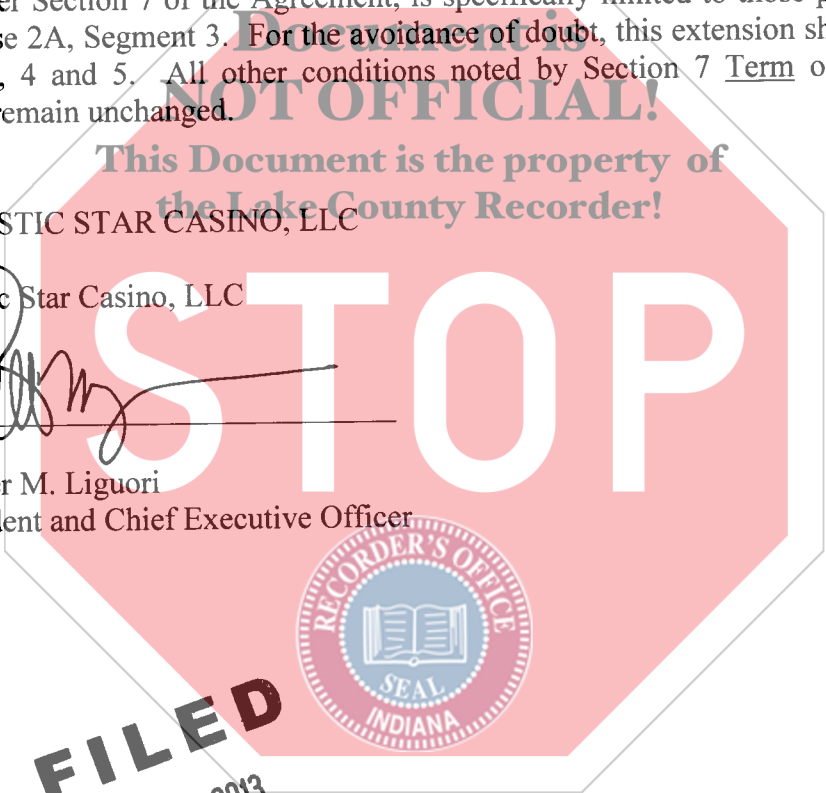


EXTENSION OF TERM FOR EASEMENT AGREEMENT  
(BHR (Now MSC) and City of Gary)

As recorded at Lake County Recorder's office on May 6, 2009 (#2009 029496).

By this document, the property owner (The Majestic Star Casino, LLC, an Indiana limited liability company ("MSC") with offices at One Buffington Harbor Drive, Gary, Indiana 46406, as successor in interest to BUFFINGTON HARBOR RIVERBOATS, LLC, a Delaware limited liability company ("BHR") agrees to extend the term of the EASEMENT AGREEMENT ("Agreement") made as of the 15<sup>th</sup> of April, 2009, by and between previous owner BHR and the CITY OF GARY, a municipal corporation established under the laws of the State of Indiana (the "City"), whose address is 401 Broadway, Gary, Indiana, Indiana, 46402.

The property owner agrees to extend the term of the Right of Way Easement, Utilities Easement and the Temporary Easement per Section 7 of the Agreement as amended herein to automatically terminate on **December 31, 2013**. The term of said easement shall be extended in perpetuity if construction on the Phase 2A - Segment 3 project has commenced prior December 31, 2013 date and thereafter proceeded to completion. This extension, per Section 7 of the Agreement, is specifically limited to those parcels which contain Phase 2A, Segment 3. For the avoidance of doubt, this extension shall not apply to Phases 3, 4 and 5. All other conditions noted by Section 7 Term of the subject Agreement remain unchanged.



THE MAJESTIC STAR CASINO, LLC

The Majestic Star Casino, LLC

By: 

Name: Peter M. Liguori  
Title: President and Chief Executive Officer



**FILED**  
JUL 10 2013

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

2013 050659

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORDING  
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