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2002-06-24 13:01:11
Cook County Recorder 33.00

After Recording
Return To:

First Midwest Bank
50 West Jefferson
Joliet, IL 60432
Attn: Frank Licata



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**PARTIAL RELEASE AND SATISFACTION OF MORTGAGE
AND ASSIGNMENT OF RENTS**

FOR VALUE RECEIVED, FIRST MIDWEST BANK, N.A., a national banking association, ("Bank"), having its principal place of business at 50 West Jefferson Street, Joliet, Illinois 60432, does hereby remise, release, convey, and quit claim to COLE TAYLOR BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 1, 1997 AND KNOWN AS TRUST NUMBER 97-7551, all rights, title, interest, claim or demand whatsoever the Bank may have acquired in and to the following described parcel of real estate ("Property")

Conveying only that part of real estate conveyed to Grantor under the Substitute Ordinance of the city of Chicago on December 2, 1998 and recorded on January 5, 1999, in the office of Recorder of Deeds of Cook County, Illinois, a copy of which is attached as Exhibit "A".

pursuant to the Mortgage and Assignment of Rents dated September 19, 1997, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 25, 1997 as Document No. 97712956 and 97712957 respectively.

This Partial Release shall not impair or affect the lien of the Mortgage (Trust Deed) and Assignment of Rents as to any portion of the property covered by said Mortgage (Trust Deed) and Assignment of Rents, except the Released Property.

IN WITNESS WHEREOF, FIRST MIDWEST BANK, N.A., has caused this instrument to be executed by its duly authorized officers, and its corporate seal to be hereunto affixed this 7th day of January, 1999.

KNOWN AS: THAT PART OF VACATED BIRCHWOOD AVENUE
WEST OF CLARK AND EAST OF HERMITAGE, CHICAGO, IL

PIN 11-30-411-022

BOX 333-CTH

DI 1E# 98140291
C# 7789363

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FIRST MIDWEST BANK, N.A.
a national banking association

BY: Frank W. Licata
ITS: **VICE PRESIDENT**

Attest:

BY: Daniel C. Nagle
ITS: **ASSISTANT VICE PRESIDENT**

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, GAIL FREELAND, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT FRANK W. LICATA, personally known to me to be the VICE PRESIDENT of **First Midwest Bank, N.A.**, a national banking association ("Bank") and DANIEL C. NAGLE, ASSISTANT VICE PRESIDENT, of said Bank, 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 VICE PRESIDENT AND ASSISTANT VICE PRESIDENT, they signed and delivered the said instrument pursuant to authority given by the Board of Directors of said Bank as their 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 7TH day of January, 1999.

Gail Freeland
Notary Public
[Seal]

This instrument prepared by:
First Midwest Bank, N.A.
50 W. Jefferson Street
Joliet, Illinois 60431



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EXHIBIT "A"

99005851

SUBSTITUTE ORDINANCE

JAN 05 1999

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of public street and part of public alleys described in the following ordinance; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. All that part of W. Birchwood Avenue lying South of the South line of Lot 7 in John F. Ure's Subdivision of Lots 1 to 7 in Ure's Subdivision of that part of the Southeast $\frac{1}{4}$ of Section 30, Township 41 North, Range 14, East of the Third Principal Meridian, lying North of the Indian Boundary Line and East of Green Bay Road, lying South of the South line of Lots 1 and 2 in Subdivision of Lot 6 in John Ure's Subdivision of Lots 1 to 7 inclusive in Ure's Subdivision aforesaid, lying South of a line drawn from the Southeast corner of Lot 7 in John F. Ure's Subdivision aforesaid to the Southwest corner of Lot 2 in Subdivision of Lot 6 aforesaid, lying North of the North line of Lots 1, 5 and 6 in Robert Ure's Subdivision of Lot 8 of Ure's Subdivision aforesaid, lying North of the North line of the North-South 16 foot vacated alley, vacated by ordinance approved by the City Council of the City of Chicago, June 1, 1972 and recorded June 15, 1972 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 21940692, said North line also described as a line

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drawn from the Northwest corner of Lot 1 in Robert Ure's Subdivision aforesaid to the Northeast corner of Lot 5 in Robert Ure's Subdivision aforesaid, lying North of a line drawn from the Northwest corner of Lot 5 in Robert Ure's Subdivision aforesaid to the Northeast corner of Lot 6 in Robert Ure's Subdivision aforesaid, lying East, Northeasterly and Easterly of a line described as follows: beginning at the Southwest corner of Lot 7 in John F. Ure's Subdivision aforesaid; thence Southerly along the Southerly extension of the Westerly line of Lot 7 for a distance of 22.75 feet said Southerly extension of the Westerly line of Lot 7 having a bearing of South 17° 38' 13" East for the purposes of this description; thence South 45° 05' 27" East for a distance of 34.71 feet; thence South 17° 38' 13" East for a distance of 14.79 feet to a point, said point being on the North line of Lot 6 in Robert Ure's Subdivision aforesaid, which is 16.82 feet East of the Northwest corner of Lot 6 in Robert Ure's Subdivision aforesaid, as measured along the North line of said Lot 6 and lying West of a line drawn from the Southeast corner of Lot 1 in Subdivision of Lot 5 aforesaid to the Northeast corner of Lot 1 in Robert Ure's Subdivision aforesaid,

ALSO

that part of the Northwesterly-Southeasterly and Northerly-Southerly 16 foot public alleys lying Southwesterly and Westerly of the Southwesterly and Westerly lines of Lot 5, lying Northeasterly of the Northeasterly line of Lots 6 and 7, lying Northeasterly and Easterly of the Northeasterly and Easterly lines of Lot 8, lying Easterly of the Easterly line of Lot 9, lying South and Southeasterly of a line drawn from the Northwest corner

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of Lot 5 to the Northeast corner of Lot 6, lying North and Northerly of the Westerly extension of the North line of the South 15.00 feet of Lot 5 all in Robert Ure's Subdivision aforementioned, said Westerly extension of the North line of the South 15.00 feet of Lot 5 also being the Westerly extension of the North line of the East-West 15 foot public alley dedicated by Plat approved by the City Council of the City of Chicago, June 1, 1972 and said Plat of Dedication recorded June 15, 1972 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 21940691, said public street and part of public alleys herein vacated, being further described as the vacation of W. Birchwood Avenue lying between the Easterly line of N. Clark Street and the West line of N. Hermitage Avenue and the Northwesterly-Southeasterly 16 foot public alley together with the Northerly-Southerly 16 foot public alley lying North of the North line of the East-West 31 foot public alley in the block bounded by W. Birchwood Avenue, N. Rogers Avenue, N. Clark Street and N. Hermitage Avenue as colored in red and indicated by the words "TO BE VACATED" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same are hereby vacated and closed, inasmuch as the same are no longer required for public use and the public interest will be subserved by such vacations.

SECTION 2. The vacations herein provided for are made upon the express condition that within 120 days after the passage of this ordinance, the LA SALLE NATIONAL BANK, COLE TAYLOR BANK, AS TRUSTEE, UNDER TRUST NO. 97-7551,

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AND RALPH G. RUNGE AND JOAN P. RUNGE shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said public street and part of public alleys hereby vacated, the sum of

_____ dollars (\$ 893,000.00), which sum in the judgment of this body will be equal to such benefits; and further, shall within 120 days after the passage of this ordinance, deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curbs returns and constructing sidewalk and curb across the entrances to W. Birchwood Avenue similar to the curb and walk in N. Clark Street and N. Hermitage Avenue. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 3. The vacations herein provided for are made upon the express condition that within 120 days after the passage of this ordinance, the LA SALLE NATIONAL BANK, COLE TAYLOR BANK, AS TRUSTEE, UNDER TRUST NO. 97-7551, AND RALPH G. RUNGE AND JOAN P. RUNGE shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with an attached drawing approved by the Superintendent of Maps.

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SECTION 4. This ordinance shall take effect and be in force from and after its passage.

Legal Description Approved:

Lawrence T. Hines October 15, 1996
Superintendent of Maps

Approved as to Form and Legality

[Signature]
Chief Asst. Corporation Counsel

Honorable Joe Moore
Alderman, 49th Ward

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