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Doc#: 1119622085 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 07/15/2011 02:43 PM Pg: 1 of 3

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. 100726314 ("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 5458 South Wells, Chicago, Illinois, 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 Lakha Holdings LLC ("Wells"); and

WHEREAS, TNE has requested that Equilon waive said ROFR as to this conveyance to Wells 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 Wells. 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 25th day of May, 2011.

“Equilon”

EQUILON ENTERPRISES, LLC

By: [Signature]

Name: Scott David

Title: JV FORMATIONS MANAGER

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

On MAY 25, 2011, before me HOPE A. BURLESON, Notary Public, personally appeared SCOTT DAVID, 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 JV FORMATIONS MGR, 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.

(SEAL) [Seal]
HOPE A BURLESON
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
JAN. 2, 2015

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

[Seal]
HOPE A BURLESON
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
JAN. 2, 2015

UNOFFICIAL COPY**Exhibit "A" to Waiver of ROFR**

Legal Description of the Premises

PARCEL 1:

THE WEST 51 FEET OF THE EAST 71 FEET OF LOT 5 OF THE PARTITION OF LOTS 34, 35, 38 AND 39 OF BLOCK 1 OF CARR'S RESUBDIVISION OF KEDZIE'S SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS OTHERWISE DESCRIBED AS FOLLOWS:

A PLOT OF GROUND SITUATED AT THE NORTHWEST CORNER OF 55TH AND 5TH AVENUE COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF 5TH AVENUE AND THE NORTH LINE OF 55TH STREET RUNNING THENCE IN A WESTERLY DIRECTION 51 FEET ALONG THE NORTH LINE OF 55TH STREET; THENCE IN A NORTHERLY LINE DIRECTION 126.5 FEET ALONG A LINE PARALLEL WITH THE WEST LINE OF 5TH AVENUE; THENCE IN AN EASTERLY DIRECTION 51 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF 55TH STREET TO THE WEST LINE OF 5TH AVENUE; THENCE IN A SOUTHERLY DIRECTION 126.5 FEET ALONG THE WEST LINE OF 5TH AVENUE TO THE POINT OF BEGINNING, EXCEPT SO MUCH OF THE SAID PREMISES AS HAS BEEN CONDEMNED BY THE CITY OF CHICAGO FOR ALLEY PURPOSES, IN COOK COUNTY, ILLINOIS

PARCEL 2:

THE EAST 10 FEET OF LOT 4 AND THE WEST 25 FEET OF LOT 5 IN THE PARTITION OF LOTS 34, 35, 38 AND 39 OF BLOCK 1 OF CARR'S RESUBDIVISION OF KEDZIE'S SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 3:

THE SOUTH 2/3 OF LOT 6 (EXCEPT PARTS TAKEN FOR STREETS AND ALLEYS) IN THE PARTITION OF LOTS 34, 35, 38 AND 39 OF BLOCK 1 OF CARR'S RESUBDIVISION OF KEDZIE'S SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT RECORDED APRIL 12, 1884 DOCUMENT 537111, BOOK 18 PAGE 95 IN COOK COUNTY, ILLINOIS.

Commonly known as: 5458 South Wells, Chicago, IL

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