

**CONSENT TO ASSIGNMENT OF THE
FRISCO BAY MARINA CONCESSIONAIRE AGREEMENT
AND THE
FRISCO BAY MARINA FOOD AND BEVERAGE CONCESSIONAIRE'S LEASE
(Each for the Island Grill restaurant.)**

THIS CONSENT TO ASSIGNMENT OF THE FRISCO BAY MARINA CONCESSIONAIRE AGREEMENT AND THE FRISCO BAY MARINA FOOD AND BEVERAGE CONCESSIONAIRE'S LEASE (this "Consent"), is made and approved this 28th day of May, 2024, by the Town of Frisco, a Colorado municipal corporation.

WHEREAS, on or about May 23, 2023, the Town entered into that certain Frisco Bay Marina Concessionaire Agreement (the "Agreement"), and that certain Frisco Bay Marina Food and Beverage Concessionaire's Lease (the "Lease"), each with The Island Grill, Inc., a Colorado corporation, as the "Concessionaire" under the Agreement, and "Tenant," under the Lease; and

WHEREAS, the Agreement and the Lease prohibit the assignment or transfer of any rights or obligations thereunder without the prior written consent of the Town; and

WHEREAS, the Agreement and the Lease define an assignment or transfer as including any change in the parties that control the corporate entity that is the Concessionaire and the Tenant under Agreement and Lease, respectively;

WHEREAS, the Island Grill, Inc., is now, and has at all times during the term of the Agreement and Lease, been owned by Mr. Bobby Kato and Mr. Doug Sakata on a 51%/49% basis, respectively; and

WHEREAS, Mr. Sakata desires to purchase Mr. Kato's interest in The Island Grill, Inc., and has requested the Town's consent to the transfer of interest that such purchase constitutes under the Agreement and the Lease; and

WHEREAS, based on its experience with Mr. Sakata and his co-operation of the Island Grill restaurant with Mr. Kato, the Town desires to consent to that transfer of interest.

NOW THEREFORE, in consideration of the foregoing, and pursuant to Section 10 of the Agreement and Section 16 of the Lease, the Town of Frisco hereby consents to the transfer of Mr. Kato's interest in The Island Grill, Inc., to Mr. Sakata, such as to make Mr. Sakata the sole owner of the interests in the Island Grill, Inc., a Colorado corporation.

IN WITNESS WHEREOF the Town of Frisco, Colorado has caused this Agreement to be signed and executed on its behalf by its Mayor, and duly attested by its Town Clerk.

TOWN OF FRISCO, A COLORADO MUNICIPAL
CORPORATION

Fredrick J. Ihnken, Mayor

ATTEST:

Stacey Nell, Town Clerk