

RECORDING REQUESTED BY:

WHEN RECORDED RETURN TO:

O'BRIEN, O'ROURKE & HOGAN  
10 South LaSalle Street  
Suite 2900  
Chicago, Illinois 60603  
Attn. Howard I. Goldblatt, Esq.  
(312) 739-3500



00438195

(Space Above this Line for County Recorder's Use Only)

Termination of Easements

This Termination of Easements (this "Agreement") is made and entered into by the undersigned as of the 7<sup>th</sup> day of June, 2000.

Recitals

A. As of the date of this Agreement, Rosemont Bryn Mawr Land, L.L.C., a Delaware limited liability company ("Owner") is the owner of certain real property located at the northwest corner of Gage and Bryn Mawr Avenues in Rosemont, Illinois, and legally described on Exhibit A, attached hereto and made a part hereof ("Property").

B. The Plat of Easement of the Walter D. Phillips Jr. Subdivision recorded on July 25, 1958 as Document No. 17270989, in part, granted a 20 foot easement for public utilities (the "Plat Easement") over a portion of the Property.

C. The easement recorded on November 15, 1966 as Document No. 19993564 granted an easement over a portion of the Property in favor of Illinois Bell Telephone Company (now known as Ameritech) and Commonwealth Edison Company (the "Electric/Phone Easement").

D. The Plat of Vacation of Public Street recorded on February 3, 1987 as Document No. 87065988 vacated all of the Village of Rosemont's right, title and interest in and to a portion of the Property that was formerly known as Lyman Avenue ("Vacated Lyman").

E. The undersigned has no utility lines in, on, or under any portion of the Property encumbered by either the Plat Easement or the Electric/Phone Easement or which was part of Vacated Lyman (collectively, "Encumbered Property").

NOW THEREFORE, for and in consideration of the foregoing premises, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned hereby covenants and agrees as follows:

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TICOR TITLE INSURANCE

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P

1. All of the undersigned's right, title and interest in and to the Encumbered Property is hereby vacated, canceled and terminated and, from and after the date hereof, shall be of no further force or effect. The undersigned hereby grants, conveys and quitclaims unto Owner and to Owner's successors and assigns all of the undersigned's right, title and interest in and to the Encumbered Property.

2. All of the recitals set forth at the beginning of this Agreement are hereby incorporated into and made a part of this Agreement as if fully described herein. This Agreement shall bind and inure to the benefit of the parties hereto, and their respective successors and assigns.

3. This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois applicable to contracts made and to be executed and performed wholly within that state, without application of its choice of law rules.

4. If any provision of this Agreement shall be held invalid or unenforceable, such holding shall not affect the validity or enforceability of any other provisions hereof, all of which other provisions shall, in such case, remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this Agreement to have been executed and delivered as of the date first above written.

Commonwealth Edison Company, an Illinois corporation

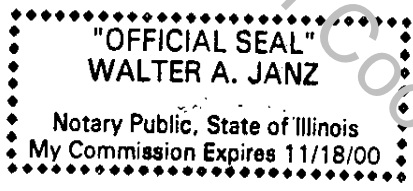
By: William J. Delubler  
Its: ENGINEERING MANAGER

STATE OF IL )  
 ) SS.  
COUNTY OF Cook )

I, Walter A. Janz, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that William Fluher and \_\_\_\_\_, personally known to me to be the Engineering Manager and \_\_\_\_\_, ~~respectively~~, of COMMONWEALTH EDISON COMPANY, an Illinois corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such William Fluher and \_\_\_\_\_, respectively, they signed and delivered the said instrument, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 7<sup>th</sup> day of June, 2000.

W.A. Janz  
Notary Public



Printed: Walter A. Janz

Resident of: Skokie IL

Commission Expires: 11/18/00

Property of Cook County Clerk's Office

EXHIBIT A

PARCEL A:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 in Walter D. Phillips Jr.'s Subdivision No. 1, being a part of the Southwest 1/4 of Section 3, Township 40 North, Range 12, East of the Third Principal Meridian, according to the Plat thereof recorded as Document 17270989, in Cook County, Illinois.

Also

That Part of Lot 1 and 2 in Bryn Mawr Avenue Subdivision, being a subdivision in the Southeast 1/4 of Section 4, Township 40 North, Range 12, East of the Third Principal Meridian, together with that part of vacated Lyman Avenue and vacated Seminole Street, in the Southwest 1/4 of Section 3, Township 40 North, Range 12, East of the Third Principal Meridian, together with that part of the Southeast 1/4 of Section 4, Township 40 North, Range 12, East of the Third Principal Meridian, described as follows: beginning at the most Westerly corner of Lot 2 in Bryn Mawr Avenue Subdivision aforesaid; thence North 27 degrees 45 minutes 30 seconds East, along the West line of Lot 2, 35.13 feet; thence North 70 degrees 36 minutes 08 seconds East, along Westerly line of Lot 2, 22.03 feet; thence North 25 degrees 28 minutes 44 seconds East, along a Westerly line of Lot 2, 226.72 feet; thence North 10 degrees 12 minutes 58 seconds East, along a Westerly line of Lot 2, 134.77 feet to the most Northerly Northwest corner of said Lot 2; thence North 90 degrees 00 minutes 00 seconds East, along the North line of Lot 2 to the Northeast corner of said Lot 2; thence North 02 degrees 05 minutes 59 seconds East, 52.54 feet; thence South 89 degrees 48 minutes 31 seconds East, 164.50 feet to the Northerly extension of the West line of Lot 6 in Walter D. Phillip Jr.'s Subdivision No. 1, being a part of the Southwest 1/4 of Section 3, Township 40 North, Range 12, East of the Third Principal Meridian; thence South 02 degrees 06 minutes 00 seconds West, along the West line of Lots 1 to 6 in Walter D. Phillips Jr.'s Subdivision No. 1 aforesaid, 691.14 feet to the Southwest corner of Lot 1 aforesaid; thence North 89 degrees 49 minutes 30 seconds West, along the Westerly extension of the South Line of Lot 1 to the West Line of said Southwest 1/4; thence North 90 degrees 00 minutes 00 seconds West, along the South line of Lot 1 and its Easterly extension in Bryn Mawr Avenue Subdivision aforesaid, 172.19 feet; thence North 00 degrees 00 minutes 00 seconds East, 451.26 feet; thence North 90 degrees 00 minutes 00 seconds West, 156.24 feet; thence South 02 degrees 06 minutes 00 seconds East, 206.36 feet to the South line of Lot 2 in Bryn Mawr Avenue Subdivision aforesaid; thence North 87 degrees 54 minutes 00 seconds West, along said South line, 174.00 feet to the point of beginning, in Cook County, Illinois.

PARCEL B:

That part of the southwest 1/4 of Section 3, Township 40 North, Range 12, East of the Third Principal Meridian, and the Southeast 1/4 of Section 3 aforesaid, described as follows: commencing at the most Northerly Northeast corner of Lot 2 in Bryn Mawr Avenue Subdivision, in the Southeast 1/4 of Section 4, Township 40 North, Range 12, East of the Third Principal Meridian; thence North 02 degrees 05 minutes 59 seconds West, 52.54 feet to the point of beginning; thence continue North 02 degrees 05 minutes 59 seconds West, 31.88 feet to the

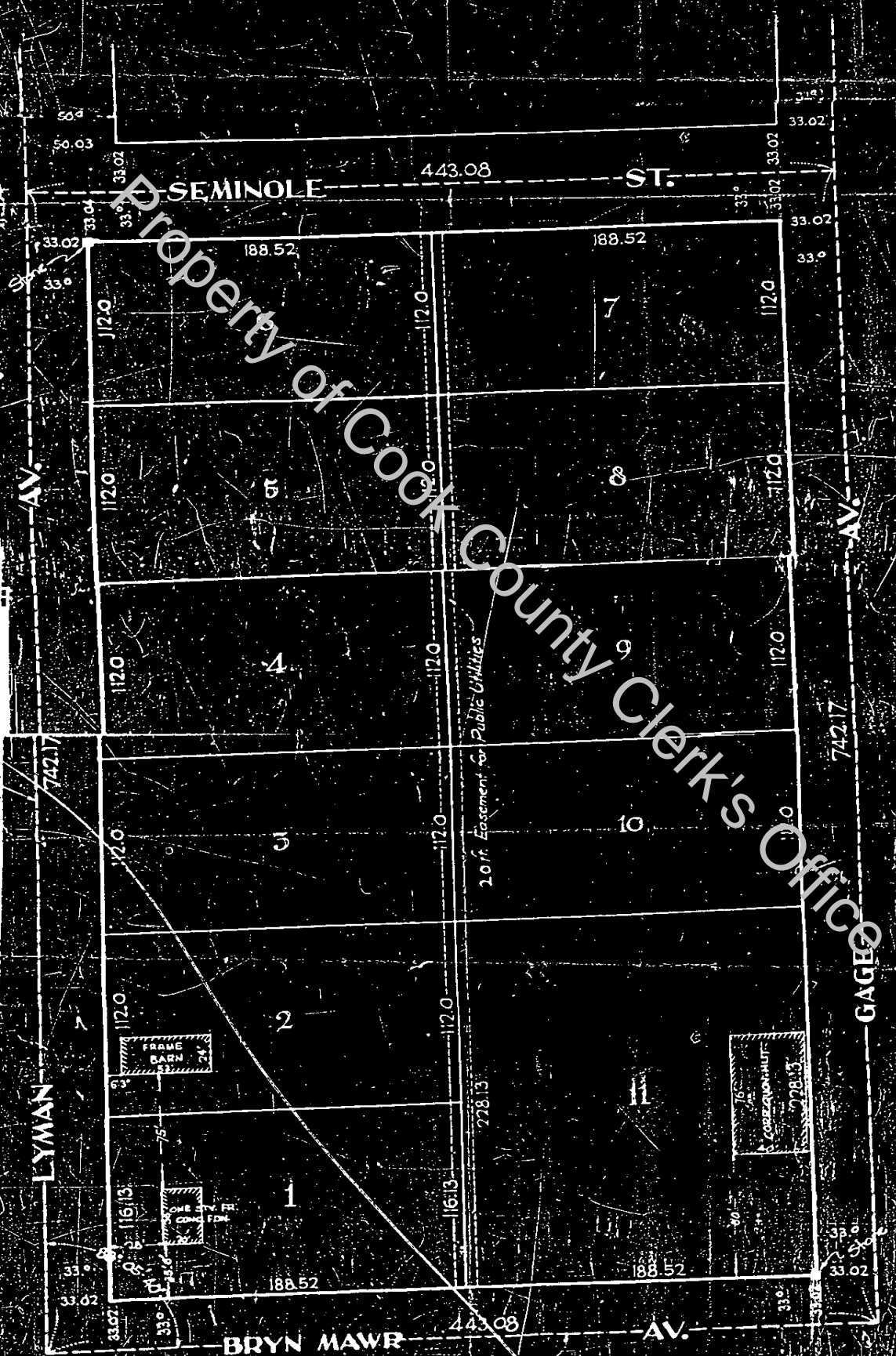
North line of the South 756.59 feet of the South 1/2 of the Southeast 1/4 aforesaid; thence North 90 degrees 00 minutes 00 seconds East, 131.50 feet to the East line of the Southeast 1/4 of Section 4; thence South 02 degrees 05 minutes 54 seconds West, along said East line 14.42 feet to the North line of the South 1/2 of vacated Seminole Street; thence North 90 degrees 00 minutes 00 second East, 33.02 feet to the Northerly extension of the West line of Lot 6 in Walter D. Phillips Jr.'s Subdivision No. 1 in the Southwest 1/4 of Section 3 aforesaid; thence South 02 degrees 06 minutes 00 seconds West, along said extension, 18.01 feet; thence north 89 degrees 48 minutes 31 seconds West, 164.50 feet, to the point of beginning, in Cook County, Illinois.

PARCEL C:

That part of the Southeast 1/4 of Section 4, Township 40 North, Range 12, East of the Third Principal Meridian, described as follows: beginning at the most Northerly Northeast corner of Lot 2 in Bryn Mawr Avenue Subdivision, being a subdivision in the Southeast 1/4 of said Section 4; thence North 02 degrees 05 minutes 59 seconds East, 52.54 feet; thence North 89 degrees 48 minutes 31 seconds West, 66.03 feet; thence South 00 degrees 00 minutes 00 seconds East, 52.72 feet to the North line of Lot 2 aforesaid; thence North 90 degrees 00 minutes 00 seconds East, along said North line, 64.11 feet to the point of beginning, in Cook County, Illinois.

part of the Southwest quarter of Range 12 East of the Third Principal Meridian, described as follows:  
 Commencing at the southwest corner of Section 3, Township 40 North, Range 12 East of the 3rd Principal Meridian; thence east on the South line thereof, 443.08 feet; thence North 742.17 feet to a point 443.08 feet east of the West line of Section 3; thence West 443.08 feet to a point in the West line of Section 3, 742.17 feet north of the Southwest corner of Section 3; thence South along the West line of Section 3, 742.17 feet to the place of beginning in the County of Cook and State of Illinois.

Rec July 25 1880 As D.S. 1880 980



00488195

WEST CORNER  
 742.17

South line of Sec. 3 to 12  
 line of all black and lot corners unless noted otherwise.

BOX 76

19 993 564 ELECTRIC AND TELEPHONE LINE RIGHT ON CORPORATE PROPERTY

KNOW ALL MEN BY THESE PRESENTS:

That the Grantor, HIRSCHMANN INDUSTRIAL CORPORATION

a corporation organized and existing under and by virtue of the laws of the State of California being the owner of the property hereinafter described, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations in hand paid by the Commonwealth Edison Company and Illinois Bell Telephone Company, corporations organized and existing under the laws of the State of Illinois, receipt of which is hereby acknowledged, hereby grants to the said Commonwealth Edison Company and Illinois Bell Telephone Company, their successors and assigns, jointly and severally, the right, permission and authority to construct, maintain, relocate and renew equipment consisting of poles, pole structures, push poles, anchors, guys, stubs, conduits, wires, cables and other necessary electrical facilities, upon, along, over and under said property, and to transmit and distribute by means of said equipment, electricity to be used for heat, light, power, telephone, and other purposes, and also to trim from time to time such trees, bushes and saplings as may be reasonably required incident to the grant herein given, together with the right of ingress to and egress from said property at all times for any and all such purposes; said electrical equipment to be located upon, over and under that part of the property of said Grantor, described as follows:

The South five (5) feet of Lots 4 and 9 in Walter D. Phillips Jr. Subdivision # 1, a subdivision in the Southwest Quarter (SW-1/4)

19 993 564

of Section 2 Township 40 North, Range 12 East of the 3rd Principal Meridian, Cook County, Illinois.

IN WITNESS WHEREOF said Grantor has caused its corporate seal to be hereunto affixed and has caused its name to be signed to these presents by its Vice President and attested by its Secretary this 3rd day of November, A.D. 19 66

By Clifford Smothergill Vice-President
Attest: Theodore J. Carlson Secretary

New York
STATE OF MASSACHUSETTS
County of Nassau

I, Mildred J. Souza, a Notary Public in and for the said County and State, and residing in the County of Nassau, do hereby certify that Clifford Smothergill Vice President of the Hirschmann Industrial Corporation and Theodore J. Carlson Secretary of said corporation, personally

known to me to be the same persons whose names are subscribed to the foregoing instrument as the President and Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and voluntary act of said corporation, for the uses and purposes therein set forth; and the said Secretary then and there acknowledged that he, as custodian of the corporate seal of said corporation, affixed the corporate seal of said corporation to said instrument as his own free and voluntary act and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 3rd day of November

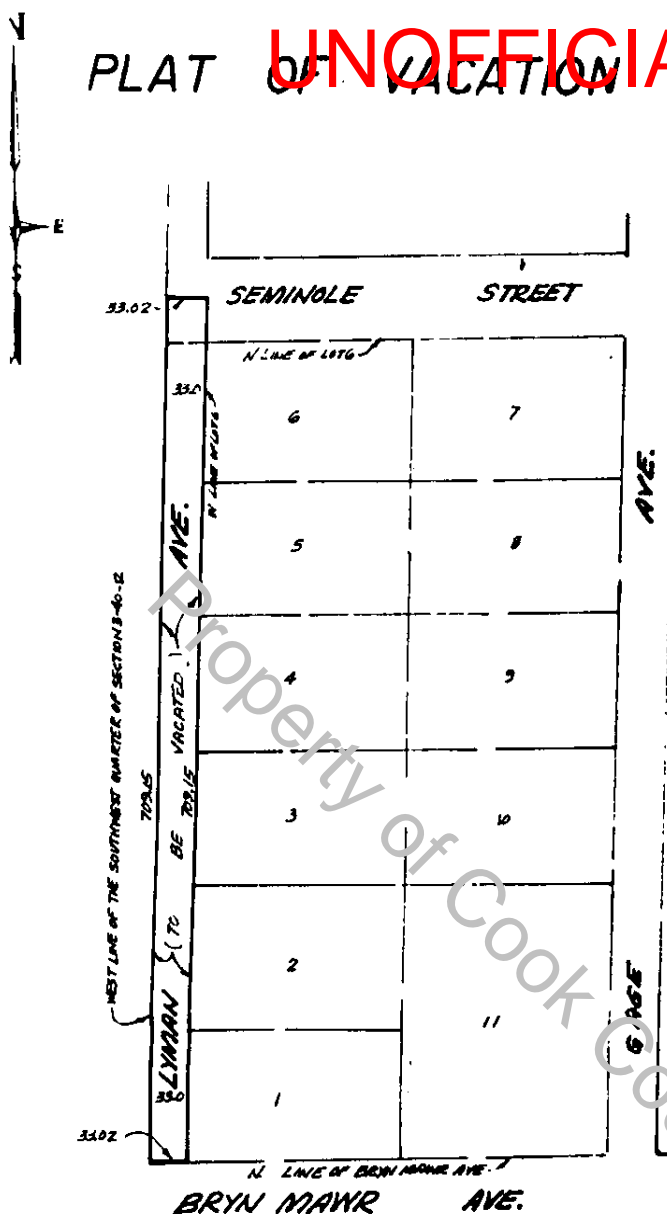
Notary Public

My commission expires 11-30-67

# PLAT OF VACATION OF PUBLIC STREET

THAT PART OF LINDEN AVENUE IN THE SOUTHWEST QUARTER OF SECTION 3, LING NORTH OF THE  
 NORTHERLY EXTENSION OF THE WEST LINE OF BRYN MAWR AVE. LYING SOUTH OF THE WEST  
 EXTENSION OF THE NORTH LINE OF LOT 6 IN WALTER D. PHILLIPS JR. SUBDIVISION NO. 1, A SUBDIVISION OF THE SOUTH 742.17 FEET OF THE SOUTH 742.17 FEET OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO  
 THAT PART OF THE SOUTH HALF OF SEMINOLE STREET LYING EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER AND LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 6 IN WALTER D. PHILLIPS JR. SUBDIVISION NO. 1, A SUBDIVISION OF THE SOUTH 742.17 FEET OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



FEB 3 1987

47085944

State of Illinois)  
 County of Cook )ss

Approved by the President and Board of Trustees of the Village of Rosemont, Illinois, this 27 Day of January, A.D. 1987

By: Hubert T. ...  
 President

Attest: ...  
 Village Clerk

State of Illinois)  
 County of Cook )ss

I find no deferred installments of outstanding taxes or special assessments due against any of the lots shown in the above plat.

Dated: ... A.D. 1987

...  
 Village Collector  
 Village of Rosemont, Illinois.

State of Illinois)  
 County of Cook )ss

Approved by the Plan Commission of the Village of Rosemont, Illinois at a meeting held this 17 Day of ... A.D. 1987

By: ...  
 Chairman

Attest: ...  
 Secretary

State of Illinois)  
 County of Cook )ss

I, Robert E. Biedermann, a Registered Illinois Land Surveyor, do hereby certify that I have prepared the plat shown hereon from previous plats and records for vacation purposes shown on the plat hereon drawn. Dimensions are shown in feet and decimal parts thereof.

Chicago, Illinois Date: ... 1987  
Robert E. Biedermann  
 Registered Professional Land Surveyor

**GREMLEY & BIEDERMANN, INC.**  
 Land Surveyors  
 4 ELSTON AVENUE CHICAGO, ILLINOIS, 60630  
 Telephone: 685-3102

I DO NOT FIND ANY DELINQUENT GENERAL TAXES OR CURRENT GENERAL TAXES DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE STREETS AND ALLEYS INCLUDED IN THE ABOVE PLAT

Stanley T. Kuesper, Jr.  
 COUNTY CLERK

DATE 2-2-87

cr No. 8778 date Jan 14 1987 200-... CO.



UNOFFICIAL COPY

7097744 GRIFFIN

FFE: \$56.00

87065938

PLAT OF VACATION 1/14/87

2/3/87

"OF PUBLIC STREET; THAT PT OF LYMAN AVENUE IN THE SW 1/4 OF SEC 3,  
LYG NORTH OF THE WLY EXTENSION OF THE NORTH LINE OF BRYN MAWR AVE,  
& LYG SOUTH OF THE WLY EXTENSION OF THE NORTH LINE OF LOT 6 IN WALTER D.  
PHILLIPS JR. SUB NO. 1, A SUB OF THE WEST 443.08 FT OF THE SOUTH 742.17  
FT OF THE SW 1/4 OF SEC 3, T 40 N, R 12, E OF THE 3RD PM, IN CCI. ALSO

THAT PT OF THE S 1/2 OF SEMINOLE STREET LYG EAST OF THE WEST LINE OF  
THE SW 1/4 & LYG WEST OF THE WLY EXTENSION OF THE WEST LINE OF LOT 6  
IN WALTER D. PHILLIPS JR. SUB NO. 1, A SUB OF THE WEST 443.08 FT OF  
THE SOUTH 742.17 FT OF THE SW 1/4 OF SEC 3, T 40 N, R 12, E OF THE  
3RD PM, IN CCI."

ILLINOIS REGISTERED LAND SURVEYOR #1439.

COUNTY CLERK DATE: 2/2/87.

COPY IN OFFICE

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3957 87 065 988

FEBRUARY

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Property of Cook County Clerk's Office