

CT 17013 & 0

ROFR MEMORANDUM

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TO:

DLA Piper LLP (US)  
444 West Lake Street, Suite 900  
Chicago, Illinois 60606  
Attn: David Pryor

2017 020717

STATE OF INDIANA  
LAKE COUNTY  
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2017 MAR 31 AM 11:42

MICHAEL B. BROWN  
RECORDER

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CHICAGO TITLE INSURANCE COMPANY

**Document is**  
~~MEMORANDUM OF RIGHT OF FIRST REFUSAL~~  
**NOT OFFICIAL!**

Reference is hereby made to that certain Contract for Purchase and Sale of Real Estate dated March 17, 2017 (the "Agreement"), by and between **Rosalio Alberto Martinez** (the "Seller"), having an address of 420 Park Street, East Chicago, Indiana 46312, and **BP Products North America Inc.**, a Maryland corporation ("BP"), whose address is 2815 Indianapolis Blvd., Whiting, Indiana 46394. In accordance with Section 35 of the Agreement, BP has a right of first refusal to purchase from Seller that certain real property commonly known as **420 Park Street**, East Chicago, Indiana, which is legally described in Exhibit A attached hereto and made a part hereof (the "ROFR"). The exercise of the rights of BP and Seller under the ROFR shall be governed by the terms and conditions of the Agreement.

The parties may execute this Memorandum of Right of First Refusal in counterparts which shall, in the aggregate, be signed by all the parties. Each counterpart shall be deemed an original instrument, and collectively they shall constitute one document.



[Signature pages follow]

**FILED**

MAR 29 2017

JOHN E. PETALAS  
LAKE COUNTY AUDITOR

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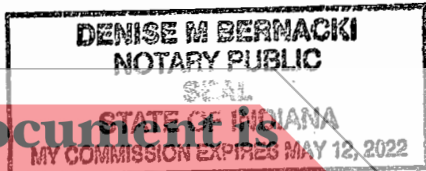
IN WITNESS WHEREOF, Seller and BP have executed this instrument as of the  
17<sup>th</sup> day of March, 2017.

Seller:

**Rosalio Alberto Martinez**

By: [Signature]  
Rosalio Alberto Martinez

STATE OF Indiana  
COUNTY OF Lake



**Document is NOT OFFICIAL!**  
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I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Rosalio Alberto Martinez, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 1<sup>st</sup> day of March 2017  
Denise M. Birmacki  
Notary Public

My Commission Expires: May 12, 2022



**BP PRODUCTS NORTH AMERICA INC.,**  
a Maryland corporation

By: *Fergus Simpson*  
Name: Fergus Simpson  
Title: Commercial Development Manager

STATE OF Indiana )

CITY/COUNTY OF Lake ) SS:

I HEREBY CERTIFY that on this 13<sup>th</sup> day of March, 2017, before me, the undersigned officer, personally appeared Fergus Simpson, who acknowledged himself to be a Commercial Development Manager of BP Products North America Inc., a Maryland corporation, and that he, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of Fergus Simpson, as Commercial Development Manager of such corporation.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

My Commission expires:

10-18-2023

*Donna J. Zavesky*  
Notary Public

DONNA J. ZAVESKY  
Notary Public  
**OFFICIAL SEAL**  
State of Indiana, Lake County  
Commission #872945  
My Commission Expires October 18, 2023



**DECLARATION**

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. D.P

Prepared by:  
DLA Piper LLP (US)  
203 North LaSalle Street  
Chicago, Illinois 60601  
Attn: David Pryor

**EXHIBIT A**

**LEGAL DESCRIPTION**

The real property situated in the County of Lake, State of Indiana, and described as follows:

Lot 90, in Resubdivision of Lot 241, Mark Subdivision, in the City of East Chicago, as shown in Plat Book 26, page 59, in Lake County, Indiana.

420 Spring Street  
East Chicago, IN 46312

PIN: 45-03-16-311-014.0000-024

