

UNOFFICIAL COPY

STATE OF MISSOURI)

COUNTY OF ST. LOUIS)

SS

I, Kelly M. Carson, a Notary Public in and for the State of Missouri aforesaid, DO HEREBY CERTIFY that M. R. Burmaster, Vice President, and Michael J. Curran, Asst. Secretary of Brixham Corp. who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Asst. Secretary appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument in writing as to their free and voluntary act and as the free and voluntary act of the said corporation for the uses and purposes therein set forth and caused the corporate seal of said corporation to be thereto affixed.

GIVEN MY HAND AND NOTARIAL SEAL, this 1st day of August 1984.

Kelly M. Carson
Notary Public

My Commission Expires: March 5, 1988

STATE OF MISSOURI)

COUNTY OF ST. LOUIS)

SS

I, Kelly M. Carson, a Notary Public in and for the State of Missouri aforesaid, DO HEREBY CERTIFY that M. R. Burmaster, Vice President, and Michael J. Curran, Asst. Secretary of CLARK OIL & REFINING CORPORATION, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Asst. Secretary appeared before me this day in person and acknowledged that they signed, sealed, and delivered the said instrument in writing as their free and voluntary act and as the free and voluntary act of the said corporation for the uses and purposes therein set forth and caused the corporate seal of said corporation to be thereto affixed.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 1st day of August, 1984.

Kelly M. Carson
Notary Public

My Commission Expires: March 5, 1988

3506302

Location:

69 Carleton Road
Hillsdale, Michigan

Description:

Part of the Northwest one-quarter of the Northeast one-quarter of
Sec. 27, T. 6 S., R. 3 W., City of Hillsdale, Michigan
described as:

Commencing at the intersection of the centerline of Carleton Rd.
(Hwy. M-99) and the N-S 1/8 line in the Northeast one-quarter of
said Sec. 27, thence North 58 degrees 28' 15" West along the
centerline of said Carleton Rd. a distance of 783.66 feet,
thence North 31 degrees 31' 45" East, perpendicular to the
centerline of Carleton Rd. a distance of 33.00 feet to the point
of beginning;

Thence South 58 degrees 28' 15" East a distance of 106.02 feet;
thence North 31 degrees 31' 45" East a distance of 201.5 feet to
the N.Y.C. railroad right-of-way; thence North 41 degrees 05'
40" West along said railroad right-of-way a distance of 111.09
feet; thence South 31 degrees 31' 45" West a distance of 234.68
feet to the point of beginning.

Exceptions:

1. Rights of parties in possession under unrecorded lease
agreement.

PROPERTY OF COOK COUNTY CLERK'S OFFICE

3506302

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0 3 5 0 9 3 0 2
SCHEDULE 2

Location: 520 Manheim Road
Bellwood, Illinois

Description: A parcel of land situated in Cook County, State of Illinois, and more particularly described as lots 31, 32, 33 and 34 in Adolph Sturms subdivision of the east one quarter of the east half of the south east quarter of section 8, township 39 north, range 12, east of the third principal meridian in said Cook County.

Lot 31 15-08-415-023

Lot 32 15-08-415-025 M.

Property of Cook County Clerk's Office

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Property of Cook County Clerk's Office

3/1/2000

AGREEMENT TO SUBSTITUTE PROPERTIES

THIS AGREEMENT, made as of August 1, 1984 by and between Brixham Corporation, an Indiana corporation with offices at 7930 Clayton Road, St. Louis, Missouri 63117, Lessor (The "Lessor") and CLARK OIL & REFINING CORPORATION, a Wisconsin corporation of St. Louis, Missouri, Lessee (the "Lessee").

W I T N E S S E T H:

THAT WHEREAS, a lease made as of April 1, 1969 (the "Lease") was entered into between Lessor and Lessee of service station premises located at 540 Manheim, Bellwood, Illinois, (the "Leased Premises"), and more particularly described on Schedule A which is attached hereto and made a part hereof, and

WHEREAS, the premises have become economically unfeasible to operate and,

WHEREAS, the Lease provides that in such event the Lessee may substitute for the Leased Premises a similar service station property of equal book value, and

WHEREAS, the Lessee desires to exercise such right and substitute for the Leased Premises the service station property located at 69 Carleton Road, Hilldale, Michigan, (the "Substituted Property"), more particularly described in the Supplement to Schedule A attached hereto, subject to certain exceptions, if any, set forth in such Supplement; and

WHEREAS, the Lessor is willing to accept the Substituted Property under the terms herein set forth:

NOW THEREFORE, in consideration of the mutual covenants and promises hereinafter contained, the parties hereto agree that the lease is hereby amended in the following respects:

1. From and after August 1, 1984, the Leased Premises shall forever be released from the terms of the Lease and shall no longer be subject thereto in any respect, including but not limited to the options to extend and/or purchase recited therein.
2. Effective August 1, 1984, the Substituted Property shall be substituted for the Leased Premises and be subject to in all respects and be bound by all of the terms and conditions of the

4/9/86 Description of property affected Doc # 15
in CTF 1079631 and other
property 82
2457252-254

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5/11/2011

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5/11/2011

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Lease, including but not limited to the options recited therein, as if the Substituted Property were originally described therein.

3. The substitution of the property hereinabove provided for shall be subject to and made in accordance with the terms of the Lease.

As amended hereby, the Lease shall remain in full force and effect.

THIS AGREEMENT shall bind and inure to the benefit of the parties mutually and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

BRIXHAM CORPORATION

BY: *M. R. Burmaster*
M. R. Burmaster, Vice President

BY: *Michael J. Curran*
Michael J. Curran, Assistant Secretary

CLARK OIL & REFINING CORPORATION

BY: *M. R. Burmaster*
M. R. Burmaster
Vice President

BY: *Michael J. Curran*
Michael J. Curran
Assistant Secretary

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Released

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APR 8 11 14 AM '86

REGISTRAR OF TITLES

IDENTIFIED No.
Registrar of Records Titles HARRY (BIS) TOURELL WALKER

3/10/96
NTD

4749 Lincoln Park Drive
Suite 304
Morton, IL 60438