

— FINCH BETTMANN MAK & HOGUE, P.C. —

ATTORNEYS AT LAW

304 MAIN STREET • P.O. BOX 2934
RAPID CITY, SOUTH DAKOTA • 57709-2934

TEL (605) 348-6547
FAX (605) 348-9086
www.finchbettmann.com

DENNIS W. FINCH
FRANK A. BETTMANN*
JEFFREY P. MAK
TINA M. HOGUE*

*ALSO ADMITTED IN NEBRASKA

August 14, 2001

Ms. Tamara Pier
City Attorney
City of Rapid City
300 Sixth Street
Rapid City, SD 57701



Re: Our Client: Tir na nOg, L.L.C. and Goulds

Dear Tamara:

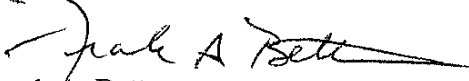
I merely wanted to confirm my message to you last week that the Goulds, on behalf of the L.L.C., have elected to vacate the plat and did so by filing the appropriate document with the Register of Deeds last week. I would expect that, pursuant to statute, the Register of Deeds will appropriately notify Planning.

In light of this, I am requesting that the \$2,000 bond previously posted be released to my clients. I am not sure who holds the money or who would issue it back so can you direct the proper office to do so?

Thank you and please let me know if you have any questions.

Sincerely,

FINCH BETTMANN MAK & HOGUE, P.C.


Frank A. Bettmann

FAB/jlb
cc: client



DECLARATION VACATING PLAT

The undersigned hereby declare that the plat of Lots 1 and 2 of Tir na nOg Subdivision (formerly SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$), located in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, said plat being located in Book 28 of Plats, Page 118, is hereby vacated. This declaration is made pursuant to SDCL § 11-3-16. This vacation of plat is being made before the sale of any lots therein. Lot 1 of said plat was previously transferred to Michael L. and Marnie L. Gould but was exempt from transfer fee pursuant to SDCL § 43-4-22(19). Further, said Michael L. and Marnie L. Gould hereby join in the execution of this declaration vacating said plat.

Dated this 8th day of August, 2001.

Tir na nOg, L.L.C.

By: _____
Michael L. Gould, President

Michael L. Gould

M.L. Gould
Marnie L. Gould

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

On this the 8th day of August, 2001, before me, the undersigned officer, personally appeared **MICHAEL L. GOULD**, who acknowledged himself to be the President of **Tir na nOg, L.L.C.**, a South Dakota Limited Liability Company, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Karey R. Hansen
NOTARY PUBLIC - SOUTH DAKOTA
My Commission Expires: 3/30/07

(SEAL)

Declaration Vacating Plat
Tir na nOg, L.L.C.

STATE OF SOUTH DAKOTA)
) SS.
 COUNTY OF PENNINGTON)

On this the 8th day of August, 2001, before me, the undersigned officer, personally appeared **MICHAEL L. GOULD** and **MARNIE L. GOULD**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL)

Kesley R. Hansen
 NOTARY PUBLIC -- SOUTH DAKOTA
 My Commission Expires: 3/30/07