

7344368

This instrument was prepared in the offices of Circle K Stores Inc. and upon recordation should be returned to Susan Spencer, Circle K Stores Inc., 1500 North Priest Drive, Tempe, Arizona 85281.

Circle K Store No. 1558
Buyer Store No. 323

Salt Lake, Utah
(County and State)

MEMORANDUM OF SUBLEASE

THIS MEMORANDUM OF SUBLEASE is made effective as of the 28th day of April, 1999 by and between CIRCLE K STORES INC., a Texas corporation ("Sublandlord"), whose mailing address is 1500 North Priest Drive, Tempe, Arizona 85281 and MAVERIK COUNTRY STORES, INC., a Wyoming corporation ("Tenant"), whose mailing address is 880 West Center Street, North Salt Lake City, Utah 84054.

This Memorandum refers to that certain Leaseback Agreement dated April 25, 1985 (as amended, the "Lease Agreement") applicable to the real property described on Exhibit "A" appended hereto (the "Real Property").

By Sublease Agreement of even date herewith (the "Sublease Agreement"), Sublandlord has subleased to Tenant that certain real property located in Salt Lake County, Utah described in Exhibit "A" attached hereto and made a part hereof, for a term commencing of even date herewith, and expiring on April 30, 2008, and upon all of the terms and conditions contained therein. If Sublandlord has exercised its option to extend the term of the primary lease underlying the Sublease Agreement, the term of the Sublease Agreement shall automatically be extended as follows:

First Renewal Term: May 1, 2008 - April 30, 2013
Second Renewal Term: May 1, 2013 - April 30, 2018

The purpose of this Memorandum of Sublease is to give record notice of the Sublease Agreement and of the rights created thereby, all of which are hereby confirmed. All of the capitalized terms used and not otherwise defined herein are defined in the Sublease Agreement.


05/05/99 11:15 AM 17.00
7344368
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
MERRILL TITLE
REC BY: A GARAY DEPUTY - WI

BK8274PG6812

Copies of the Sublease Agreement between Sublandlord and Tenant are being held by Sublandlord and Tenant at their addresses stated above.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Sublease as of the day and year first above stated.


CIRCLE K STORES INC., a Texas corporation

By: 
Name: Joel A. Sterrett
Title: Vice President

(SEAL)

SUBLANDLORD

MAVERIK COUNTRY STORES, INC., a Wyoming corporation

By: 
Name: Michael V. Call
Title: President

(SEAL)

TENANT

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this 26 day of April, 1999, by JOEL A. STERRETT, the Vice President of CIRCLE K STORES INC., a Texas corporation, on behalf of that corporation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Teresa L. Campbell
Notary Public

My commission expires:



STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this 26 day of April, 1999, by MICHAEL V. CALL, the President of MAVERIK COUNTRY STORES, INC., a Wyoming corporation, on behalf of that corporation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Teresa L. Campbell
Notary Public

My commission expires:



EXHIBIT A
STORE NO. 1558

PARCEL 1

Commencing at the intersection of the West line of 20th East Street and the North line of 2700 South Street, which intersection is also the Southeast corner of Lot 8, Country Club Garden Tract, according to the official plat thereof on file in the office of the Salt Lake County Recorder; thence West along the North line of 2700 South Street, 178.95 feet; thence North 106 feet; thence East 178.95 feet to the West line of 20th East Street; thence South along said West line 106 feet to the point of beginning.

PARCEL 2

Part of Lot 7, COUNTRY CLUB GARDEN TRACT, commencing at a point 28 feet North of the Southeast corner of said Lot 7, and running thence North 50 feet; thence West 179.24 feet; thence South 50 feet; thence East 178.95 feet, more or less, to the point of beginning.