

apn: ptn of 1320-30-501-0244
1320-30-802-027

WHEN RECORDED, MAIL TO:

Lance A. Dunkley, Esq.
Kirton McConkie Building
50 South Temple, Suite 400
Salt Lake City, Utah 84111

Escrow # 121-2434492-MCK

DOC # 830877
09/19/2013 12:13PM Deputy: SG
OFFICIAL RECORD
Requested By:
First American Title Reno
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 7 Fee: \$20.00
BK-913 PG-4207 RPTT: 0.00



AMENDMENT AND PARTIAL RELEASE OF OPTION (SHORT FORM)

This AMENDMENT AND PARTIAL RELEASE OF OPTION (SHORT FORM) (this "**Amendment**"), dated as of September 7, 2013 (the "**Effective Date**"), is made and entered into by and between MAVERIK, INC., a Wyoming corporation, with an address of 880 West Center Street, North Salt Lake, Utah 84054 ("**Maverik**"), as optionor, and CEDAR CREEK CAPITAL, INC., a Nevada corporation, with an address of c/o C21- Patty Clark, 1674 US Highway 395, Minden, Nevada 89423 ("**Cedar Creek**"), as optionee.

RECITALS

- A. Maverik and Cedar Creek entered into and recorded that certain Option (Short Form), dated December 29, 2011 and recorded in the Official Records of Douglas County, Nevada as Document No. 795195 (as amended hereby, the "**Option**").
- B. Cedar Creek, as optionee, has acquired simultaneous to the Effective Date certain portions of the real property covered by the Option known as Adjusted Parcel B, Adjusted Parcel C, and Adjusted Parcel D (collectively, the "**Property**"). The Property, along with other real property originally covered by the Option is described on Exhibit A, attached hereto and incorporated herein.
- C. Maverik and Cedar Creek now desire to amend the Option to release the Property therefrom.

AGREEMENT

NOW, THEREFORE, in consideration of this Amendment and the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Legal Description; Partial Release. Exhibit A to the Option is hereby deleted in its entirety and replaced with the legal description attached hereto as Exhibit B. Maverik has conveyed the Property to Cedar Creek, causing the option to purchase contained in the Option to be released from the Property. Only Adjusted Parcel A remains subject to the Option.
- 2. Inconsistencies. To the extent that there are any inconsistencies between the terms of the Option and this Amendment, the terms of this Amendment shall control.



3. Option in Full Force. Except for those provisions which are inconsistent with this Amendment, all other terms, covenants and conditions of the Option shall remain in full force and effect.

IN WITNESS WHEREOF, Maverik has executed this Amendment as of the Effective Date.

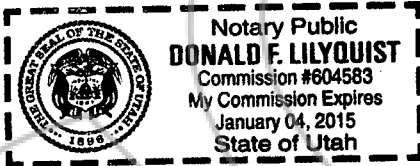
MAVERIK:

MAVERIK, INC., a Wyoming corporation

By: *Dan L. Murray*
Dan L. Murray
V.P. Real Estate

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2013, by Dan Murray, the Vice President of Real Estate for Maverik, Inc., a Wyoming corporation.



Donald F. Lilyquist
Notary Public

[Signatures and acknowledgments continued on following page]



EXHIBIT A

DESCRIPTION OF ALL OF THE REAL PROPERTY
ORIGINALLY COVERED BY THE OPTION

ADJUSTED PARCEL A

All that certain real property situate within a portion of Section 30, Township 13 North, Range 20 East, M.D.M., Douglas County, Nevada, being more particularly described as follows:

BEGINNING at the Southwest corner of Parcel B as shown on that Record of Survey to Support a Boundary Line Adjustment for Maverik, Inc., recorded as Document No. 812496 in the Official Record of Douglas County, Nevada, also being a point on the East right of way line of State Route 88;

THENCE from the POINT OF BEGINNING, along said right of way line, North 00°22'11" East, 240.71 feet to the beginning of a 210.00 foot radius curve to the right;

THENCE 374.34 feet, northeasterly along said curve, through a central angle of 102°08'01" to a point on the Southwesterly right of way line of US Highway 395;

THENCE along said right of way line, South 64°00'17" East, 378.77;

THENCE departing said right of way line South 89°06'00" West, 262.52 feet;

THENCE South 00°22'11" West, 255.38 feet;

THENCE South 89°37'49" East, 50.02 feet;

THENCE South 00°22'11" West, 21.50 feet;

THENCE North 89°37'49" West, 382.83 feet to the **POINT OF BEGINNING**.

SAID LAND IS FURTHER SHOWN AND DELINEATED AS ADJUSTED PARCEL A ON RECORD OF SURVEY MAP RECORDED AUGUST 27, 2013 AS DOCUMENT NO. 829576.

NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED AUGUST 27, 2013 IN BOOK 0813, PAGE 7027 AS INSTRUMENT NO. 829575, OF OFFICIAL RECORDS DOUGLAS COUNTY, NEVADA.

ADJUSTED PARCEL B

ALL THAT CERTAIN REAL PROPERTY SITUATE WITHIN A PORTION OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 20 EAST, M.D.M., DOUGLAS COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF PARCEL C AS SHOWN ON THAT RECORD OF SURVEY TO SUPPORT A BOUNDARY LINE ADJUSTMENT FOR MAVERIK, INC., RECORDED AS DOCUMENT NO. 812496 IN THE OFFICIAL RECORD OF DOUGLAS COUNTY, NEVADA; THENCE FROM THE POINT OF BEGINNING; SOUTH 89°37'49" EAST, 161.50 FEET; THENCE SOUTH 00°22'11" EAST, 21.50 FEET; THENCE SOUTH 89°37'49" EAST 15.49 FEET; THENCE SOUTH 00°22'11" WEST, 212.34



FEET; THENCE NORTH 63°56'19" WEST, 196.41 FEET; THENCE NORTH 00°22'11" EAST, 148.69 FEET TO THE POINT OF BEGINNING.

SAID LAND IS FURTHER SHOWN AND DELINEATED AS ADJUSTED PARCEL B ON RECORD OF SURVEY MAP RECORDED AUGUST 27, 2013 AS DOCUMENT NO. 829576.

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ADJUSTED PARCEL C

ALL THAT CERTAIN REAL PROPERTY SITUATE WITHIN A PORTION OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 20 EAST, M.D.M., DOUGLAS COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF PARCEL E AS SHOWN ON THAT RECORD OF SURVEY TO SUPPORT A BOUNDARY LINE ADJUSTMENT FOR MAVERIK, INC., RECORDED AS DOCUMENT NO. 812496 IN THE OFFICIAL RECORD OF DOUGLAS COUNTY, NEVADA; THENCE FROM THE POINT OF BEGINNING, NORTH 26°05'16" EAST, 22.98 FEET; THENCE NORTH 44°37'08" EAST, 77.07 FEET; THENCE NORTH 25°51'27" EAST, 61.06 FEET; THENCE SOUTH 64°21'51" EAST, 17.85 FEET TO THE BEGINNING OF A 2.50 FOOT RADIUS CURVE TO THE LEFT; THENCE 5.01 FEET, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 114°55'42"; THENCE NORTH 00°42'27" EAST 26.19 FEET; THENCE SOUTH 89°37'49" EAST, 5.37 FEET; THENCE NORTH 00°22'11" EAST, 34.58 FEET; THENCE SOUTH 63°56'19" EAST, 141.04 FEET; THENCE SOUTH 26°03'41" WEST, 218.04 FEET; THENCE NORTH 63°54'44" WEST, 164.09 FEET TO THE POINT OF BEGINNING.

SAID LAND IS FURTHER SHOWN AND DELINEATED AS ADJUSTED PARCEL C ON RECORD OF SURVEY MAP RECORDED AUGUST 27, 2013 AS DOCUMENT NO. 829576.

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ADJUSTED PARCEL D

ALL THAT CERTAIN REAL PROPERTY SITUATE WITHIN A PORTION OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 20 EAST, M.D.M., DOUGLAS COUNTY, NEVADA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL D AS SHOWN ON THAT RECORD OF SURVEY TO SUPPORT A BOUNDARY LINE ADJUSTMENT FOR MAVERIK, INC., RECORDED AS DOCUMENT NO. 812496 IN THE OFFICIAL RECORD OF DOUGLAS COUNTY, NEVADA, ALSO BEING A POINT ON THE EAST RIGHT OF WAY LINE OF STATE ROUTE 88; THENCE FROM THE POINT OF BEGINNING, ALONG SAID RIGHT OF WAY LINE, NORTH 00°22'11" EAST, 36.83 FEET;



THENCE DEPARTING SAID RIGHT OF WAY LINE, SOUTH 63°54'44"EAST, 281.81;
THENCE NORTH 26°03'41" EAST, 218.04 FEET;
THENCE SOUTH 63°56'19" EAST, 55.37 FEET;
THENCE NORTH 00°22'11" EAST, 212.34 FEET;
THENCE SOUTH 89°37'49" EAST, 33.01 FEET;
THENCE SOUTH 00°22'11" WEST, 18.50 FEET;
THENCE SOUTH 89°37'49" EAST, 19.50 FEET;

THENCE SOUTH 00°22'11" WEST, 123.00 FEET; THENCE SOUTH 89°37'49" EAST, 45.50 FEET; THENCE SOUTH 00°22'29" WEST, 101.50 FEET; THENCE SOUTH 89°37'49" EAST, 29.56 FEET; THENCE SOUTH 63°56'19" EAST, 119.80 FEET; THENCE SOUTH 26°03'41" WEST, 39.50 FEET; THENCE SOUTH 63°56'19" EAST, 40.98 FEET; THENCE SOUTH 00°22'11" WEST, 265.52 FEET; THENCE NORTH 63°56'19" WEST, 725.34 FEET TO THE POINT OF BEGINNING.

SAID LAND IS FURTHER SHOWN AND DELINEATED AS ADJUSTED PARCEL D ON RECORD OF SURVEY MAP RECORDED AUGUST 27, 2013 AS DOCUMENT NO. 829576.

NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED AUGUST 27, 2013 IN BOOK 0813, PAGE 7027 AS INSTRUMENT NO. 829575, OF OFFICIAL RECORDS DOUGLAS COUNTY, NEVADA.



EXHIBIT B

DESCRIPTION OF ADJUSTED PARCEL A

ADJUSTED PARCEL A

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THENCE from the POINT OF BEGINNING, along said right of way line, North 00°22'11" East, 240.71 feet to the beginning of a 210.00 foot radius curve to the right;

THENCE 374.34 feet, northeasterly along said curve, through a central angle of 102°08'01" to a point on the Southwesterly right of way line of US Highway 395;

THENCE along said right of way line, South 64°00'17" East, 378.77;

THENCE departing said right of way line South 89°06'00" West, 262.52 feet;

THENCE South 00°22'11" West, 255.38 feet;

THENCE South 89°37'49" East, 50.02 feet;

THENCE South 00°22'11" West, 21.50 feet;

THENCE North 89°37'49" West, 382.83 feet to the **POINT OF BEGINNING**.

SAID LAND IS FURTHER SHOWN AND DELINEATED AS ADJUSTED PARCEL A ON RECORD OF SURVEY MAP RECORDED AUGUST 27, 2013 AS DOCUMENT NO. 829576.