

HIGHWAY EASEMENT

Speedway SuperAmerica LLC, an Ohio Delaware limited liability company of

c/o 539 South Main Street, Findlay, Ohio 45840 grant (s) to the City of Rochester Hills, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, an easement for all public highway purposes, including public utilities, and the construction, operation, maintenance, repair, replacement and/or public use of water main, sanitary sewer, storm sewer, sidewalks and/or pathways in, over, under, upon, and through the following described premises situated in the City of Rochester Hills, Oakland County, Michigan:

See Attached "Exhibit A" Sidwell #15-28-151-003

In connection with the grant of easement, Grantor waives and relinquishes any right, title or interest in such public utilities or improvements, or the facilities incidental thereto, which may be located in the easement.

All property disturbed or altered by the City by reason of construction, operation, etc., shall be restored by the City to its immediately prior condition, except to the extent permanent improvements or alterations necessary to the use and exercise of easement rights granted hereunder are made.

The easement shall be irrevocable and non-exclusive, and Grantor and Grantor's successors and assigns, may use and enjoy the easement area in common with the City.

Grantor expressly reserves to itself and Grantor's successors and assigns, so long as there is no interference with the City's easement rights: (1) right of ingress and egress across the easement, and (b) right to grant other non-exclusive easements and rights-of-way across, over and under the easement parcel, with the condition that prior to such a grant written consent shall be obtained from the City.

Exempt from Transfer Tax under MCLA 207.526 (a); MSA 7.456 (26)(a).

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on this 1st day of May 2006.

IN THE PRESENCE OF:

Speedway SuperAmerica LLC

J.T. Morgan Signature

J.T. Morgan (Print Name)

Vice President, Operations Title



Signature

(Print Name)

Title

STATE OF MICHIGAN OHIO COUNTY OF CLARK

The foregoing instrument was acknowledged before me this 1st day of May 2006, by J.T. Morgan, who is a member of Speedway SuperAmerica LLC, a Delaware limited liability company on behalf of the company.

This instrument drafted by: Josy Foisy City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, Michigan 48309 WHEN RECORDED RETURN TO: Clerks Office City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills MI 48309

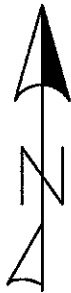
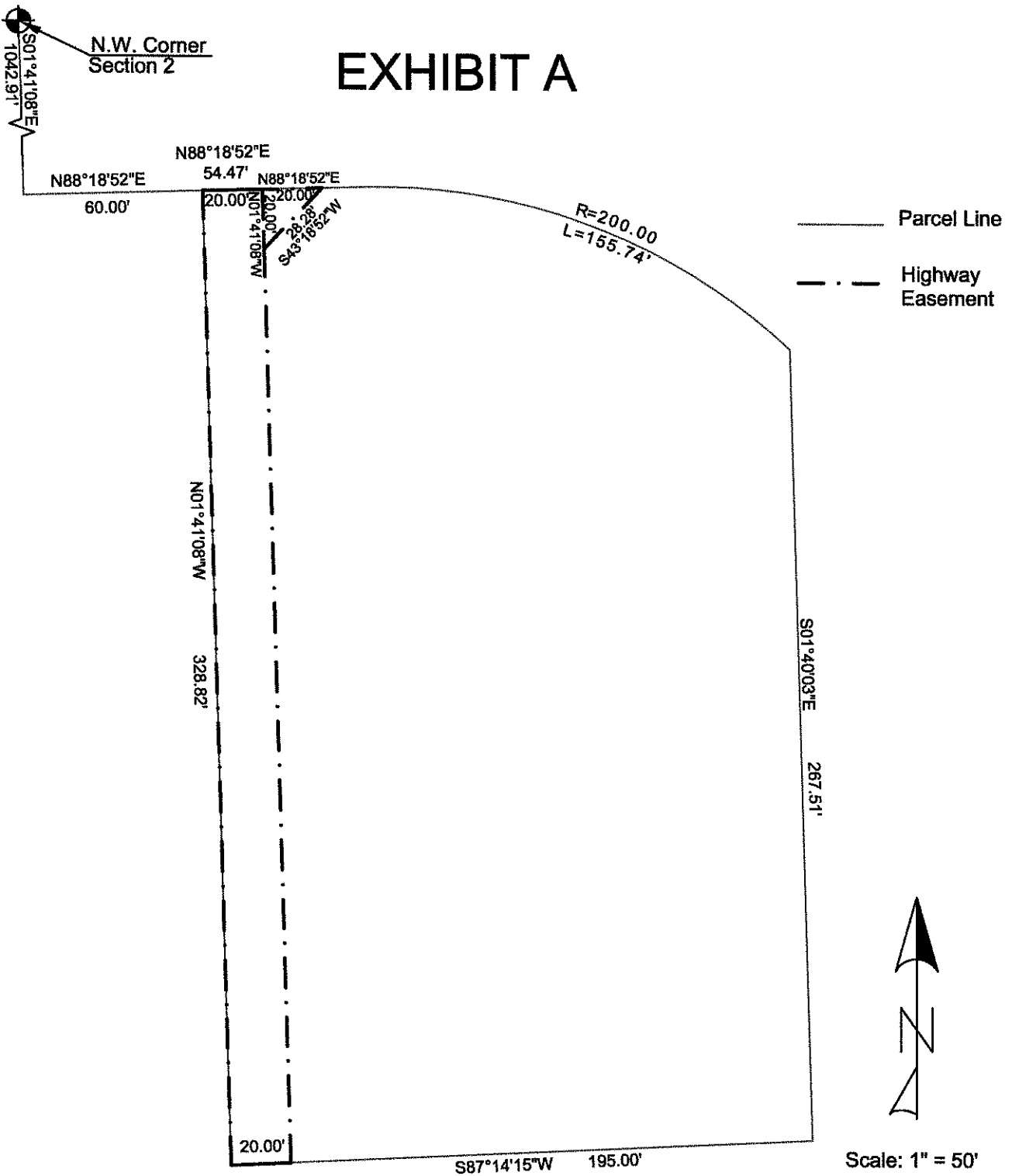
OK'd per J. Morgan 9-8-06

Ruth E. Brown Notary Public

Oakland County, Michigan

RUTH E. BROWN My Commission Expires, April 21, 2009 Book 21, Page 273

EXHIBIT A



Scale: 1" = 50'

Parcel description per Liber 34997 Page 606 Oakland County Records:

Part of the Northwest $\frac{1}{4}$ of Section 28, T-3-N., R-11-E., City of Rochester Hills, Oakland County Michigan, described as beginning at a point located distant S.01°41'08"E., along the Westerly line of said Section 28, 1082.41 feet, and N.88°18'52"E., 60.00 feet from the Northwest (recorded as Northeast) corner of Section 2; thence along the Southerly line of Star-Batt Drive (70 feet wide) the following 2 courses, N.88°18'52"E., 54.47 feet; thence along a curve to the right (radius 200.00 feet, chord bearing S.69°22'14"E., 151.84 feet), an arc distance of 155.74 feet; thence S.01°40'03"E., 267.51 feet; thence S.87°14'15"W., 195.00 feet; thence N.01°38'57"W., 180.00 feet; thence S.87°14'15"W., 175.00 feet to the Easterly line of Crooks Road (120 feet wide); thence N.01°41'08"W., along the Easterly line, 148.83 feet to the point of beginning. (1.41 acres)

Highway easement:

The West 20.00 feet of the above described parcel (0.15 acres), along with the following described parcel:

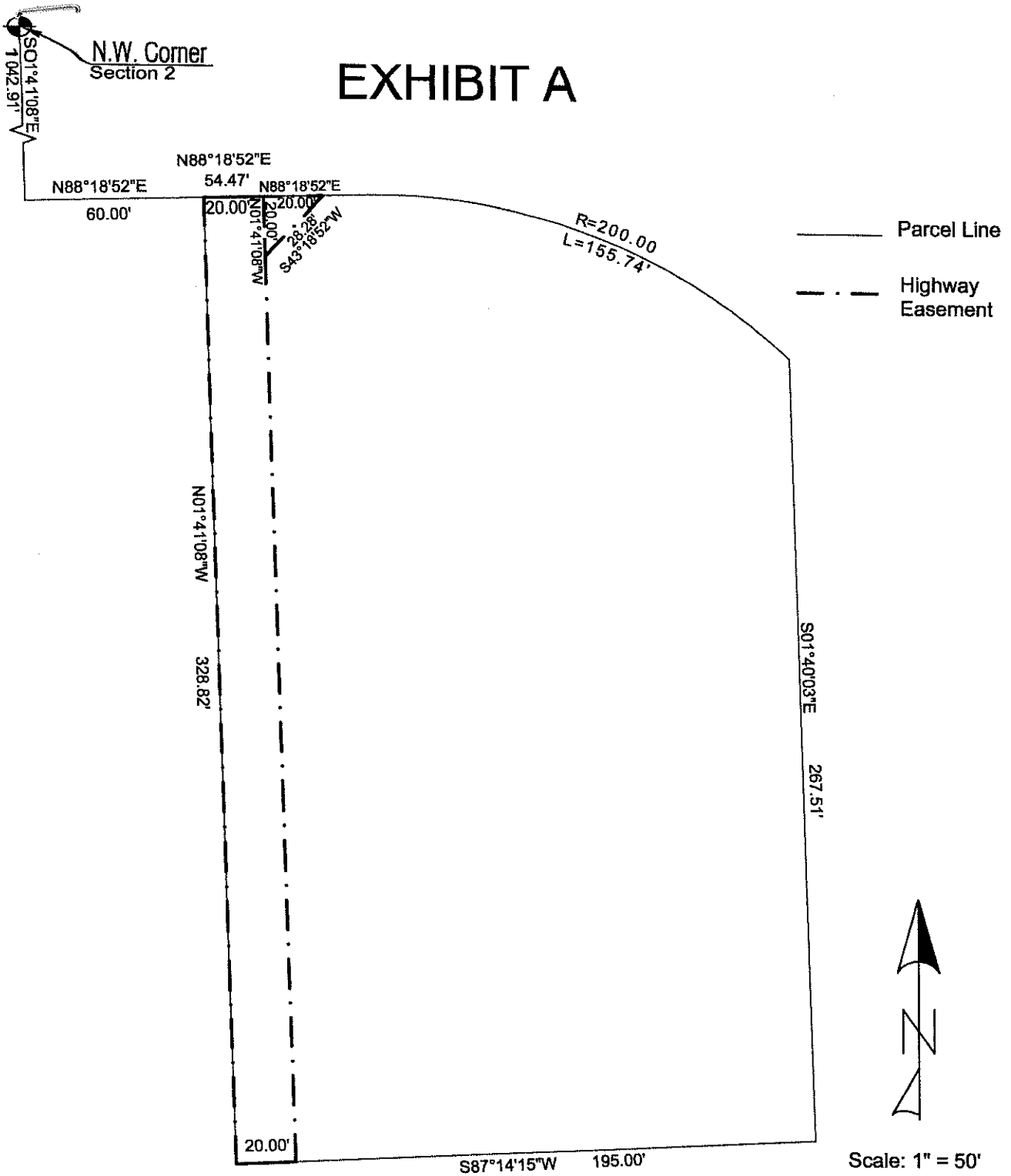
Commencing at the northwest corner of said Section 28, T.3N., R.11E., thence S.01°41'08"E., 1082.41 feet; thence N.88°18'52"E., 60.00 feet to the Easterly line of Crooks Road (120 feet wide); thence along the Southerly line of Star-Batt Drive (70 feet wide) N.88°18'52"E., 20.00 feet to the point of beginning; thence along the following 3 courses: N.88°18'52"E., 20.00 feet; S.43°18'52"W., 28.28 feet; and N.01°41'08"W., 20.00 feet to the point of beginning (0.0045 acres).

*OK'd by
M. TAVNT
9-1-06*



MARK	BULLETIN	DATE	APPROVED BY	City of Rochester Hills 1000 Rochester Hills Drive Rochester Hills, Michigan 48309	LEGAL-DESCRIPTION 15-28-151-003	NOT TO SCALE
			DATE: _____			DATE: 3/4/06
			PREPARED BY ENGINEERING SERVICES DEPARTMENT OF PUBLIC SERVICE			

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