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1997 0148 10 001 Page 1 of 4  
2002-02-13 14:19:56  
Cook County Recorder 27.50

This instrument was prepared by  
and after recording mail to:



0020178420

Bell, Boyd & Lloyd LLC  
70 West Madison Street  
Suite 3100  
Chicago, Illinois 60602  
Attn: Terrence E. Budny, Esq.

RELEASE

This RELEASE (the "Release") is made as of the 31<sup>st</sup> day of December, 2001, by LASALLE BANK NATIONAL ASSOCIATION, a national banking association ("Mortgagee"), to 343 SOUTH DEARBORN II, L.L.C., an Illinois limited liability company ("Mortgagor").

Recitals

A. Mortgagee has made a loan to Mortgagor in the maximum amount of TWENTY-NINE MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$29,550,000) (the "Loan") pursuant to the provisions of a Loan Agreement dated as of June 10, 1999, between Lender and Borrower (the "Loan Agreement"). Initially capitalized terms used but not expressly defined in this Agreement have the respective meanings given them in the Loan Agreement.

B. The Loan is evidenced by a Mortgage Note dated as of June 10, 1999, in the principal amount of \$29,550,000 from Borrower to Lender (the "Note"), and is secured by, among other things, the following documents:

1. Construction Mortgage and Security Agreement dated June 10, 1999, and recorded June 14, 1999, with the Cook County Recorder of Deeds (the "Recorder") as document no. 99566728;
2. Assignment of Rents and Leases dated June 10, 1999, and recorded June 14, 1999, with the Recorder as document no. 99566729;
3. Modification of Loan Documents (the "Modification") dated June 11, 2001, and recorded on October 31, 2001, with the Recorder as document no. 0011020939; and
4. Subordination Agreement dated June 10, 1999, and recorded June 14, 1999, with the Recorder as document no. 99566730 (the "Subordination").

C. The Mortgage, Assignments of Rents and Leases, Modification and Subordination encumber the real estate legally described in EXHIBIT A attached hereto and made a part hereof.

D. The Loan is further secured by a Payment Guaranty dated as of June 10, 1999, from Ronald Benach, Wayne Moretti, Harold Lichterman and Geraldine Lichterman (collectively,

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“Guarantor”) to Mortgagee, as modified by the Modification (the “Guaranty”). Mortgagor and Guarantor have also executed and delivered to Mortgagee an Environmental Indemnity Agreement dated as of June 10, 1999, as modified by the Modification (the “Environmental Indemnity Agreement”).

E. Mortgagee desires to release the Mortgage, Assignment of Rents and Leases, Modification and Subordination in accordance with the terms of this Release.

## Release

KNOW ALL MEN BY THESE PRESENTS, that Mortgagee, for and in consideration of the Recitals set forth above, which by this reference are made a part of this Release, and for other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE, CONVEY AND QUIT CLAIM unto Mortgagor, its successors and assigns, all the right, title, interest, claim and demand whatsoever Mortgagee may have acquired, by or through the Mortgage, Assignment of Rents and Leases, Modification and Subordination, in the Real Estate, together with all the appurtenances and privileges thereunto belonging or appertaining.

The Note has not been paid in full, and the Loan Agreement, the Note, the Guaranty, and the Environmental Indemnity Agreement, as modified by the Modification, remain in full force and effect. The Modification also remains in full force and effect to the extent it modifies the Loan Agreement, the Note, the Guaranty and the Environmental Indemnity Agreement.

IN WITNESS WHEREOF, Mortgagee has executed this Release as of the date first above written.

20178420

MORTGAGEE

LASALLE BANK NATIONAL ASSOCIATION,  
a national banking association

By: 

Name: CHRISTOPHER THAYER

Title: OFFICER

**FOR THE PROTECTION OF THE OWNER, THIS RELEASE  
SHALL BE  
FILED WITH THE COUNTY RECORDER IN WHOSE OFFICE  
THE  
MORTGAGE WAS FILED**

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STATE OF ILLINOIS            )  
                                  *Will*            )        SS.  
COUNTY OF ~~COOK~~        )

I, the undersigned, a notary public, in and for said County, in the State aforesaid, DO  
HEREBY CERTIFY that Christopher Thangaraj personally known to me to be the  
CBO of LaSalle Bank National Association, a national banking association,  
appeared before me this day in person and acknowledged that as such CBO (s)he signed  
and delivered the said instrument as his (her) free and voluntary act, and as the free and voluntary  
act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 31 day of December, 2001.

Sherry Farrar  
Notary Public

Commission Expires: 10-19-03

OFFICIAL SEAL  
SHERRY FARRAR  
NOTARY PUBLIC, STATE OF ILLINOIS  
COMMISSION EXPIRES 10/19/03

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## EXHIBIT A

### LEGAL DESCRIPTION

Lots 18, 19 and 24 (except that part of said lots taken for Dearborn Street) in George W. Snow's Subdivision of Block 139 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois

PIN: 17-16-234-005  
17-16-234-006

Address: 343 South Dearborn Street, Chicago, Illinois

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