

## AGREEMENT

The City of Cheyenne, a municipal corporation organized under the laws of the State of Wyoming; Granite Peak Development, LP; Clear Creek Land Company LLC; Laramie Land Holdings, LLC; Cheyenne Logistics Hub, LLC; and Swan Ranch LLC (collectively the “Parties”) agree to and stipulate as follows:

1. The City of Cheyenne, Granite Peak Development, LP, Clear Creek Land Company LLC, and Swan Ranch LLC were parties to a Development Agreement, which was recorded on May 27, 2011, in Book 2221, Page 1156, and an Amended and Restated Development Agreement, which was recorded September 3, 2013, in Book 2356, Page 707. (collectively “Development Agreements”). The Laramie Land Holdings, LLC and Cheyenne Logistics Hub, LLC are affiliates of Granite Peak Development, LP.

2. The Development Agreements required payments of “Public Infrastructure Fees” at the time properties subject to the Development Agreements that were sold to outside third-party entities for development and occupancy of the property. These fees were set at One Thousand Dollar (\$1,000.00) per acre and set to increase with an inflationary adjustment. *See* pp. 6-7 of the Amended and Restated Development Agreement recorded on September 3, 2013.

3. The Parties have met and conferred and desire to resolve the payment of all outstanding Public Infrastructure Fees pursuant to the Development Agreements to date.

4. The Parties stipulate and agree that the outstanding balance of all Public Infrastructure Fees currently due and owing pursuant to the Development Agreements as of the date of this Agreement is one hundred forty-four thousand two hundred twenty-two dollars and one cent (\$145,222.01). The calculation of all applicable fees, parcels, and acreage are as shown on Attachment A.

5. Granite Peak Development, LP, hereby agrees to pay the City of Cheyenne the sum of one hundred thirty-nine thousand three hundred eight dollars and eighty-five cents (\$139,308.85) within five (5) days of the full execution of this agreement by all parties. *See* Attachment A.

6. Clear Creek Land Company, LLC, hereby agrees to pay the City of Cheyenne the sum of Five Thousand Nine Hundred Thirteen Dollars and Fifteen Cents (\$5,913.15) within five (5) days of the full execution of this Agreement by all parties. *See* Attachment A.

7. The parties hereby stipulate and agree that the above detailed payments by Granite Peak Development, LP and the Clear Creek Land Company LLC resolve all outstanding Public Infrastructure Fees due and owing to the City of Cheyenne under the Development Agreements by Granite Peak Development, LP, Clear Creek Land Company LLC, Swan Ranch LLC, Laramie Land Holdings, LLC, and Cheyenne Logistics Hub, LLC, as of the date of the full execution of this Agreement by all parties.



# Attachment A - Time-of-Sale rate

## Non-exempt parcels with fees due

Subdivision	Block	Lot	Current Owner (as of 2/9/2023)	Acres	Sale yr	Rate at sale	Fee at sale	Responsible entity
Swan Ranch Rail Park, 3rd Filing	2	4	ELSEY FAM LEGACY TR 1	33.41	2018	1158.71	\$38,712.50	Granite
Swan Ranch Rail Park, 9th Filing	1	2	LONGHAUL ENTERPRISES LLC	20.15	2022	1362.2	\$27,448.33	Granite
Swan Ranch Rail Park, 14th Filing	1	1	KAUPP REAL ESTATE LLC	5.5	2018	1158.71	\$6,372.91	Granite
16th Filing Double-payment credit				-15			-\$15,912.30	Granite
Overland Trails Business Park [1st]	1	10	RIDGE ENTERPRISES LLC	2.41	2021	1307.45	\$3,150.95	Granite
Overland Trails Business Park [1st]	1	5	STORE MASTER FUNDING XX LLC	4.33	2021	1307.45	\$5,661.26	Granite
Overland Trails Business Park, 2nd	1	1	RIDGE ENTERPRISES LLC	3.6	2021	1307.45	\$4,706.82	Granite
Overland Trails Business Park, 2nd	2	2	STORE MASTER FUNDING XX LLC	9.53	2021	1307.45	\$12,460.00	Granite
Overland Trails Business Park [1st]*	1	1	OVERLAND TRAILS LLC	3.44	2022	1362.2	\$4,685.97	Granite
Overland Trails Business Park [1st]*	1	2	OVERLAND TRAILS LLC	3.87	2022	1362.2	\$5,271.71	Granite
Overland Trails Business Park [1st]*	1	4	OVERLAND TRAILS LLC	4.26	2022	1362.2	\$5,802.97	Granite
Overland Trails Business Park [1st]*	2	1	CHET HALVORSON PROP LLC	3.48	2022	1362.2	\$4,740.46	Granite
Overland Trails Business Park [1st]*	2	2	OVERLAND TRAILS LLC	1.99	2022	1362.2	\$2,710.78	Granite
Overland Trails Business Park [1st]*	2	3	OVERLAND TRAILS LLC	1.97	2022	1362.2	\$2,683.53	Granite
Overland Trails Business Park [1st]*	2	4	CHET HALVORSON PROP LLC	3.04	2022	1362.2	\$4,141.09	Granite
Overland Trails Business Park [1st]*	2	5	OVERLAND TRAILS LLC	2.95	2022	1362.2	\$4,018.49	Granite
Overland Trails Business Park [1st]*	2	8	+ CASH FLOW = HAPPINESS LLC	2.55	2022	1362.2	\$3,473.61	Granite
Overland Trails Business Park [1st]*	2	9	OVERLAND TRAILS LLC	2.3	2022	1362.2	\$3,133.06	Granite
Overland Trails Business Park, 2nd*	2	1	OVERLAND TRAILS LLC	3.9	2022	1362.2	\$5,312.58	Granite
Overland Trails Business Park, 2nd*	3	1	OVERLAND TRAILS LLC	2.07	2022	1362.2	\$2,819.75	Granite
Overland Trails Business Park, 2nd*	3	2	OVERLAND TRAILS LLC	1.83	2022	1362.2	\$2,492.83	Granite
Overland Trails Business Park, 3rd*	1	1	OVERLAND TRAILS LLC	3.98	2022	1362.2	\$5,421.56	Granite
* NOTE: these parcels were involved in one transfer to OVERLAND TRAILS LLC								
							Granite Peak Total:	\$139,308.85
Overland Trails, 5th	Tract B		PILOT TRAVEL CENTERS LLC C/O STORE 759	1.74	2019	1181.71	\$2,056.18	Clear Creek
Energy Park One	---	3	BYRNE ENERGY PARK ONE LLC	2.95	2021	1307.45	\$3,856.98	Clear Creek
Swan Ranch Rail Park, 2nd Filing	2	3	CHEYENNE LEADS	6.07	2016	Exempt		Clear Creek
							Clear Creek Total:	\$5,913.15
CFD Park-N-Ride	1	1	CHEYENNE FRONTIER DAYS FOUNDATION INC	27.69	2019	Exempt		Swan Ranch
							Swan Ranch Total:	\$0.00
							<b>GRAND TOTAL:</b>	<b>\$145,222.01</b>

## Non-exempt parcels previously paid for

Subdivision	Block	Lot	Current Owner (as of 2/9/2023)	Acres
Swan Ranch Rail Park, 1st Filing	1	1A	BRENNTAG PACIFIC INC	5
Swan Ranch Rail Park, 1st Filing	1	1B	BRENNTAG PACIFIC INC	6.21
Swan Ranch Rail park, 3rd Filing	1	3	ICEROCK WYOMING LLC	5.95
Swan Ranch Rail Park, 9th Filing	1	1	GRANITE PEAK EQUIP HOLDINGS LLC	11.43
Swan Ranch Rail Park, 12th Filing	1	1	CHEYENNE RAIL HUB LLC	15.63
Swan Ranch Rail Park, 16th Filing	1	1	WYOMING HORSE RACING LLC	36.55
Overland Trails Business Park [1st]	1	9	BLUE BEACON INTERNATIONAL INC	3.93
Overland Trails Business Park, 3rd	1	2	GBP LLC	4.77
Overland Trails Business Park [1st]	1	3	SAIA MOTOR FREIGHT LINE LLC	5.55