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This Instrument Prepared by:
Kristin Langhoff
1000 North Water Street, Suite 1700
Milwaukee, Wisconsin 53202

Doc# 1916106261 Fee \$93.00

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EDWARD H. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 06/10/2019 04:19 PM PG: 1 OF 7

When Recorded Return to:
Kristin Langhoff
1000 North Water Street, Suite 1700
Milwaukee, Wisconsin 53202

**PARTIAL TERMINATION AND PARTIAL RELEASE OF
MEMORANDUM OF REPURCHASE OPTION AND RIGHT OF FIRST REFUSAL**

THIS PARTIAL TERMINATION AND PARTIAL RELEASE OF MEMORANDUM OF REPURCHASE OPTION AND RIGHT OF FIRST REFUSAL is made this 29 day of May, 2019 ("Effective Date") by EXXONMOBIL OIL CORPORATION, a New York corporation ("ExxonMobil").

WHEREAS, ExxonMobil was the owner of certain properties located in Cook County in the State of Illinois identified by the common addresses listed below and described in further detail on Exhibit "A" attached hereto and made a part hereof (each individually, a "Property" and collectively, the "Properties");

1. 1748 West Touhy Avenue, Chicago;
2. 1401 River Oaks Drive, Calumet City;
3. 16200 Indiana Avenue, South Holland;
4. 545 Mannheim Road, Bellwood;
5. 10240 South Pulaski Road, Oak Lawn;
6. 2108 Sibley Boulevard, Calumet City;
7. 4000 West 127th Street, Alsip; and
8. 5500 Wolf Road, Western Springs.

WHEREAS, ExxonMobil and Esquire Petroleum, LLC, an Illinois limited liability company ("Esquire Petroleum") entered into an Agreement of Purchase and Sale dated as of August 10, 2006, as amended (the "Agreement"), for certain properties all located in the State of Illinois including the Properties;

WHEREAS, pursuant to those certain Special Warranty Deeds listed below, ExxonMobil conveyed each Property to Esquire Petroleum (each, a "Deed" and collectively, the "Deeds"):

1. Deed recorded as Document 0710609122 (1748 West Touhy Avenue);
2. Deed recorded as Document 0710609125 (1401 River Oaks Drive);
3. Deed recorded as Document 0707433264 (16200 Indiana Avenue);
4. Deed recorded as Document 0725622088 (545 Mannheim Road);
5. Deed recorded as Document 0707433270 (10240 South Pulaski Road);
6. Deed recorded as Document 0707609128 (2108 Sibley Boulevard);
7. Deed recorded as Document 0707531095 (4000 West 127th Street, Alsip) and
8. Deed recorded as Document 0707433258 (5500 Wolf Road, Western Springs)

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WHEREAS, pursuant to the Agreement, ExxonMobil retained certain continuing rights and interests in each Property pursuant to:

1. Article VII, Section 7.7 in the Agreement ("Restrictions on Use") and Paragraph Number 2 in each Deed ("Prohibited Uses");
2. Article XX, Section 20.1 A. in the Agreement relating to the sale of motor fuel and petroleum products at a Property under a trademark or brand other than "Mobil" or "Exxon" ("Option to Repurchase Properties; Liquidated Damages"); and
3. Article XX, Section 20.1 B in the Agreement ("Right of First Refusal");

WHEREAS, the Agreement and each Deed also grant ExxonMobil the right to repurchase each property in the event of a violation of the Restrictions on Use or Prohibited Uses at such Property (the "Use Violation Repurchase Right");

WHEREAS, ExxonMobil memorialized its Use Violation Repurchase Right and Option to Repurchase; Liquidated Damages in each Property in Paragraph Numbered 3 of each of the following Memoranda of Repurchase Option and Right of First Refusal (each, the "Memorandum" and collectively, the "Memoranda"):

1. Memorandum Of Repurchase Option And Right Of First Refusal dated January 29, 2007 and recorded April 16, 2007 as Document 0710609123 (1748 West Touhy Avenue);
2. Memorandum Of Repurchase Option And Right Of First Refusal dated January 29, 2007 and recorded April 16, 2007 as Document 0710609126 (1401 River Oaks Drive);
3. Memorandum Of Repurchase Option And Right Of First Refusal dated January 29, 2007 and recorded March 15, 2007 as Document 0707433265 (16200 Indiana Avenue);
4. Memorandum Of Repurchase Option And Right Of First Refusal dated January 29, 2007 and recorded September 13, 2007 as Document 0725622089 (545 Mannheim Road);
5. Memorandum Of Repurchase Option And Right Of First Refusal dated January 29, 2007 and recorded March 15, 2007 as Document 0707433271 (10240 South Pulaski Road);
6. Memorandum of Repurchase Option and Right of First Refusal dated January 29, 2007 and recorded April 16, 2007 as Document 0707609129 (2108 Sibley Boulevard);
7. Memorandum of Repurchase Option and Right of First Refusal dated January 29, 2007 and recorded March 16, 2007 as Document 0707531096 (4000 West 127th Street) and
8. Memorandum of Repurchase Option and Right of First Refusal dated January 29, 2007 and recorded March 15, 2007 as Document 0707433259 (5500 Wolf Road, Western Springs)

WHEREAS, ExxonMobil memorialized its Right of First Refusal in each Property in Paragraph Numbered 4 of each Memorandum;

WHEREAS, ExxonMobil also memorialized the Use Violation Repurchase Right against each Property in each Deed;

WHEREAS, the closing of the transactions under the Agreement occurred on or about January 29, 2007;

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WHEREAS, pursuant to the Agreement, ExxonMobil's right to exercise the Option to Repurchase; Liquidated Damages and Right of First Refusal expired on the tenth anniversary of the closing of the transactions under the Agreement;

WHEREAS, Esquire Petroleum has requested that ExxonMobil memorialize the partial termination and release of its Option to Repurchase Properties; Liquidated Damages and Right of First Refusal and partially release the Memoranda; and

WHEREAS, Esquire Petroleum and ExxonMobil desire to clarify the scope of the terms of the Memoranda which are not released hereunder.

NOW THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ExxonMobil does hereby terminate and release the following rights and interests in each Property as set forth in the Agreement and the Memoranda:

1. Article XX, Section 20.1 A. in the Agreement and the Option to Repurchase Properties; Liquidated Damages as set forth therein;
2. Paragraph 3 of each Memorandum to the extent Paragraph 3 relates to the Option to Repurchase Properties; Liquidated Damages, except as described further below;
3. Article XX, Section 20.1 B. in the Agreement and the Right of First Refusal Set forth therein; and
4. Paragraph Numbered 4 of each Memorandum;

TO HAVE AND TO HOLD each Memorandum is hereby terminated and released as set forth herein provided however that the following continuing rights of ExxonMobil in the Agreement and memorialized in Paragraph 3 of each Memorandum are specifically **left intact, undisturbed, not terminated, and not released**:

1. Article VII, Section 7.7 in the Agreement and the Restrictions on Use as set forth therein and memorialized in Paragraph Numbered 5 in each Memorandum.

FURTHER, the covenants, conditions and restrictions in the Deeds, including the Maintenance of Records; the Prohibited Uses, Zoning; Grantors Option to Repurchase; Construction Work; Grantee's Grant of Continuing Access; Engineering Controls; and the Covenants Running with the Land (each as defined in the Deeds), along with any and all of the other covenants, conditions and restrictions described in the Deeds remain fully intact, undisturbed and in full force and effect.

[Signature Page follows]

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[Signature Page to Partial Termination and Partial Release of Memorandum of Repurchase Option and Right of First Refusal]

WITNESS:

EXXONMOBIL OIL CORPORATION

[Signature]

Claudia Serrano
Commercial Portfolio Manager

STATE OF TEXAS :
COUNTY OF HARRIS :

[Signature]

By: Maria M. Quezada
As: US Americas South Commercial Manager

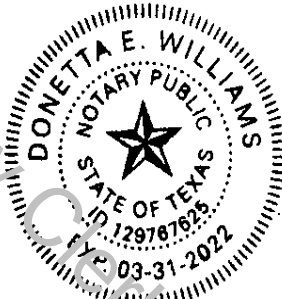
I HEREBY CERTIFY that on the 24 day of May, 2019, before me, the undersigned Notary Public of the jurisdiction aforesaid, personally appeared Maria M. Quezada and acknowledged herself to be the US Americas South Commercial Manager of ExxonMobil Oil Corporation, a New York corporation, and that she in such capacity, being authorized so to do, executed the foregoing instrument for the purposes therein contained as such act of the Corporation.

WITNESS my hand and official seal.

[Signature]

Notary Public

My Commission Expires: 03/31/2022



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EXHIBIT "A" THE PROPERTIES

1. 1748 West Touhy Avenue, Chicago:

LOTS 13 AND 14 IN DOLAND'S SUBDIVISION IN ROGERS PARK, A SUBDIVISION OF PART OF THE SOUTHEAST FRACTIONAL QUARTER (SOUTH OF THE INDIAN BOUNDARY LINE) OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1889 IN BOOK 37 OF PLATS, PAGE 46 AS DOCUMENT 1204416, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13; THENCE NORTH 05 DEGREES 07 MINUTES 26 SECONDS WEST 164.51 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 37 SECONDS EAST 122.35 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 24 SECONDS WEST 164.00 FEET; THENCE NORTH 89 DEGREES 24 MINUTES 59 SECONDS WEST 106.40 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS
Permanent Index Nos.: 11-30-423-014-0000 and 11-30-423-015-0000

2. 1401 River Oaks Drive, Calumet City:

THE NORTH 232.513 FEET OF THE EAST 226.23 FEET OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART TAKEN FOR PUBLIC RIGHT OF WAYS) DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 24, A DISTANCE OF 226.23 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID SECTION 24 A DISTANCE OF 70.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 44 MINUTES 22 SECONDS EAST 162.51.00 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 23 WEST 137.14 FEET; THENCE NORTH 50 DEGREES 30 MINUTES 43 SECONDS WEST 39.29 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 23 SECONDS WEST 136.23 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS
Permanent Index No.: 29-24-200-005-0000

3. 16200 Indiana Avenue, South Holland:

LOT 1 (EXCEPTING THEREFROM THAT PART DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 42.00 FEET; THENCE NORTH ALONG A LINE DRAWN AT 90 DEGREES TO THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 133.76 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 1; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 A DISTANCE OF 95.30 FEET TO AN ANGLE POINT IN SAID LOT 1, SAID ANGLE POINT BEING ON THE WEST LINE OF SAID LOT 1 AND 48.39 FEET NORTH OF THE POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 48.39 FEET TO THE POINT OF BEGINNING) IN MOBIL'S SOUTH HOLLAND SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED JUNE 2, 1990 AS DOCUMENT T3892314, IN COOK COUNTY, ILLINOIS
Permanent Index No.: 29-21-200-075-0000

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4. **545 Mannheim Road, Bellwood:**

LOTS 67, 68, 69 AND 70 AND THAT PART OF LOTS 65 AND 66 IN RICE'S SUBDIVISION IN BELLWOOD, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 70; THENCE SOUTH 00 DEGREES 05 MINUTES 01 SECONDS EAST 170.14 FEET; THENCE SOUTH 89 DEGREES 10 MINUTES 45 SECONDS WEST 106.46 FEET; THENCE NORTH 45 DEGREES 27 MINUTES 08 SECONDS WEST 28.10 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 01 SECONDS WEST 111.26 FEET; THENCE NORTH 72 DEGREES 09 MINUTES 15 SECONDS EAST 132.78 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS
Permanent Index No.: 15-09-304-043-0000

5. **10240 South Pulaski Road, Oak Lawn:**

LOTS 19, 20, 21, 22 AND 23 TOGETHER WITH THE EAST 1/2 OF VACATED ALLEY WEST OF AND ADJOINING SAID LOTS, IN BLOCK 5 IN CHARLES WADSWORTH'S SUBDIVISION OF THE EAST 661.05 FEET OF THE SOUTH 120 ACRES OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 9, 1926 AS DOCUMENT 9461759, IN COOK COUNTY, ILLINOIS
Permanent Index Nos.: 24-10-419-035-0000; 24-10-419-036-0000; 24-10-419-037-0000; 24-10-419-038-0000; 24-10-419-039-0000

6. **2108 Sibley Boulevard, Calumet City:**

LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 7 IN FORDSON MANOR, BEING A RESUBDIVISION OF LOTS OR BLOCKS 4, 5, 6 AND 7 IN EIDAM'S SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 5, 1925 AS DOCUMENT 87650300, IN COOK COUNTY, ILLINOIS
Permanent Index Nos.: 29-12-126-023-0000; 29-12-126-024-0000; 29-12-126-025-0000; 29-12-126-026-0000; 29-12-126-027-0000; 29-12-126-028-0000; 29-12-126-029-0000

7. **4000 West 127th Street, Alsip:**

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 37 NORTH 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4 ; THENCE NORTH 01 DEGREES 01 MINUTES 05 SECONDS WEST AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 50.00 FEET; THENCE SOUTH 89 DEGREES 00 MINUTES 15 SECONDS WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST 1/4 50.00 FEET FOR A POINT OF BEGINNING; THENCE NORTH 89 DEGREES 00 MINUTES 15 SECONDS WEST 175.00 FEET; THENCE NORTH 01 DEGREES 10 MINUTES 05 SECONDS WEST 175.00 FEET; THENCE NORTH 89 DEGREES 00 MINUTES 15 SECONDS EAST 175.00 FEET; THENCE SOUTH 01 DEGREES 10 MINUTES 05 SECONDS EAST 175.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Permanent Index No.: 24-27-401-033-0000

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8. 5500 Wolf Road, Western Springs:

THE NORTH 125 FEET OF LOT 1 IN MAXTED'S SUBDIVISION OF THE EAST 473 FEET OF THE NORTH 775.5 FEET OF THE NORTH EAST QUARTER OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 144.80 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 125.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 144.80 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 125.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Permanent Index No.: 18-18-200-027-0000

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