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Unit No. 7422
Location: 79th & Harlem Ave.
Burbank, IL

Doc#: 0402346062
Eugene "Gene" Moore Fee: \$32.00
Cook County Recorder of Deeds
Date: 01/23/2004 11:05 AM Pg: 1 of 5

Prepared by: Speedway SuperAmerica, LLC
539 S. Main Street
Findlay, Ohio 45840

When recorded return to: Melissa Rollins
LandAmerica NCS
4111 Executive Pkwy., Suite 304
Westerville, Ohio 43081

CANCELLATION OF GROUND LEASE

This Cancellation of Ground Lease Supplement No. B-1 is made and entered into by and between Wilmington Trust Company, a Delaware banking corporation and William J. Wade, not in their individual capacities, but solely as owner trustees under a Trust Agreement dated as of September 15, 1987 ("Lessor"); and Speedway SuperAmerica LLC, successor by merger to Emro Marketing Company, a Delaware limited liability company ("Lessee").

WITNESSETH

WHEREAS Lessor did enter into that certain Lease ("Lease") with Lessee Emro Marketing Company, which Leasehold Interest is recited in a Memorandum of Ground Lease dated September 15, 1987 and recorded December 23, 1987 in Document No. 87673299 and evidenced by Lease Supplement No. 1 recorded December 23, 1987 in Document No. 87673302, Cook County, Illinois.

WHEREAS it is the desire of the Lessor and Lessee to cancel said Lease, Memorandum of Ground Lease, and Lease Supplement covering the following-described premises:

See attached Exhibit A for legal description

Each party hereto expressly discharges and releases the other from all claims and obligations of any character or nature whatsoever arising out of or in connection with said Lease and acknowledges full and complete performance on the part of the other party.

Notwithstanding anything contained herein or in any other Transaction Document to the contrary, it is expressly understood and agreed by the parties hereto that (a) this Agreement is executed and delivered by Wilmington Trust Company and William J. Wade, not individually or personally but solely as Owner Trustees, in the exercise of the powers and authority conferred and vested in them under the Trust Agreement, (b) each of the representations, undertakings and agreements herein made on the part of the Owner Trustees is made and intended not as personal representations, undertakings and agreements by Wilmington Trust Company and William J. Wade but is made and intended for the purpose for binding only the Trust Estate and (c) under no circumstances shall Wilmington Trust Company and William J. Wade be personally liable for the payment of any indebtedness or expenses of the Owner Trustees or be liable for the breach or failure of any obligation, representation, warranty or covenant made or undertaken by the Owner Trustees under this Agreement or the other related documents.

ACCORDINGLY, the parties hereto agree and by these present declare that:

The aforesaid lease of property described above is hereby cancelled and is of no further force and effect, as of this 30th day of June, 2003.

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②

METROPOLITAN TITLE CO.
Box 45

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Signed and acknowledged
in the presence of
two witnesses:

Sign: Robert J. Perkins
Print: **Robert J. Perkins**

Sign: [Signature]
Print: Jim Royford

WILMINGTON TRUST COMPANY, a Delaware
banking corporation, not in its individual capacity
but solely as owner trustee under Trust Agreement
dated as of September 15, 1987
(Lessor)

By: [Signature]
Name: **Charisse L. Rodgers**
Title: **Vice President**
Date: _____

Signed and acknowledged
in the presence of
two witnesses:

Sign: Cynthia M. Angelina
Print: Cynthia M. Angelina
Sign: Barbara F. Baumgardner
Print: **BARBARA F. BAUMGARDNER**

WILLIAM J. WADE not in his individual capacity
but solely as owner trustee under Trust Agreement
dated as of September 15, 1987
(Lessor)

By: [Signature]
Name: _____
Date: _____

Signed and acknowledged
in the presence of
two witnesses:

Sign: Linda K. Ramsey-Helms
Print: Linda K. Ramsey-Helms
Sign: Ken Woode, Jr.
Print: Ken Woode, Jr.

SPEEDWAY SUPERAMERICA LLC, as
Successor Lessee to Emro Marketing Company,
a Delaware limited liability company (Lessee)

By: [Signature]
Name: **R. R. Young**
Title: **Assistant Treasurer**
Date: **July 2, 2003**

STATE OF Delaware)
COUNTY OF New Castle) SS.

Before me, the undersigned Notary Public, personally appeared the above Wilmington Trust Company, a Delaware banking corporation, not in its respective individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987 by **CHARISSE L. RODGERS** its **Vice President** who acknowledged execution of the foregoing instrument for and on behalf of Wilmington Trust Company, not in its respective individual capacity, but solely as Owner Trustee under a Trust Agreement dated as of September 15, 1987 and having been first duly sworn, stated that the representations therein are true.

SWORN to before me this 3rd day of July, 2003.

[Signature]
Notary Public
My Commission Expires **GAIL M. HENRY**
NOTARY PUBLIC-DELAWARE
My Commission Expires October 20, 2004

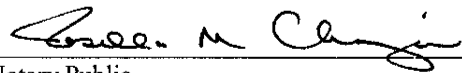


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STATE OF Delaware)
) SS.
COUNTY OF New Castle)

Before me, the undersigned Notary Public, personally appeared the above named William J. Wade, not in his respective individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987 who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

SWORN to before me this 3rd day of July, 2003.

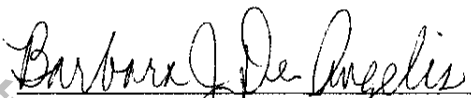


Notary Public
My Commission Expires: _____
ROSELLA M. CHAMPION
Notary Public - State of Delaware
My Comm. Expires Feb. 14, 2005

STATE OF OHIO)
) SS.
COUNTY OF HANCOCK)

Before me, the undersigned Notary Public, personally appeared the above Speedway SuperAmerica LLC, as Successor Lessee to Emro Marketing Company, a Delaware limited liability company, by R. R. Young, its Assistant Treasurer, who acknowledged execution of the foregoing instrument for and on behalf of Speedway SuperAmerica LLC, as Successor Lessee to Emro Marketing Company, a Delaware limited liability company, and having been first duly sworn, stated that the representations therein are true.

SWORN to before me this 2nd day of July, 2003.



Barbara J. DeAngelis
Notary Public, State of Ohio
My Commission expires March 28, 2004

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SSA #7422
79th & Harlem Ave.
Burbank, IL

LEGAL DESCRIPTION

PARCEL 1:

THE EAST 164.5 FEET OF THE WEST 214.5 FEET OF THE NORTH 300 FEET OF THE SOUTH 350 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS; EXCEPT THAT PART OF THE EAST 64.5 FEET OF THE WEST 114.5 FEET OF THE SOUTH 383 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SAID SECTION 30, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF SAID EAST 64-1/2 OF FEET OF THE WEST 114-1/2 FEET OF THE SOUTH 383 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF THE SAID SECTION 30, THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTH WEST 1/4 OF SAID SECTION 30, A DISTANCE 64.5 FEET; THENCE NORTH ALONG THE EAST LINE OF SAID EAST 64-1/2 FEET OF THE WEST 114-1/2 FEET OF THE SAID WEST 1/2 OF THE SOUTH WEST 1/4 A DISTANCE OF 50 FEET; THENCE WEST ALONG A LINE PARALLEL TO SAID SOUTH LINE OF SAID SOUTH WEST 1/4, A DISTANCE OF 14.5 FEET TO A POINT OF TANGENCY OF A CURVE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 75.45 FEET TO THE WEST LINE OF SAID EAST 64-1/2 FEET OF THE WEST 114-1/2 FEET OF THE SOUTH 383 FEET OF THE WEST 1/2 OF THE SAID SOUTH WEST 1/4, THENCE SOUTH ALONG THE SAID WEST LINE 100.0 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET TAKEN OR USED FOR WEST 79TH STREET) AS CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS OF THE STATE OF ILLINOIS BY WARRANTY DEED RECORDED MAY 12, 1954 AS DOCUMENT NUMBER 15904381, ALSO EXCEPTING THEREFROM A PART OF THE EAST 164.5 FEET OF THE WEST 214.5 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SAID SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE WEST 214.5 FEET OF SAID SECTION AND THE NORTH LINE OF 79TH STREET (AS DEDICATED BY DOCUMENT NUMBER 16584944 DATED MAY 18, 1956); THENCE WEST ALONG THE SAID NORTH LINE A DISTANCE OF 114.5 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG AN ARC OF A CIRCLE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 50 FEET, A DISTANCE OF 78.5 FEET TO A POINT OF TANGENCY ON THE EAST LINE OF HARLEM AVENUE (AS DEDICATED BY DOCUMENT NO. 10487999, DATED SEPTEMBER 24, 1929); THENCE NORTH ALONG THE SAID EAST LINE OF HARLEM AVENUE, A DISTANCE OF 40 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY ALONG AN ARC OF A CIRCLE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 70 FEET, A DISTANCE OF 109.9 FEET TO A POINT OF TANGENCY ON A LINE LYING 20 FEET NORTH OF AND PARALLEL WITH THE AFORESAID NORTH LINE OF 79TH STREET, SAID

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SCHEDULE 2
to Bill of Sale and
Instrument of Conveyance

LEGAL DESCRIPTION (continued)

POINT LYING 94.5 FEET WEST OF THE EAST LINE OF THE WEST 214.5 FEET OF AFORESAID SECTION; THENCE EAST ALONG SAID PARALLEL LINE A DISTANCE OF 94.5 FEET TO A POINT ON THE EAST LINE OF THE WEST 214.5 FEET OF SAID SECTION, SAID POINT BEING 20 FEET NORTH OF THE POINT OF BEGINNING (AS MEASURED ALONG SAID EAST LINE); THENCE SOUTH ALONG THE SAID EAST LINE A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF THE WEST 1/2 OF THE SOUTH WEST 1/4 (EXCEPT THE SOUTH 50.0 FEET THEREOF) OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS; LYING EAST OF THE WEST 214.50 FEET OF SAID SOUTH WEST 1/4, WEST OF THE EAST LINE OF THE WEST 329.50 FEET OF SAID SOUTH WEST 1/4, SOUTHERLY AND WESTERLY OF A CURVED LINE CONVEX TO THE SOUTH WEST RADIUS 963.0 FEET, COMMENCING AT A POINT 122.0 FEET NORTH OF THE SOUTH LINE AND 1085.0 FEET EAST OF THE WEST LINE OF AFORESAID 1/4 SECTION AND RUNNING TO A POINT 122.0 FEET EAST OF THE WEST LINE AND 1085.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTH WEST 1/4 OF SECTION 30, IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND; THAT PART OF THE EAST 115 FEET OF THE WEST 329.5 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF 79TH STREET (AS DEDICATED BY DOCUMENT NUMBER 16584944, DATED MAY 18, 1956) AND THE EAST LINE OF THE WEST 329.5 FEET OF SAID SECTION; THENCE WEST ALONG SAID NORTH LINE OF 79TH STREET A DISTANCE 115 FEET TO A POINT, SAID POINT LYING ON THE EAST LINE OF THE WEST 214.5 FEET OF THE AFORESAID SECTION; THENCE NORTH ALONG THE EAST LINE OF THE WEST 214.5 FEET OF THE SECTION A DISTANCE OF 20 FEET TO A POINT; THENCE EAST ALONG A LINE PARALLEL AND 20 FEET NORTH OF THE AFORESAID NORTH LINE OF 79TH STREET A DISTANCE OF 79.5 FEET TO A POINT, SAID POINT LYING 20 FEET NORTH OF THE NORTH LINE OF 79TH STREET AND 35.5 FEET WEST OF THE EAST LINE OF THE WEST 329.5 FEET OF THE AFORESAID SECTION; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE A DISTANCE OF 35.5 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF THE WEST 329.5 FEET OF THE SAID SECTION, SAID POINT LYING 18.82 FEET NORTH OF THE POINT OF BEGINNING (AS MEASURED ALONG SAID EAST LINE) THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 18.82 FEET TO THE POINT OF BEGINNING.

7859 S. Harlem
Leased station address: 79th St. & Harlem Ave.
Burbank, IL