeast corner of a tract deeded to the School District No. 64; thence

West along the North side of said School Tract, 209 feet to the Northwest corner of said School District; thence

South along the West line of said School District 160 feet; thence

In a Northwesterly direction on a straight line to the Point of Beginning, Kootenai County, Idaho.

Except that portion described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minnechewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East, in accordance with the survey plat of the Minnechewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point; which point is on the North right of way boundary line of an existing County Road; thence

Continuing North 33° East in accordance with Minnechewa Park Subdivision Plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Interstate No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West in accordance with the Minnechewa Park Subdivision Plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the True Point of Beginning; thence

North 12°56' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point, on the North right of way boundary line of an existing County Road; thence

South 59°20' West along the North right of way boundary line of said County Road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the True Point of Beginning.

Parcel 3:
The East 90 feet of Lot 2, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying South of the County Road.

Parcel 4:
Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

Except the West 370 feet thereof;

Also except the Plat of Lenz Lakewood Park, Kootenai County, State of Idaho, recorded in Book D of Plats at page 137;

Also except that portion of Government Lot 1, described as follows:

Beginning in the Southeast corner of said Government Lot 1; thence

North along the East line of said Government Lot 1, 150 feet, more or less, to a point of 20 feet South of the South line of Lot 1, Block 3, Lenz Lakewood Park; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park, 150 feet, more or less, to the shore line of Lake Coeur d' Alene; thence

East 50 feet to the True Point of Beginning.

Also except that portion conveyed in Warranty Deed recorded April 22, 1932, in Book 98 of Deeds at page 292, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of Minnechewa Park in Lot 1, Section 18, Township 48 North, Range 4 West; thence

North 33° East, 181.0 feet; thence

North 57° West, 218.0 feet; thence

South 33° West, 160.0 feet to a point on the County Road; thence

Southeasterly along the North side of the County Road to the Point of Beginning.

Also except County Roads.

Also except that portion conveyed in Warranty Deed recorded April 2, 1962 as Instrument No. 464717 deeded as follows:

Beginning at the Southeast corner of said Lot 1; thence

North along the East line of said Lot 1, 170 feet more or less to the South line of Lot 2, Block 4, Lenz Lakewood Park extended East; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park 170 feet more or less to the shore line of Lake Coeur d' Alene; thence

East 50 feet to the Point of Beginning.

Parcel 5:
Lot 1, Block 2, Lenz Lakewood Park, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats at page 137.

Parcel 6:
Lots 11, 12 and 13, Block 4, Lenz Lakewood Park, Kootenai County, State of Idaho, all according to the plat recorded in Book D of Plats at page 137.

Parcel 7:
That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minnechewa Park Subdivision, Kootenai County, (now vacated); thence

North 33° East, in accordance with the survey plat of said Minnechewa Park Subdivision and North 28°42' East in accordance with Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, which point is on the North right of way boundary line of an existing county road, and which point is the True Point of Beginning; thence

North 33° East, in accordance with the Minnechewa Park Subdivision plat and North 28°42' East, in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 86.27 feet to a point, which is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County and which point is East 370 feet from the West boundary line of Government Lot 1; thence

North 57° West in accordance with the Minnechewa Park Subdivision survey plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 151.3 feet; thence

South 27°18'30" East in accordance with the Minnechewa Park Subdivision survey plat and South 31°36'30" East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 174.16 feet to the True Point of Beginning.

EXHIBIT B

SCHEDULE B - SECTION II

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

7. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
   Amounts shown do not include interest or penalty if delinquent.
   Parcel Number: 48N04W077300
   AIN: 153558
   Year: 2010
   Taxes billed: $714.64
   Taxes paid: $357.32
   Taxes billed include a solid waste assessment in the amount of $.00
   Taxes as billed include the following exemptions: None

8. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
   Amounts shown do not include interest or penalty if delinquent.
   Parcel Number: 48N04W077700
   AIN: 153907
   Year: 2010
   Taxes billed: $720.42
   Taxes paid: $360.21
   Taxes billed include a solid waste assessment in the amount of $.00
   Taxes as billed include the following exemptions: None

9. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 48N04W079050
AIN: 146058
Year: 2010
Taxes billed: $402.46
Taxes paid: $201.23
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

10. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 48N04W079450
AIN: 153108
Year: 2010
Taxes billed: $488.88
Taxes paid: $244.44
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

11. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 48N04W079500
AIN: 162587
Year: 2010
Taxes billed: $505.56
Taxes paid: $252.78
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

12. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 48N04W180050
AIN: 148547
Year: 2010
Taxes billed: $1,646.96
Taxes paid: $823.48
Taxes billed include a solid waste assessment in the amount of $93.00
Taxes as billed include the following exemptions: None

13. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 48N04W180075
AIN: 140990
Year: 2010
Taxes billed: $15,207.90
Taxes paid: $7,603.95
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

14. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 48N04W180375
AIN: 112763
Year: 2010
Taxes billed: $7.64
Taxes paid: $3.82
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

15. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 049000020010
AIN: 130336
Year: 2010
Taxes billed: $412.60
Taxes paid: $206.30
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

16. General Taxes, including any assessment collected therewith. The first installment is not delinquent until after December 20th of the tax year, the second installment is not delinquent until after June 20th of the subsequent year.
Amounts shown do not include interest or penalty if delinquent.
Parcel Number: 04900004011A
AIN: 198811
Year: 2010
Taxes billed: $47.78
Taxes paid: $23.89
Taxes billed include a solid waste assessment in the amount of $.00
Taxes as billed include the following exemptions: None

17. Taxes, including any assessments collected therewith, for the year 2011 which are a lien not yet due and payable.

18. Any failure of the Kootenai County Treasurer's Office to provide information on all assessments owed.

19. Liens, levies and assessments of the North Rockford Bay Recreational Sewer District.

20. Liens, levies and assessments of the Lenz Lakewood Park Homeowners Association.

21. Rights of the State of ID in and to that portion of said premises, if any, lying in the bed or former bed of the Lake Coeur d'Alene, if it is navigable.
Affects Tract D

22. Any question of location, boundary or area related to the Lake Coeur d'Alene, including, but not limited to, any past or future changes in it.
Affects Tract D

23. Any prohibition or limitation on the use, occupancy, or improvements of the land resulting from the rights of the public, appropriators, or riparian owners to use any waters, which may now cover the land or to use any portion of the land which is now or may formerly have been covered by water.
Affects Tract D

24. The right of use, control, or regulation by the United States of America in exercise of power over navigation.
Affects Tract D

25. Any difference in the mean high water line of the Lake Coeur d'Alene and the meander line as shown by government survey.
Affects Tract D

26. Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of the land covered by water.
Affects Tract D

27. Any adverse claim based on the assertion that some portion of said land is now, or at any time has been within the boundaries of the Lake Coeur d'Alene or by reason of the fact or claim that any portion or portions thereof have been rendered un-navigable by artificial means, or has accreted to such portions so created.
Affects Tract D

28. Easement granted to The Washington Water Power Company granting the right to back and hold water upon and flood and overflow with water so much of said land lying below an elevation of 2128 feet above sea level.
Recorded: April 28, 1913
Book: 52 of Deeds, Page: 468
Affects Tract D

29. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Washington Water Power Company
Purpose: Public Utilities
Recorded: July 25, 1924
Book: 83 of Deeds, Page: 135
Affects Tracts A, B and C

30. Easement granted to The Washington Water Power Company granting the right to back and hold water upon and flood and overflow with water so much of said land lying below an elevation of 2128 feet above sea level.
Recorded: August 8, 1925
Book: 84 of Deeds, Page: 534
Affects Tract D

31. Condition in the deed filed for record June 6, 1946 and recorded in Book 132, Deeds, Page 345, records of Kootenai County, Idaho, from Jim Prout and Leathel Prout, his wife, to Frank W. Roberts and Mary E. Roberts, his wife as follows:

"The Grantees shall not plant any trees on the above described tract, nor permit or suffer any to be planted, nor shall the assignings or successors in interest of the grantees plant any trees on the premises. The object of this reservation is to preserve an unobstructed view of Lake Coeur d'Alene."
Affects Tract D

32. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Kootenai Rural Electrification Association, a corporation
Purpose: Public Utilities
Recorded: March 3, 1958
Book: 172, Page: 86
Affects Tract D

33. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Kootenai Rural Electrification Association, a corporation
Purpose: Public Utilities
Book: 190, Page: 135
Affects Tract D

34. Easements, reservations, notes and/or dedications as shown on the official plat of Lenz Lakewood Park
Affects Tract D

35. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Purpose: road purposes
Recorded: October 17, 1977
Book 286, Page 379
Affects Tract B

36. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: January 24, 1984
Book: 328, Page: 92
Affects Tract A

37. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: April 3, 1984
Book: 329, Page: 320
Affects Tract C

38. An easement for the purpose shown below and rights incidental thereto as reserved in a document:
Purpose: road
Recorded: April 26, 1984
Book 329, Page 854
Affects Tract C

39. Any adverse claim based upon the descrepancies of the bearings and distances of the East line of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, as disclosed by various surveys which include:
Book 4, Page 249; Book 10, Page 228; Book 4, Page 327; Book 11, Page 238; Book 8, Page 119 and Book 15, Page 62
Affects Tract C

40. An easement for the purpose shown below and rights incidental thereto as reserved in a document:
Purpose: ingress and egress
Recorded: February 26, 1986
Instrument No.: 1036599
Affects Tract B

41. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
Recorded: January 9, 1987
Book: 348, Page: 900
Affects Tract B

42. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
Recorded: July 19, 1991
Instrument No.: 1225501
Affects Tract B

43. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Granted To: Victor McDaniel and Loretta McDaniel, husband and wife
Recorded: April 2, 1993
Instrument No.: 1299397
Affects Tract C

44. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Granted To: Robert C. Lewis, etux
Purpose: ingress, egress and utilities
Recorded: February 7, 1995
Instrument No.: 1387287
Affects Tract D

45. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Granted To: Robert C. Lewis, etux
Purpose: sewer line and drainfield
Recorded: September 21, 1995
Instrument No.: 1414724
Affects Tract D

46. Right of the public in and to that portion of the premises lying within the right-of-way of Rockford Bay Road
Affects Tract D

47. Easements reservations and dedications, as shown on record of survey.
Recorded: December 28, 1999
Instrument No.: 1618502
Prepared by: Renaldo Land Surveying, Inc.
Affects Tract D

48. Easements reservations and dedications, as shown on record of survey.
Recorded: January 20, 2000
Instrument No.: 1621230
Prepared by: Inland Northwest Consultants
Affects Tract D

49. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: Kootenai Electric Cooperative, Inc.
Purpose: Public Utilities
Recorded: May 28, 2002
Instrument No.: 1734812
Affects Tract D

50. A Deed of Trust to secure an indebtedness in the amount shown below.
Amount: $1,600,000.00
Trustor/Grantor: Rockford Bay Investments, L.L.C.
Trustee: Alliance Title & Escrow Corp.
Beneficiary: Idaho Independent Bank
Dated: June 19, 2001
Recorded: June 20, 2001
Instrument No.:1683402
Affects Tract D

An appointment of Successor Trustee under said deed of trust which names as substituted Successor Trustee the following:
Trustee: Pioneer Title Company of Ada County, dba Pioneer Lender Trustee Services
Recorded: September 7, 2010
Instrument No.: 2280720000

A notice of default under the terms of said deed of trust:
Executed By: Pioneer Title Company of Ada County, dba Pioneer Lender Trustee Services
Recorded: December 30, 2010
Instrument No.: 2296944000

51. A Financing Statement filed in the Office of the County Recorder showing:
Debtor: Rockford Bay Investments, L.L.C.
Secured Party: Idaho Independent Bank
Recorded: August 30, 2001
Instrument No.: 1693557
Affects Tract D

END OF SCHEDULE B

JIM BRANNON 8 P 2675091000
KOOTENAI COUNTY RECORDER
JAJ 12/21/2018 1:07 PM
REQ OF KOOTENAI COUNTY TITLE COMPANY
RECORDING FEE: $15.00 DD
Electronically Recorded

RECORDING REQUESTED BY:

205179-KM

DEED

FOR VALUE RECEIVED, **THE MARINA AT BLACK ROCK, LLC,** an Idaho limited liability company of 4450 West Earhart Way, Chandler, Arizona 85226, does convey, release, remise, and forever quit claim unto **BLACK ROCK MARINA LLC,** an Idaho limited liability company, of 1250 Northwood Center Court, Suite A, Coeur d'Alene, Idaho 83814, as Grantee, the following described premises, which is located in Kootenai County, State of Idaho, to wit:

Legal Description: See Exhibit A hereto.

Together with all existing buildings, improvements, fixtures, easements, rights of way, appurtenances, water rights, docks, dock permits, dock leases, submerged lands leases, ditch rights (including stock in utilities with ditch or irrigation rights), and all other rights, royalties, and property relating to the real property described in Exhibit A hereto, including without limitation all minerals, oil, gas, geothermal and similar matters.

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/

EXHIBIT H

DATED: 12-20-18

GRANTOR:

THE MARINA AT BLACK ROCK, LLC
An Idaho limited liability company

By: _____
RON PRATTE
Manager

SIGN HERE

STATE OF California)
) ss.
County of Imperial)

On this 20th day of December, 2018, before me, the undersigned, a Notary Public in and for the said State and County, personally appeared, **RON PRATTE**, known or identified to me to be the Manager of The Marina at Black Rock, LLC, whose name is subscribed to the within instrument and who acknowledged that he is authorized to execute the same.

WITNESS my hand and official seal.

MONICA M. LEON
COMM. # 2218776
NOTARY PUBLIC - CALIFORNIA
IMPERIAL COUNTY
COMM. EXPIRES NOV. 15, 2021

_____
Notary Public in and for the State of California
Residing at: Calexico CA
My commission expires: 11/15/21

Notaries

BR MARINA TO BR MARINE.DEED.wpd

CHICAGO TITLE INSURANCE COMPANY

The Land is described as follows:

Parcel 1:

The West 128 feet of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT that portion described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No: 661608, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minneehewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East in accordance with the survey plat of the Minneehewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, is on the North right of way boundary line of an existing County Road; thence

Continuing North 33° East in accordance with Minneehewa Park Subdivision Plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West, in accordance with the Minneehewa Park Subdivision Plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision Plat; a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the TRUE POINT OF BEGINNING; thence

North 12°56' West, in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point on the North right of way boundary line of an existing County Road; thence

South 59°20' East along the North right of way boundary line of said County Road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the TRUE POINT OF BEGINNING.

Parcel 2:

That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, described as follows:

Beginning at a point on the North side of the County Road where a line parallel and 128 feet East of the West line of Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, intersects said road; thence

North parallel with the West line of said Lot 1, to the North line of said Lot 1; thence

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AMERICAN LAND TITLE ASSOCIATION

EXHIBIT A

East along the North line of Lot 1, 242 feet; thence

South on a straight line about 533 feet to the Northeast corner of a tract deeded to the School District No. 64; thence

West along the North side of said School Tract, 209 feet to the Northwest corner of said School District; thence

South along the West line of said School District 160 feet; thence

In a Northwesterly direction on a straight line to the POINT OF BEGINNING, Kootenai County, Idaho.

EXCEPT that portion described in Warranty Deed to the State of Idaho Department of Fish and Game, dated November 5, 1974 and recorded November 19, 1974 as Instrument No. 661608, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minneehewa Park Subdivision, Kootenai County (now vacated); thence

North 33° East, in accordance with the survey plat of the Minneehewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point; which point is on the North right of way boundary line of an existing County Road; thence

Continuing North 33° East in accordance with the Minneehewa Park Subdivision Plat and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 86.27 feet to a point, which point is the Northeast corner of a land tract recorded as Interstate No. 609242 in Book 258 at page 209, records of Kootenai County, and which point is East 370 feet distance from the West boundary line of said Government Lot 1; thence

North 57° West in accordance with the Minneehewa Park Subdivision Plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 151.3 feet to a point on the North boundary line of that property recorded as Instrument No. 609242, which point is the TRUE POINT OF BEGINNING; thence

North 12°56' West in accordance with the Lenz Lakewood Park Subdivision Plat, a distance of 100.4 feet to a point; thence

North 61°18' West, a distance of 37 feet to a point; thence

South 28°42' West, a distance of 178.46 feet, more or less, to a point, on the North right of way boundary line of an existing County Road; thence

South 59°20' East along the North right of way boundary line of said County Road, a distance of 37.02 feet to a point on the West boundary line of that property recorded as Instrument No. 609242; thence

North 28°42' East along said West property boundary line, a distance of 103.39 feet to a point, which point is the Northwest corner of that property recorded as Instrument No. 609242; thence

South 61°18' East along said property boundary line a distance of 66.7 feet to the TRUE PONT OF BEGINNING.

Parcel 3:

The East 90 feet of Lot 2, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying South of the County Road.

Parcel 4:

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AMERICAN LAND TITLE ASSOCIATION

CHICAGO TITLE INSURANCE COMPANY

Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT the West 370 feet thereof;

ALSO EXCEPT the Plat of Lenz Lakewood Park, Kootenai County, State of Idaho, recorded in Book D of Plats at page 137;

ALSO EXCEPT that portion of Government Lot 1, described as follows:

Beginning in the Southeast corner of said Government Lot 1; thence

North along the East line of said Government Lot 1, 150 feet, more or less, to a point of 20 feet South of the South line of Lot 1, Block 3, Lenz Lakewood Park; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park, 150 feet, more or less, to the shore line of Lake Coeur d'Alene; thence

East 50 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPT that portion conveyed in Warranty Deed recorded April 22, 1932, in Book 98 of Deeds at page 292, records of Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of Minneehewa Park in Lot 1, Section 18, Township 48 North, Range 4 West; thence

North 33° East, 181.0 feet; thence

North 57° West, 218.0 feet; thence

South 33° West, 160.0 feet to a point on the County Road; thence

Southeasterly along the North side of the County Road to the POINT OF BEGINNING.

ALSO EXCEPT County Roads.

ALSO EXCEPT that portion conveyed in Warranty Deed recorded April 2, 1962 as Instrument No. 464717 deed as follows:

Beginning at the Southeast corner of said Lot 1; thence

North along the East line of said Lot 1, 170 feet more or less to the South line of Lot 2, Block 4, Lenz Lakewood Park extended East; thence

West 50 feet; thence

South along the East line of Lot 1, Block 4, Lenz Lakewood Park 170 feet more or less to the shore line of Lake Coeur d'Alene; thence

East 50 feet to the POINT OF BEGINNING.

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AMERICAN LAND TITLE ASSOCIATION

ALSO EXCEPT that portion conveyed by Warranty recorded May 10, 2017 2593870000 and re-recorded May 10, 2017 as Instrument No. 2593877000, described as follows:

A parcel of land being a portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho and being described per plat as follows:

COMMENCING at the northeast corner of said Section 18; thence

Along the east line of Section 18, South 00°02'00" West, a distance of 1252.00 feet to the southeast corner of Lot 1, Block 3, Lenz Lakewood Park as recorded in Book D of Plats at page 137 being the POINT OF BEGINNING; thence

Along the south line of said Lot 1, Block 3, North 90°00'00" West, a distance of 50.00 feet to the northeast corner of Lot 1, Block 4, Lenz Lakewood Park; thence

Along the east line of said Lot 1, Block 4, South 00°02'00" West, a distance of 15.00 feet; thence

North 90°00'00" East, a distance of 50.00 feet to the east line of Section 18; thence

Along said east line of Section 18, North 00°02'00" East, a distance of 15.00 feet to the POINT OF BEGINNING.

Parcel 5:

Lot 1, Block 2, Lenz Lakewood Park, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats at page 137.

Parcel 6:

Lots 11, 12 and 13, Block 4, Lenz Lakewood Park, Kootenai County, State of Idaho, all according to the plat recorded in Book D of Plats at page 137.

Parcel 7:

That portion of Government Lot 1, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of Lot 1 of the Minneehewa Park Subdivision, Kootenai County, (now vacated); thence

North 33° East, in accordance with the survey plat of said Minneehewa Park Subdivision and North 28°42' East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 94.73 feet to a point, which point is on the North right of way boundary line of an existing county road, and which point is the TRUE POINT OF BEGINNING; thence

North 33° East, in accordance with the Minneehewa Park Subdivision plat and North 28°42" East, in accordance with the Lenz Lakewood Park Subdivision plat, a distance of 86.27 feet to a point, which is the Northeast corner of a land tract recorded as Instrument No. 609242 in Book 258 at page 209, records of Kootenai County and which point is East 370 feet from the West boundary line of Government Lot 1; thence

North 57° West in accordance with the Minneehewa Park Subdivision survey plat and North 61°18' West in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 151.3 feet; thence

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South 27°18'30" East in accordance with Minnehewa Park Subdivision survey plat and South 31°36'30" East in accordance with the Lenz Lakewood Park Subdivision survey plat, a distance of 174.16 feet to the TRUE POINT OF BEGINNING.

Parcel 8:

A parcel of land consisting of a portion of Tax Numbers 3050, 6104 and 13043, as described in correction Trustee Deed recorded under Instrument No. 1096802 and Warranty Deed recorded under Instrument No. 1418260, situated in Government Lot 2, Section 18, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Government Lot 2;

thence along the East line of said Government Lot 2, according to the aforementioned deeds recorded under Instrument No's. 1418260 and 1096802, South 01°03'20" East, 275.30 feet to the Southeast corner of Tax No. 9734;

thence along the South line of said Tax Number, South 88°57' West, 110.00 feet to the Northern most corner of Tax Number 13043, according to said Warranty Deed recorded under Instrument No. 1418260, THE POINT OF BEGINNING;

thence along the Northerly line of said Tax Number 13043, South 32°06' West, 69.15 feet to the Northwesterly corner of said Tax Number 13043, according to said Warranty Deed;

thence along the Westerly line of said Tax Number 13043, South 06°48' East, 114.49 feet to an angle point in the Westerly line of said Tax Number 13043, according to said Warranty Deed;

thence continuing along the Westerly line of said Tax Number 13043, South 45°10' West, 110.33 feet to the Northerly right of way line of Rockford Bay Road, County Road No. 66-C, according to said Warranty Deed;

thence along the Northerly right of way line of said County Road, South 76°35' East, 109.55 feet to the Southeast corner of said Tax Number 13043 which is the Southwest corner of said Tax Number 6104 on the West line of said Tax Number 3050, according to said correction Trustee Deed recorded under Instrument No. 1096802;

thence along the West line of said Tax Number 3050, South parallel with the East line of said Government Lot 2 to the mean high water mark of Lake Coeur d'Alene, according to said Correction Trustee Deed;

thence along the mean high water line of Lake Coeur d'Alene, Easterly, 20 feet, according to said Correction Trustee Deed;

thence Northerly, parallel with the East line of said Government Lot 2 to the Northerly right of way line of said Rockford Bay Road, County Road No. 66-C, according to said Correction Trustee Deed;

thence along the Northerly right of way line of said County Road, in a Southeasterly direction to the intersection with the East line of said Government Lot 2, according to said Correction Trustee Deed;

thence along the East line of said Government Lot 2, North 01°03'20" West, to a point that lies 350 feet North of the intersection of said East line of Government Lot 2 with the mean high water mark of Lake Coeur d'Alene;

thence parallel with the North line of said Government Lot 2, West, 110 feet to the East line of Tax No. 13043;

thence along the East line of said Government Lot 2, North 01°03'20" West, to the POINT OF BEGINNING.

Parcel 9:

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CHICAGO TITLE INSURANCE COMPANY

A parcel of land in the Southeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 7; thence

North along the East line 647.70 feet; thence

West 330.90 feet; thence

South 644.65 feet to a point; thence

East 330.97 feet along the South line to the POINT OF BEGINNING.

Parcel 10:

A portion of parcel of land in the Southeast Quarter of the Southeast Quarter of Section 7, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as follows:

Beginning at a point that is South 89°57'09" West, 330.97 feet from the Southeast corner of Section 7; thence

Continuing South 89°57'09" West, 330.97 feet to a point; thence

North 0°11'23" East, 638.53 feet to a point; thence

South 89°48'09" East, 163.90 feet to a point; thence

South 46°32'30" East, 226.54 feet to a point; thence

South 0°13'13" West, 484.32 feet to the POINT OF BEGINNING.

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