

200101240085

Skagit County Auditor

1/24/2001 Page 1 of 4 1:19:27PM

RETURN TO:

Stewart Title Guaranty Company- NIS.

Attn: Elvira Fuentes

1980 POST OAK BLVD, SUITE 610

HOUSTON, TEXAS 77056

DOCUMENT TITLE(S) (or transactions contained herein):

MEMORANDUM OF LEASE

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

[ | ADDITIONAL REFERENCE NUMBERS ON PAGE \_\_\_\_  
OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. EQUILON ENTERPRISES LLC.

2.

3.

4.

[ | ADDITIONAL NAMES ON PAGE \_\_\_\_ OF DOCUMENT.

GRANTEE(S) (Last name, first name and initials):

1. AIR LIQUIDE

2.

3.

4.

[ | ADDITIONAL NAMES ON PAGE \_\_\_\_ OF DOCUMENT.

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range):

Section 33, Township 35 North Range 2, East W.M.

[ | ADDITIONAL LEGAL(S) ON PAGE 3 OF DOCUMENT.

ASSESSOR'S PARCEL/TAX I.D. NUMBER:

32989 and 32990

[ | TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGAL(S) ON PAGE \_\_\_\_ OF DOCUMENT.

## MEMORANDUM OF LEASE

THIS MEMORANDUM, made and entered into as of the 12<sup>TH</sup> day of January, 2000 by and between AIR LIQUIDE AMERICA CORPORATION, a Delaware corporation (hereinafter referred to as "Air Liquide"), and Equilon Enterprises, LLC, a Delaware limited liability company (hereinafter referred to as "Equilon").

### WITNESSETH:

WHEREAS, Air Liquide and Equilon have entered into that certain Lease Agreement dated the 8th day of April, 1999 (hereinafter referred to as the "Lease"), pursuant to which Equilon, as Lessor, has demised and leased to Air Liquide, as Lessee, upon the terms and subject to the conditions contained therein, certain premises located in Skagit County, State of Washington, which are legally described on Exhibit A and Exhibit A-1 attached hereto and hereby made a part hereof (hereinafter referred to as the "Premises"); and

WHEREAS, Air Liquide and Equilon wish to place notice of the Lease on record;

NOW, THEREFORE, in consideration of the mutual promises and agreements contained in the Lease, this Memorandum is made and executed and is to be recorded in the office of the Recorder of Deeds of Skagit County, State of Washington, for the purpose of giving notice of the Lease and the respective rights and obligations of the party thereunder.

This Memorandum is subject in each and every respect to the terms and conditions contained in the Lease, and is made and executed by the parties hereto with the understanding and agreement that nothing contained in this Memorandum shall in any manner alter, modify or vary any of the terms or conditions contained in the Lease. This Memorandum of Lease is subject to any amendments, renewals, or extensions of the Lease.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum as of this day, month and year first above written.

EQUILON ENTERPRISES LLC

By: [Signature]  
Title: President AIRC

AIR LIQUIDE AMERICA CORPORATION

By: [Signature]  
Title: \_\_\_\_\_

**John N. Baird**  
**Vice President, Legal**  
**and Corporate Affairs**  
**and Secretary**



200101240085

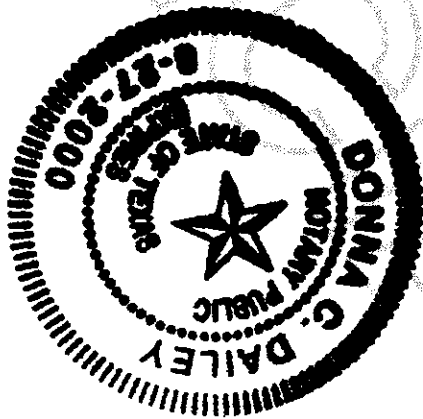
Skagit County Auditor

State of Texas

County of Harris

Before me, the undersigned, a Notary Public, on this day personally appeared John N. Baird, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said Air Liquide America Corporation, a Delaware corporation, and that he has executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 12th day of January, 2000.



Donna C. Dailey  
Notary Public, State of Texas

Print name of Notary Public

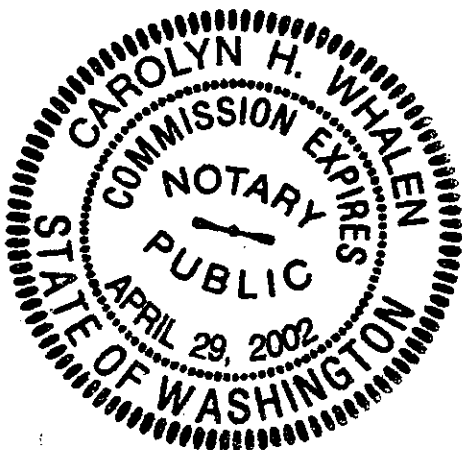
My commission Expires: \_\_\_\_\_

State of Washington

County of Skagit

Before me, the undersigned, a Notary Public, on this day personally appeared J. C. Moorad, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said Equilon Enterprises LLC, a Delaware limited liability company, and that (s)he has executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 22<sup>nd</sup> day of November, 2000.



Carolyn H. Whalen  
Notary Public, State of ~~Texas~~ WASHINGTON

Carolyn H. Whalen  
Print name of Notary Public

My commission Expires: 4/29/2002

Residing in Mount Vernon



200101240085  
Skagit County Auditor



**Leonard, Boudinot & Skodje Inc.**

PROFESSIONAL ENGINEERS & LAND SURVEYORS

EXHIBIT "A"

JOHN E. LEONARD, JR., P.E. & P.L.S.

ROBERT C. BOUDINOT, JR., P.E.

JEFFREY A. SKODJE, P.L.S.

December 8, 1999

LEGAL DESCRIPTION FOR: Equilon  
Re: Air Liquide Site

That portion of the Equilon, Puget Sound Refining Company Plant, located in Section 33, Township 35 North, Range 2, East W.M., Skagit County, Washington, being more particularly described as follows:

Commencing at a control monument, at the intersection of "E" Street and 6<sup>th</sup> Street, having a coordinate of North 10,720.00, and East 12,040.00, as shown on Equilon Oil Refinery, Anacortes, Washington, "General Plot Plan Survey Control Drawing", No. 50-EA-20, dated May 28, 1992; **thence** North 50.00 feet; **thence** East 17.00 feet, to the **TRUE POINT OF BEGINNING**; **thence** North 30.00 feet; **thence** East 60.00 feet; **thence** North 60.00 feet; **thence** West 195.00 feet; **thence** South 90.00 feet; **thence** East 135.00 feet, to the **TRUE POINT OF BEGINNING**.

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

**JAN 17 2001**

Amount Paid \$  
Skagit Co. Treasurer  
By *[Signature]* Deputy

After recording return to:  
Stewart Title Guaranty Company  
Attn: Elvira Fuentes  
1980 Post Oak, Suite 610



200101240085  
Skagit County Auditor

J:\99246\sur\legal.d01.doc

Mount Vernon Office: 603 South First Street, Mount Vernon, WA 98273, (360) 336-5751/f  
Mailing Address: P.O. Box 1228, Mount Vernon, WA 98273 • E-mail Address: office@lks.com

1/24/2001 Page 4 of 4 1:19:27PM