



PARTIAL VACATION OF PLAT AND RE-PLAT

WHEREAS, American Pizza Partners, L.P., a Delaware limited partnership, is the owner of Parcel 1 more particularly described on **Exhibit A**, attached hereto;

WHEREAS, and AKM, LLC, a Wyoming limited partnership, is the owner of Parcel 2 more particularly described on **Exhibit B**, attached hereto:

WHEREAS, American Pizza Partners, L.P. and AKM, LLC, as their interests may appear, are referred to hereinafter as the "Owners" and the above-described Parcel 1 and Parcel 2 hereinafter as the "Lots";

WHEREAS, Owners desire to vacate said Lots as being a portion of that subdivision known and shown on the Plat of Sheridan Commercial Park, to the City of Sheridan, and desire that the subdivision, be partially vacated as to said Lots, and the Lots be re-platted in accord with the fully executed plat filed contemporaneously herewith at the office of the Sheridan County Clerk for the purpose of re-platting said Lots as the "**Pizza Hut Subdivision**", which said plat is incorporated herein by reference;

WHEREAS, there are no other lots, tracts or parcels that have access to a public highway through said Lots, whether by easement for right of way or otherwise which would be adversely affected by the re-plat of said Lots;

WHEREAS, the undersigned acknowledge that any easements for existing utilities and public roads that may be within the boundaries of the vacated Lots are reserved for continued use to the extent necessary and not otherwise dealt with on the re-plat of the Lots; and

WHEREAS, partial vacation as to the above-described Lots would not reduce the value of other lots and tracts in the Subdivision;

THEREFORE, Owners hereby vacate partially the plats described above as to the Lots. The dedication of the Lots is hereby revoked and terminated in accordance with the approval and consent of the City of Sheridan, Sheridan County, Wyoming. Owners, by these presents, do make the above partial vacations for it and for its successors and assigns, and for all future owners of said Lots, as the same shall be re-platted as the **Pizza Hut Subdivision**.

Dated Effective the 8 day of December, 2015.



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EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

PARCEL 1 OWNER:

American Pizza Partners, L.P.,
a Delaware limited partnership

Terry Freund
By: Vice President of General Partner

STATE OF Kansas)
COUNTY OF Sedgewick)ss.

This instrument was acknowledged before me by Terry Freund, for American Pizza Partners, L.P., a Delaware limited partnership on the 8th day of December, 2015.

WITNESS my hand and official seal.



Debra J. Ward
Signature of Notarial Officer
Title: Notary Public

My Commission expires: 12-23-2016



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EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

PARCEL 2 OWNER:

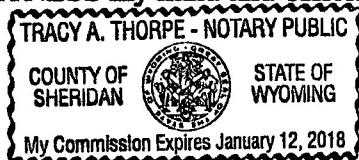
AKM, LLC, a Wyoming limited partnership

By: Caryn Magnuson

STATE OF Wyoming)
COUNTY OF Sheridan)ss.

This instrument was acknowledged before me by Caryn Magnuson for AKM, LLC, a Wyoming limited partnership on the day of December, 2015.

WITNESS my hand and official seal.



My Commission expires: 1-12-18

Tracy A Thorpe
Signature of Notarial Officer
Title: Notary Public

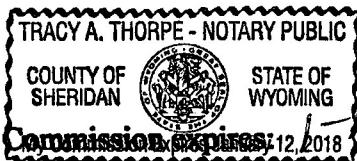
AKM, LLC, a Wyoming limited partnership

By: Kevin Magnuson

STATE OF Wyoming)
COUNTY OF Sheridan)ss.

This instrument was acknowledged before me by Kevin Magnuson for AKM, LLC, a Wyoming limited partnership on the day of December, 2015.

WITNESS my hand and official seal.



My Commission expires: 1-12-18

Tracy A Thorpe
Signature of Notarial Officer
Title: Notary Public



CONSENT OF LENDER:

By: _____
Title: _____

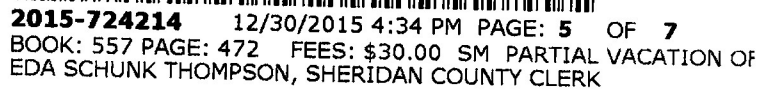
STATE OF _____)
)ss.
COUNTY OF _____)

This instrument was acknowledged before me by _____, as _____
_____ for AKM, LLC, on the _____ day of _____, 2015.

WITNESS my hand and official seal.


Signature of Notarial Officer
Title: Notary Public

My Commission expires:



THE FOREGOING PARTIAL VACATION OF PLAT is hereby approved by the undersigned Mayor of the City of Sheridan, Wyoming, this 30th day of December 2015.

By: John Smith
Title: Mayor


City Clerk — Finance & Administrative
Services Director

On this 28th day of December, 2015, before me appeared John Heath personally known to me to be the Mayor of The City of Sheridan, Wyoming, the municipal corporation described in, and which executed, the foregoing instrument; and that said instrument was executed on behalf of said municipality by authority of its _____.

_____ acknowledged said instrument to be the free and voluntary act and deed of said municipality.

Given under my hand and official seal this 28th day of December, 2015.

Seccato Barnhart
Signature of Notarial Officer
Title: Notary Public





EXHIBIT 'A'

All that portion of Block 9, Suburban Homes Company Addition to the City of Sheridan, Sheridan County, Wyoming, described as follows:

Beginning at a point on the Easterly line of Block 9 of said Suburban Homes Company Addition, said point being an iron pin located S. 23°19'00" E., 279.86 feet from the Northeast corner of said Block 9; thence S. 23°19'00" E., 120.17 feet to an aluminum cap on an iron pin; thence S. 66°40'40"W., 181.40 feet to an aluminum cap on an iron pin located on the Easterly Highway Right of Way; thence N. 09°28'06"W., 123.76 feet along said Right of Way to an iron pin; thence N. 66°41'00"E., 151.77 feet to the Point of Beginning.



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EXHIBIT 'B'

The South 100 feet of Block 9 of Suburban Homes Company Addition to the City of Sheridan, Sheridan County, Wyoming, EXCEPT that portion conveyed to the The State of Wyoming, by and Through its State Highway Commission as contained in Warranty Deed recorded January 12, 1960 in Book 124, Page 260.

ALSO: The North 100 feet of the South 200 feet of Block 9, of Suburban Homes Company Addition to the City of Sheridan, Sheridan County, Wyoming, EXCEPT that portion conveyed to the The State of Wyoming, by and Through its State Highway Commission as contained in Warranty Deed recorded January 12, 1960 in Book 124, Page 261.

NO. 2015-724214 PARTIAL VACATION OF PLAT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
RANDALL ENGINEERING SURVEYS 722 MONTE VISA
SHERIDAN WY 82801