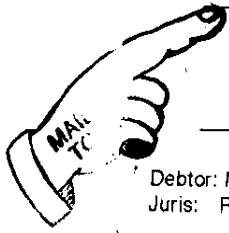


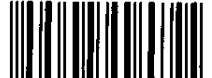
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(UP TO N) - ("A")
Debtor: MEMORANDUM OF AGREEMENT BETWEEN C
Juris: Recorder of Deeds, Cook County, IL

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is made and entered into this 1 day of Sept, 1999 by and between DHALI WAL ILLINOIS PROPERTIES FIVE, INC., an Illinois corporation with offices at 1841 Waukegan Road, Glenview, Illinois 60025 ("OWNER"), and and MARATHON ASHLAND PETROLEUM LLC, a Delaware limited liability company, with offices at 539 South Main Street, Findlay, Ohio 45840 ("MAP").

WITNESSETH:

WHEREAS, OWNER and MAP are parties to a Master Improvement Agreement wherein they agreed to place of record a product restriction applicable to the real property commonly known and numbered as 1841 Waukegan Road, Glenview, Illinois 60025 and more particularly described as follows:

real estate situated in the City of Chicago, County of Cook, State of Illinois, to-wit:

The North 120 feet of the south 550.97 feet (except that part thereof lying East of a straight line drawn from a point in the North line thereof 1864.61 feet West of the Easterly line thereof to a point in the Southerly line thereof 1868.49 feet West of the Easterly line thereof) of that part of the Northeast Quarter of Section 26, Township 42 North, Range 12 East of the Third Principal Meridian, lying East of the Easterly line of Waukegan Road as widened by instrument recorded in the Recorder's Office of Cook County, Illinois as Document Number 10825230, (said premises fronting 120.08 feet on Waukegan Road and 10 feet on Pleasant Lane and having a depth on the Northern boundary of 109.6 feet), in Cook County, Illinois

Permanent Tax No. 04-26-203-069, Volume 133

PRIOR DEED REFERENCE: Recorded as Document #875101645, September 17, 1987, Cook County, Illinois, Records

(the "Property")

NOW, THEREFORE, in further consideration of the Improvement Agreement, the recital paragraph above, and the covenants contained below, the parties agree as follows:

OWNER, for itself and its successors and assigns, agrees that the Property shall not be used for the sale, marketing, storage or advertising of petroleum products except the trademarked products of MAP for that period of time commencing on July 1, 1999 and terminating on June 30, 2006. This restriction is a covenant running with the land and shall be included in any and all instruments affecting the title of the Property.

IN WITNESS WHEREOF, this Memorandum of Agreement has been executed on the date and year first above written.

WITNESSES:

DHALIWAL ILLINOIS PROPERTIES FIVE, INC.
("OWNER")

Susan J. Peterson
Name:

By [Signature]
Its President

Mari Carpenter
Name:

MARATHON ASHLAND PETROLEUM LLC ("MAP")

[Signature]
Name:

By [Signature]
District Manager, Brand Marketing

Name:

STATE OF ^{Wisconsin} ~~ILLINOIS~~)
COUNTY OF ^{WAUKEGA} ~~ADAMS~~) SS:

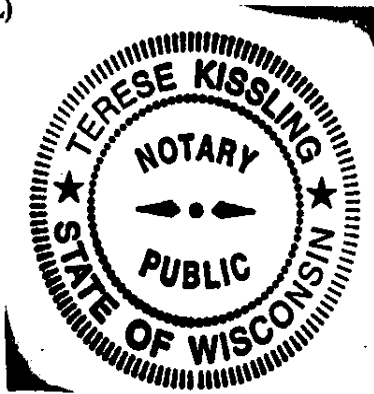
On this 21st day of Sept, 1999, before me, the undersigned Notary Public, in and for said County and State, came Darshan S. Dhaliwal, President of Dhaliwal Illinois Properties Five, Inc., an Illinois corporation, OWNER hereunder, who did say, under oath, that he executed this Memorandum of Agreement on behalf of and with full authority of said corporation with full knowledge of its contents and as its free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name on the day and year last aforesaid.

Terese Kissling
Notary Public
State of Illinois ~~WISCONSIN~~

My Commission expires: 6/30/2002

(SEAL)



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STATE OF INDIANA)
) SS:
COUNTY OF)

On this 22nd day of September, 1999, before me, the undersigned Notary Public, in and for said County and State, came W. J. Webb, Jr., being a District Manager for MARATHON ASHLAND PETROLEUM LLC, a Delaware limited liability company, who did say, under oath, that he executed this Memorandum of Agreement on behalf of and with the authority of said company, with full knowledge of its contents and as its free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name on the day and year last aforesaid.

David E. Mansfield

Notary Public
State of Indiana

My Commission expires:
David E. Mansfield
Notary Public, State of Indiana
Hendricks County
(SEAL) My Commission Exp. 12/31/00

This instrument prepared by:
John H. Stroh, Attorney
Marathon Ashland Petroleum LLC
539 South Main Street
Findlay, OH 45840

Cook County Clerk's Office