

TH
S

Inst # 2006004397 Mon Jan 30 11:21:20 CST 2006
Filing Fee: \$15.50
Lancaster County, NE Assessor/Register of Deeds Office AGRMT
Pages 3

LINCOLN, NEBRASKA
345 West "O" Street
L/C: 026-0151
File #:43068

Prepared by Kathy Madigan
After Recorded, return to: Kim Delmedico
McDonald's USA, LLC
One McDonald's Plaza
Oak Brook, IL 60523

SUPPLEMENT TO A SMALL TOWN OIL LEASE AND OPERATING AGREEMENT

This Agreement is dated December 1, 2005 and is a Supplement to a Small Town Oil Lease and Operating Agreement dated November 24, 2004, First Amendment to Small Town Oil Lease and Operating Agreement dated May 14, 2005 ("Agreement") between **GAS 'N' SHOP, INC.**, a Nebraska corporation ("Company") whose address is 701 Marina Bay Place, Lincoln, Nebraska 68521 and **McDONALD'S USA, LLC, a Delaware limited liability company** ("McDonald's") whose address is One McDonald's Plaza, Oak Brook, Illinois 60523, for the Premises described on Exhibit A.

Pursuant to the terms and conditions contained in the above Agreement, this Supplemental Agreement is executed to affirm the following facts:

1. The commencement date of the term of the Agreement is February 9, 2005.
2. The commencement date of the rent is October 14, 2005.
3. The date upon which the original term of the Agreement will expire is October 13, 2015.

The Agreement, as supplemented by this document, is ratified and confirmed by Company and McDonald's.

GAS 'N' SHOP, INC.,
a Nebraska corporation

By: *Thomas Eck*
Its: VP FINANCE

McDONALD'S USA, LLC,
a Delaware limited liability company

By: *Mahrukh Hussain* *KAD*
Mahrukh Hussain, Senior Counsel

(ACKNOWLEDGMENTS OF ALL SIGNATURES AND EXHIBIT A)



CTC 25800

Change \$15.50 CAP

CAP

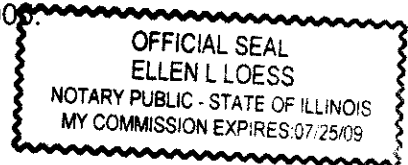
ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS:
COUNTY OF DUPAGE)

I, ELLEN L LOESS, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Mahrukh Hussain, Senior Counsel of McDonald's USA, LLC, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Senior Counsel appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act as such Senior Counsel as the free and voluntary act of said company for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 1 day of December, 2005.

Ellen L. Loess
My commission expires



ACKNOWLEDGEMENT

STATE OF NEBR.)
) SS:
COUNTY OF LANCASTER)

I, PENNY A. KREMER, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that THOMAS VIK, VP FINANCE of Gas 'N' Shop, Inc., a Nebraska corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such VP FINANCE appeared before me this day in person and acknowledged that (he) (she) signed, sealed and delivered the said instrument as (his) (her) free and voluntary act as such VP FINANCE as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 9th day of DEC., 2005.

Penny A. Kremer
My commission expires JAN. 19, 2007

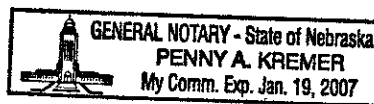


EXHIBIT "A"

A tract of land out of and a part of Lot 98, Irregular Tracts in the Northeast Quarter of Section 27, Township 10 North Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, and being more particularly described by metes and bounds as follows to wit; Beginning at a 5/8 inch x 30 inch rebar for the Northeast corner of the tract herein described on the South right of way line of West "O" Street, said point also being the Northeast corner of said Lot 98, Irregular Tracts, and being South 89 degrees 28 minutes 18 seconds West 754.10 feet, and South 00 degrees 31 minutes 42 seconds East 92.32 feet from the Northeast corner of the aforesaid Section 27; thence South 00 degrees 09 minutes 09 seconds East (assumed bearing) a distance of 79.10 feet along and with the East line of said Lot 98, Irregular Tracts to the point of curvature of a curve to the right, having a central angle of 07 degrees 40 minutes 00 seconds, a radius of 2172.01 feet, an arc length of 290.63 feet, and a chord bearing South 03 degrees 41 minutes 00 seconds West 290.42 feet; thence Southwesterly along and with the arc of said curve, a distance of 290.63 feet to the point of tangency thereof; thence South 07 degrees 31 minutes 00 seconds West, continuing along the aforesaid East line of Lot 98, Irregular Tracts, a distance of 150.79 feet, to a point thereon for the Southeast corner of the tract herein described; thence North 89 degrees 54 minutes 00 seconds West, a distance of 708.04 feet, to the Southeast corner of Lot 70, Irregular Tracts and being the Southwest corner of the tract herein described; thence North 00 degrees 06 minutes 00 seconds East, a distance of 518.50 feet along and with the East line of said Lot 70, Irregular Tracts, to the Northeast corner thereof and the Northwest corner of the tract herein described, on the South right of way line of "O" Street; thence South 89 degrees 53 minutes 55 seconds East, a distance of 745.31 feet along and with the said South right of way line to the place of beginning, EXCEPT the North 65 feet of the East 120 feet of the West 301.19 feet of a tract of land out of and part of Lot 98, I.T., in the NE 1/4 of Section 27, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska more particularly described as follows: Beginning at a 5/8 inch x 30 inch rebar for the Northeast corner of the tract herein described on the South Right-of-way line of West "O" Street, said point also being the Northeast corner of said Lot 98, I.T., and being South 89 degrees 28 minutes 18 seconds West 754.10 feet, and South 00 degrees 31 minutes 42 seconds East 92.32 feet from the Northeast corner of the aforesaid Section 27; thence South 00 degrees 09 minutes 09 seconds East (assumed bearing), a distance of 79.10 feet along and with the East line of said Lot 98, I.T., to the point of curvature of a curve to the right, having a central angle of 07 degrees 40 minutes 00 seconds, a radius of 2172.01 feet, an arc length of 290.63 feet, and a chord bearing South 03 degrees 41 minutes 00 seconds West 290.42 feet; thence Southwesterly along and with the arc of said curve, a distance of 290.63 feet to the point of tangency thereof; thence South 07 degrees 31 minutes 00 seconds West continuing along the aforesaid East line of Lot 98 I.T., a distance of 150.79 feet, to a point thereon for the Southeast corner of the tract herein described; thence North 89 degrees 54 minutes 00 seconds West, a distance of 708.04 feet, to the Southeast corner of Lot 70. I.T., and being the Southwest corner of the tract herein described; thence North 00 degrees 06 minutes 00 seconds East, a distance of 518.50 feet along and with the East line of said Lot 70, I.T. to the Northeast corner thereof and the Northwest corner of the tract herein described on the South Right-of-way line of "O" street; thence South 89 degrees 53 minutes 55 seconds East, a distance of 745.31 feet along and with the said South Right-of-way line to the place of beginning.