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Doc#: 1114644125 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/26/2011 04:31 PM Pg: 1 of 3

1074

Prepared by and

When recorded, return to:

Shannon Martin Finkelstein & Alvarado, P.C.
Attn. Reesa D. Hedrick
1001 McKinney Street, Suite 1100
Houston, Texas 77002



NCS 480832

First American Title Order #

WAIVER OF RIGHT OF FIRST REFUSAL

WHEREAS, by Special Warranty Deed, dated effective March 8, 2010, recorded on March 15, 2010 with the Cook County Recorder of Deeds as Document No. 1007026296 ("Deed"), Equilon Enterprises LLC, d/b/a Shell Oil Products US, a Delaware limited liability company ("Equilon") did convey to True North Energy, LLC, a Delaware limited liability company ("TNE") the property commonly known as 2403 West Blue Island, Chicago, IL, more particularly described in attached Exhibit "A" and in said Deed ("Premises").

WHEREAS, the Deed provided for a Right of First Refusal ("ROFR") in favor of Equilon for a period continuing until December 31, 2030 as further set forth in said Deed;

WHEREAS, TNE has properly notified Equilon that it has received a bona fide offer for the Premises from, and desires to convey the Premises to TJZ, LLC, an Illinois limited liability company ("TJZ"); and

WHEREAS, TNE has requested that Equilon waive said ROFR as to this conveyance to TJZ and Equilon, for itself, its successors and assigns, has agreed to waive the same.

NOW, THEREFORE, for good and valuable consideration received and hereby acknowledged, Equilon, for itself, and its successors and assigns does hereby waive that certain

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ROFR as set forth in said Deed as to the current transaction between TNE and TJZ. However, Equilon reserves its ROFR for the duration of its term as to any subsequent or future transaction governing the Premises. Except as expressly set forth in this Waiver all other terms and conditions of the Deed, and of all agreements between Equilon and TNE, and their respective successors and assigns, shall remain in full force and effect according to their terms.

IN WITNESS WHEREOF, Equilon has executed this Waiver on the 17th day of March, 2011.

“Equilon”

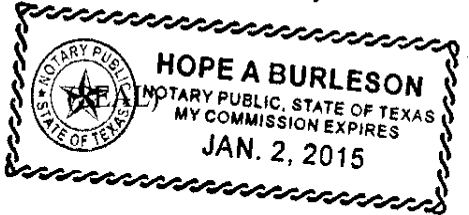
EQUILON ENTERPRISES, LLC

By: [Signature]
Name: **Gary J. Ragusa**
NA Real Estate Manager
Title: _____

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

On March 17, 2011, before me Hope A. Burleson, Notary Public, personally appeared Gary J. Ragusa, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as NA RE Manager of Equilon Enterprises LLC d/b/a Shell Oil Products US, a Delaware limited liability company, and that said instrument was signed on behalf of said limited liability company.

WITNESS my hand and official seal.



[Signature]
Notary Public in and for the State of Texas

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Exhibit "A" to Waiver of ROFR

Legal Description of the Premises

Commonly known as 2403 W. Blue Island, Chicago, IL 60608-4233

Tax Parcel # 17-30-126-003-0000

LEGAL DESCRIPTION:

THAT PART OF BLOCK 2 IN S. J. WALKER'S SECOND DOCK ADDITION, A SUBDIVISION OF BLOCKS 6 AND 7 OF MOORE'S SUBDIVISION OF THE EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 30 AND THAT PART LYING NORTH OF THE CHICAGO RIVER OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID BLOCK 2, 150 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID BLOCK 2, 150 FEET; THENCE NORTHERLY TO A POINT ON THE NORTH LINE OF SAID BLOCK 2, WHICH IS 150 FEET WEST OF THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID BLOCK 2 TO THE POINT OF BEGINNING,

(EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID BLOCK 2 A DISTANCE OF 13.54 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A CIRCLE CONVEX TO THE NORTHEAST HAVING A RADIUS OF 22.0 FEET AN ARC DISTANCE OF 14.30 FEET TO A POINT ON THE NORTHERLY LINE OF SAID BLOCK 2; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE OF SAID BLOCK 2 A DISTANCE OF 12.94 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS.