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Prepared by & Return to: Melissa Rollins
Land america NCS
4111 Executive Pkwy., Suite 304
Westerville, OH. 43081



Doc#: 0402346071
Eugene "Gene" Moore Fee: \$34.00
Cook County Recorder of Deeds
Date: 01/23/2004 11:08 AM Pg: 1 of 6

Mail Future Tax Bills to:
Speedway SuperAmerica LLC
500 Speedway Drive, Enon OH 45323

Property of Cook County Clerk's Office

**BILL OF SALE
AND
INSTRUMENT OF CONVEYANCE**

Bill of Sale and Instrument of Conveyance dated as of June 30, 2003, from Wilmington Trust Company, a Delaware banking corporation and William J. Wade, not in their respective individual capacities but solely as owner trustees under a Trust Agreement dated as of September 15, 1987 (herein, together with the respective permitted successors and assigns, collectively referred to as "Seller") in favor of Speedway SuperAmerica LLC, a Delaware limited liability company referred to as "Buyer".

KNOW ALL MEN BY THESE PRESENTS, that Seller for and in consideration of the payment to it or for its account by Buyer for the Leased Station in the amount of \$412,255.07 and other good and valuable consideration and other property, the receipt of which is hereby acknowledged, has sold, granted, bargained, conveyed, assigned, transferred and delivered, pursuant to the Lease Agreement, dated as of September 15, 1987, and by these presents sells, grants, bargains, conveys, assigns, transfers and delivers to Buyer, its successors and assigns all its estate, right, title and interest in and to the property described in Schedule 1 hereto (such property being hereinafter called the "Leased Station").

TO HAVE AND TO HOLD the same unto Buyer, its successors and assigns forever.

BUT EXCLUDING THEREFROM the Land described in Schedule 2 hereto.

Seller does hereby assign to Buyer all of Seller's right, title and interest in and to all manufacturers', distributors', or contractors' warranties, if any, on the property described in Schedule 1 hereto, including without limitation the underground storage tanks, tank linings and product lines.

Seller hereby warrants that Seller hereby conveys such title to the Buyer as Seller had received in the Leased Station, free and clear of Lessor Liens as defined in the said Lease Agreement and subject to such encumbrances described in Schedule 3 hereto.

Seller acknowledges, as stated above, that the payment to Seller for the Leased Station has been made and, accordingly, that this is a fully executed Deed and that Buyer's title to said Leased Station is no way subject to defeasance or forfeiture by reason of any alleged failure of consideration to be received by Seller hereunder.

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

METROPOLITAN TITLE CO
Box 45

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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.

IN WITNESS WHEREOF, the undersigned Seller has caused this Deed to be duly executed the day and year first above written.

Witnesses as to Seller

Barbara F. Baumgardner
Barbara F. Baumgardner
Patricianne Stewart
Patricianne Stewart
Witnesses as to Seller

WILLIAM J. WADE
Not in his respective individual capacity, but solely as Owner Trustee under a Trust Agreement dated as of September 15, 1987

By: [Signature]
Title: William J. Wade

WILMINGTON TRUST COMPANY
Not in its respective individual capacity, but solely as Owner Trustee under a Trust Agreement dated as of September 15, 1987

By: [Signature]
Title: MONICA M. HENRY
SENIOR FINANCIAL SERVICES OFFICER

[Signature]
Tracy McLamb
[Signature]
Tira L. Henry

STATE OF Delaware)
COUNTY OF New Castle) SS.

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.

In Testimony Whereof, I have hereunto set my hand and official seal this 18 day of June, 2003.

[Signature]
Notary Public

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

My Commission Expires: _____

STATE OF Delaware)
COUNTY OF New Castle) SS.

Before me, a notary public, this June 18, 2003, personally appeared Wilmington Trust Company, not in its respective individual capacity, but solely as Owner Trustee under a Trust Agreement dated as of September 15, 1987, by, Monica M. Henry, 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.

[Signature]
Notary Public

SHERRY L. KEATING
NOTARY PUBLIC-DELAWARE
My Commission Expires June 26, 2003

My Commission Expires: June 28, 2003

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SCHEDULE 1
to Bill of Sale & Instrument of Conveyance

DESCRIPTION OF LEASED STATION

Address: 95th St. & 88th Ave.
Hickory Hills, IL

<u>Quantity</u>	<u>I t e m</u>
1.	1 Building 31' x 75' Masonry Construction
2.	1 Lusterlite, 37' x 102' with Lighting
3.	5 Tanks. Make: Clawson; Type: Steel Sizes: (5) 8,000
4.	4 Gilbarco Model MPD-1 Multiproduct Dispensers
5.	1 Gilbarco Model H111B Dispensers
6.	5 Jump Islands
7.	1 10' x 13' Trash Enclosure
8.	x Concrete Paving
9.	x Asphalt Paving
10.	4 Red Jacket Submerged Turbine Pumps
11.	5 Yard Lights and Poles
12.	1 ECO-Windy 1/2 H.P. Air Compressor
13.	x Curbing and Drainage Structures
14.	x Landscaping
15.	x Set Custom Cabinets
16.	1 Snack Center Cabinet
17.	1 Gondolas & Store Shelving
18.	1 26' x 11'4" Tonka Walk-in Cooler with Shelving
19.	1 Gilbarco Model TCR-G Gasoline Console
20.	2 DTS Model 2100 Cash Register
21.	2 Bunn Coffee Maker
22.	1 Univ. Nolin 6' Cold Deli Case

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Page 2 of 2

SCHEDULE 1
to Bill of Sale & Instrument of Conveyance

DESCRIPTION OF LEASED STATION

Address: 95th St. & 88th Ave.
Hickory Hills, IL

<u>Quantity</u>	<u>I t e m</u>
23.	1 Fogel 2-Door Storage Refrigerator
24.	4 Armour Safes
25.	x Lot Store Room Shelving
26.	1 Manitowoc Ice Maker
27.	1 Univ. Nolin 3-Door Display Freezer
28.	1 Fogel 2-Door Storage Freezer
29.	1 Talk-A-Phone Intercom
30.	1 Pay Phones
31.	2 Goal Post ID/Price Sign & Pole
32.	2 American Sign Canopy Signs
33.	3 Benco Canopy Signs
34.	1 Omega Alarm System

Additional detail and specifications for the above appear in the complete set of "as built" plans and specifications maintained by the Lessee in accordance with Section 10(e) of the Lease.

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SCHEDULE 2
to Bill of Sale and
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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

STATE TAX

STATE OF ILLINOIS

JAN. 23. 04

COOK COUNTY

0000014953

REAL ESTATE
TRANSFER TAX

0029100

FP351009

COUNTY TAX

COOK COUNTY
REAL ESTATE TRANSACTION TAX

JAN. 23. 04

REVENUE STAMP

00000159X6

REAL ESTATE
TRANSFER TAX

0014550

FP351021

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SCHEDULE 3
to Bill of Sale and
Instrument of Conveyance

PERMITTED ENCUMBRANCES

Rights of the public, the State of Illinois and the municipality in and to the part of premises in question taken or used for roads and highways.

Leased station address: ⁸⁷⁵⁹ W. 95th & 88th
Hickory Hills, Illinois

PIN: 23-11-100 007

Property of Cook County Clerk's Office