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Unit No. 7384
Location: W. 95th & 88th
Hickory Hills, IL

Doc#: 0402346069
Eugene "Gene" Moore Fee: \$34.00
Cook County Recorder of Deeds
Date: 01/23/2004 11:08 AM Pg: 1 of 6

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-5 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. 87673305 and evidenced by Supplement recorded in Document Nos. 87673307 and 87673308, 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.

METROPOLITAN TITLE CO
80245

Property of Cook County Clerk's Office

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Signed and acknowledged
in the presence of
two witnesses:

Sign: Robert Perkins
Print: Robert J. Perkins

Sign: MARIE M. BYRNE
Print: MARIE M. BYRNE

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: 06/26/03

Signed and acknowledged
in the presence of
two witnesses:

Sign: Barbara F. Baumgardner
Print: BARBARA F. BAUMGARDNER

Sign: Rosella Champion
Print: Rosella Champion

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: WILLIAM J. WADE
Date: 06/26/03

Signed and acknowledged
in the presence of
two witnesses:

Sign: _____
Print: Linda K. Ramsey-Helms

Sign: _____
Print: Ken Woode, Jr.

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

By: _____
Name: R. R. Young
Title: Assistant Treasurer
Date: June, 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 26 day of June, 2003.

Kimberly E. Faulhaber
Notary Public
My Commission Expires: _____

KIMBERLY ELIZABETH FAULHABER
NOTARY PUBLIC - DELAWARE
My Commission Expires April 9, 2005

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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 26 day of June, 2003.

NOTARIAL SEAL
BARBARA A. WHEELER
Notary Public - State of Delaware
Date of Appointment: 6-20-02
My Commission Expires: June 20, 2004

Barbara A. Wheeler
Notary Public
My Commission Expires: _____

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 ____ day of June, 2003.

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

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STATE OF _____)
) SS.
COUNTY OF _____)

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 _____ day of _____, 2003.

Notary Public
My Commission Expires: _____

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 25th day of June, 2003.

Barbara J. DeAngelis

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

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SSA #7384
W. 95th & 88th
Hickory Hills, IL

LEGAL DESCRIPTION

Situated in the County of Cook in the State of Illinois,
to wit:

The West 225 feet of the North 200 feet of the Northwest Quarter (NW 1/4) of Section 11, Township 37 North, Range 12, East of the Third Principal Meridian (except that portion of said described land heretofore conveyed to the Department of Public Works and Buildings of the State of Illinois by warranty deed as document no. 12364494) in Cook County, Illinois (excluding street right of way on both streets)

Leased station address: W. 95th & 88th
Hickory Hills, Illinois

PIN 23-11-100-007