

PREPARED BY AND MAIL TO:

Burke, Warren, MacKay & Serritella
330 North Wabash, 22nd Floor
Chicago, Illinois 60611
Attn. Michael J. Martin



**RELEASE AND TERMINATION
OF
PARTY WALL AGREEMENT AND RIGHTS**

THIS RELEASE AND TERMINATION OF PARTY WALL AGREEMENT AND RIGHTS (this "Release and Termination") is granted and made this 2 day of AUGUST, 2000, by American Stores Properties, Inc., a Delaware corporation (the "Owner").

D1 7768604 [Handwritten initials]

WHEREAS, Owner owns all of the Property legally described in the attached Exhibit A (the "Property");

WHEREAS, prior owners of the Property entered into the following agreement (the "Party Wall Agreement") for the purpose of creating certain party wall rights on the Property (the "Party Wall Rights"):

Agreement dated July 20, 1891 and recorded October 30, 1891 as Document No. 1560727 made by Thomas G. Vickery and other with Mary Nodine, affecting the Property, as described in Exhibit A of this Release and Termination.

WHEREAS, Grantor has not transferred or assigned any of its rights with respect to the Property, the Party Wall Agreements or the Party Wall Rights;

WHEREAS, the purposes of the Party Wall Agreements and the Party Wall Rights are no longer useful, practical or applicable to the current and intended improvements on, and uses of, the Property; and

WHEREAS, Owner has acquired the interests of each and all of the parties to the Party Wall Agreement, and as such successor in interest to said parties, Owner desires to terminate the Party Wall Agreement and all of the Party Wall Rights with respect to the Property and with respect to the Owner.

NOW THEREFORE, the Owner hereby forever releases, terminates and extinguishes forever the Party Wall Agreement and the Party Wall Rights so that the Party Wall Agreement and the Party Wall Rights shall be of no further force or effect with respect to the Property or the Owner, its successors and its assigns.

BOX 333-CT1

UNOFFICIAL COPY

IN WITNESS WHEREOF, Owner has executed this Release and Termination of Party Wall Agreement and Rights on the date first above written.

OWNER:

AMERICAN STORES, PROPERTIES, INC., a
Delaware, corporation *WJM*

BY: *William H. Arnold*

ITS: WILLIAM H. ARNOLD
VICE PRESIDENT

Property of Cook County Clerk's Office

ACKNOWLEDGMENT

STATE OF IDAHO)
) SS.
COUNTY OF ADA)

On this 2nd day of August, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared William H. Arnold to me known to be the Vice President of American Stores Properties, Inc., the Delaware corporation that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

My commission expires January 28, 2004.

Trina Wiese
NOTARY PUBLIC IN AND FOR THE STATE
OF IDAHO, RESIDING IN BOISE, IDAHO

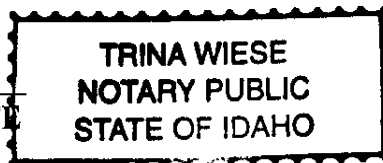


EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

LOT 2 (EXCEPT THE WEST 30 FEET THEREOF AND EXCEPT THAT PART CONDEMNED FOR WIDENING 12TH STREET) IN ASSESSOR'S DIVISION OF THE EAST HALF OF BLOCK 3 WITH THE NORTH 7 FEET OF THE EAST 1/2 OF BLOCK 4 IN ASSESSOR'S DIVISION OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,

PARCEL 2:

LOT 3 (EXCEPT THAT PART THEREOF FALLING IN ALLEY AND EXCEPT THAT PART THEREOF FALLING IN THE RIGHT OF WAY OF THE CHICAGO TRANSIT AUTHORITY) IN ASSESSOR'S DIVISION OF THE EAST HALF OF BLOCK 3 WITH THE NORTH 7 FEET OF THE EAST 1/2 OF BLOCK 4 IN ASSESSOR'S DIVISION OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,

PARCEL 3:

LOT 4 (EXCEPT THE WEST 32 FEET THEREOF) IN ASSESSOR'S DIVISION OF THE EAST HALF OF BLOCK 3 AND THE NORTH 7 FEET OF THE EAST 1/2 OF BLOCK 4 IN ASSESSOR'S DIVISION OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,

Common Address: Vacant Land, Roosevelt & Wabash, Chicago, Illinois

P.I.N.: 17-22-100-010-0000

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