

Writer's Direct Dial # (614) 764-8459

Tim Hortons
TIM DONUT U.S. LIMITED, INC.

425 W. TUBING CREEK AVENUE, SUITE 100, MINNEAPOLIS, MN 55412
TELEPHONE (612) 338-1122 FAX (612) 338-1123

VIA FEDERAL EXPRESS

March 29, 1999

Mr. Raymond J. Cota, Jr.
Vice President, Real Estate
WEBBER OIL COMPANY
700 Main Street
P.O. Box 929
Bangor, Maine 04402-0929

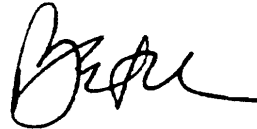
Re: ***Lease Agreement – Exit 8, Riverside Street @ Westbrook connector, Portland, ME***

Dear Mr. Cota:

Enclosed are two (2) fully executed counterparts of the Lease Agreement dated March 29, 1999 between WEBBER OIL COMPANY ("Lessor") and TIM DONUT U.S. LIMITED, INC. ("Lessee") for premises at the above-referenced location. Thank you for your cooperation and assistance in this matter.

Sincerely,

TIM DONUT U.S. LIMITED, INC.



Beth L. Dreitler
Corporate Counsel - Real Estate/Finance

BLD/tp
Enclosure

cc: John Houck, Bob Barton, Janet Draughn (w/encls.), Andrea McGeehan (w/encls.)



PORTLAND MAINE

Division
to, Planner

6/5

je -

Does this suffice for evidence
at the site is not vacant?

reve by & it still appears
be closed but not empty.

We know your thoughts &

ll inform the applicant.

Thanks

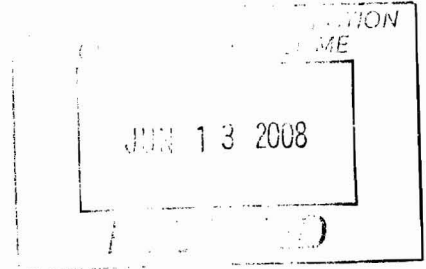
- Melly





June 11, 2008

Ms. Molly Casto, Planner
Planning and Development Department
City of Portland
389 Congress Street
Portland, ME 04101-3509



RE: BURGER KING APPLICATION ID#: 2008-0053

Dear Ms. Casto:

I have received a copy of your May 28, 2008, letter to William Haskell, PE, regarding the Burger King application on 132 Riverside Drive. Webber Oil Company has not vacated the premises. Because of labor issues, we have temporarily ceased operations. Our tanks, pumps and canopy (as well as the building) remain in place and we will reopen, if necessary, within the next week. Further, we have not notified Maine D.E.P. of tank removals at this location. All of our equipment remains in the store and that certainly facilitates a reopening.

My question to you is: Should we reopen given the time frame for the Burger King approval. We do not want to jeopardize any grandfathered rights. You may email me at rjcota@webberenergy.com. Thank you in advance for your reply.

Cordially,

Raymond J. Cota, Jr.
Vice President

RJC/lat