

# UNOFFICIAL COPY



Doc#: 1131145024 Fee: \$40.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 11/07/2011 01:49 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. 1007641012\_ ("Deed"), Equilon Enterprise 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 1855 West Willow Road, Northfield, 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 The Breaking Point, Inc. ("Breaking Point"); and

WHEREAS, TNE has requested that Equilon waive said ROFR as to this conveyance to Breaking Point 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

COOK COUNTY RECORDER OF DEEDS

INDEXED 500294 AKALAS

1 OF 3

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ROFR as set forth in said Deed as to the current transaction between TNE and Breaking Point. 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 13<sup>th</sup> day of October 2011.

“Equilon”

EQUILON ENTERPRISES, LLC

By: [Signature]

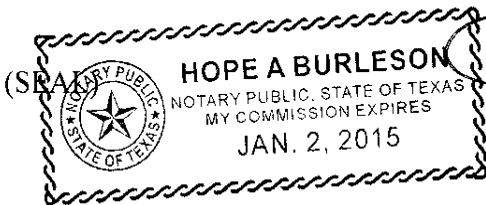
Name: Scott David

Title: Portfolio Manager

STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

On October 13, 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 Portfolio 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

LOTS 32 TO 36 INCLUSIVE IN GEORGE F. NIXON AND COMPANY'S WILLOW ROAD ADDITION TO NORTHFIELD, BEING A SUBDIVISION OF THAT PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as 1855 West Willow Road, Northfield, IL

Permanent Index Number: 04-24-215-006-0000 Vol. 133

Permanent Index Number: ~~04-24-215-007-0000~~ Vol. 133

Permanent Index Number: 04-24-215-008-0000 Vol. 133

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Permanent Index Number: 04-24-215-010-0000 Vol. 133

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