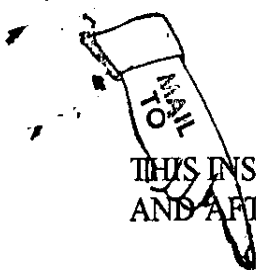


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2002-09-18 10:41:15
Cook County Recorder 32.50



THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:



Steven R. Davidson, Esq.
Sonnenschein Nath & Rosenthal
8000 Sears Tower
Chicago, IL 60606

PARTIAL RELEASE OF MORTGAGE

WHEREAS, LEHMAN BROTHERS HOLDINGS INC. doing business as Lehman Capital, a division of Lehman Holdings, Inc., a Delaware corporation ("Lehman") is the owner and holder of or enjoys rights under that certain Subordinate Mortgage and Security Instrument (the "Mortgage"), executed by The Residences at River Bend Limited Partnership, an Illinois limited partnership, as "Borrower" encumbering the real and personal property more particularly described and evidenced by instrument recorded as document number 00057962 therein (the "Mortgaged Premises"); and

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WHEREAS, Borrower and Lehman now desire to release a portion of the Mortgaged Premises from the lien and encumbrance of the Mortgage.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lehman does hereby remise, release, quit-claim, exonerate and discharge from the lien, operation and effect of the Mortgage that certain portion of the Mortgaged Premises more particularly described on Exhibit A attached hereto and made a part hereof, Illinois (the "Released Premises").

TO HAVE AND TO HOLD, the Released Premises, freed and discharged of the lien, operation and effect of the Mortgage; provided however, that nothing herein shall otherwise impair, alter, or diminish the effect, lien or encumbrance of the Mortgage on that portion of the Mortgaged Premises which is not hereby released, or any rights or remedies of the Lehman thereunder.

Permanent Real Estate Index Numbers: 17-09-306-010; 17-09-306-013; and 17-09-306-019. Current Pin # 17-09-306-025

Commonly Known as Parking Unit 2301, ^{P-140 5.97} 333 N. Canal Street, Chicago, Illinois

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IN WITNESS WHEREOF, the Lehman has executed this instrument this 11th day of January, 2000.

LEHMAN BROTHERS HOLDINGS INC., doing business as Lehman Capital, a division of Lehman Brothers Holdings Inc., a Delaware corporation

By: *A. Murray*
Name: Andrew J. Murray
Its: Authorized Signatory

STATE OF NEW YORK)
)
) ss
COUNTY OF NEW YORK)

The foregoing instrument was acknowledged before me this 11th day of January, 2000, by Andrew J. Murray, an Authorized Signatory of Lehman Brothers Holdings Inc., doing business as Lehman Capital, a division of Lehman Brothers Holdings Inc., a Delaware corporation, on behalf of that corporation.

Maryann Vene
Printed Name: _____
Notary Public

MARYANN VENE
Notary Public, State of New York
No. 01VE6000184
Qualified in Richmond County
Commission Expires Dec. 8, 2001

(SEAL)
My Commission Expires _____

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

UNITS 2301, P-140, S-97, IN THE RESIDENCES AT RIVERBEND CONDOMINIUM AS DELINEATED AND DEFINED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

PART OF LOTS 1, 2, 3 AND 4 IN BLOCK "K" IN THE ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS "EXHIBIT B" TO THE DECLARATION OF CONDOMINIUM RECORDED JANUARY 4, 2002 AS DOCUMENT NUMBER 0020017903, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 ABOVE DESCRIBED, AS CREATED BY DECLARATION OF EASEMENTS AND COVENANTS DATED JUNE 1, 1981 AND RECORDED JUNE 5, 1981 AS DOCUMENT 25895261 AND AS AMENDED BY AMENDMENT TO DECLARATION OF EASEMENTS AND COVENANTS RECORDED JANUARY 4, 2002 AS DOCUMENT NUMBER 0020017902. FOR PARTICULARS AS TO LOCATION REFER TO EASEMENT PREMISES NUMBERS 1, 2, 3 AND 4 AS DESCRIBED IN THE AMENDMENT THEREIN.

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 ABOVE DESCRIBED AS CREATED BY DEED IN TRUST SUBJECT TO EASEMENTS, COVENANTS, AND RESTRICTIONS DATED MARCH 27, 1989 AND RECORDED MARCH 28, 1989 AS DOCUMENT 89134782 MADE BY AND BETWEEN CHICAGO UNION STATION COMPANY, AN ILLINOIS CORPORATION AND LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1989 AND KNOWN AS TRUST NUMBER 114065 AND THE DEED IN TRUST SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS DATED MARCH 27, 1989 AND RECORDED MARCH 28, 1989 AS DOCUMENT 89134783 MADE BY CONSOLIDATED RAIL CORPORATION, A PENNSYLVANIA CORPORATION TO LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1989 AND KNOWN AS TRUST NUMBER 114065 FOR (A) USE, MAINTAIN, REPAIR, REPLACE OR RENEW ADEQUATE COLUMNS, TRUSSES, HORIZONTAL STRUCTURAL MEMBERS, FOUNDATIONS AND OTHER SUPPORTS; (B) FOR THE PURPOSE OF INSPECTING THE PROJECTS' SUPPORTING COLUMNS, FOOTINGS AND FOUNDATIONS, ELEVATORS, PIPING, ELECTRICAL LINES AND ANY OTHER SERVICES AS WELL AS THE UNDERSIDE OF THE AIR EXHAUST SYSTEM, AND TO BRING SUCH MATERIALS AND PERFORM SUCH LABOR AS MAY BE NECESSARY OR CONVENIENT TO SAFELY, ADEQUATELY AND PROPERLY MAINTAIN, REPAIR AND STRENGTHEN SUCH STRUCTURES, SERVICES AND SYSTEMS; AND (C) CONSTRUCT STAIRWAYS AND PASSAGeways IF NECESSARY OR USEFUL TO MAINTAIN SAID STRUCTURES OR SERVICES IN THE EXPECTED SPACE, AS DEFINED AND DESCRIBED THEREIN. (THE SUBSURFACE LAND BELOW THE AIR RIGHTS PORTION OF THE PROPERTY).

PARCEL 4:

RECIPROCAL CROSS EASEMENT AS CONTAINED IN SECTION 30 OF THE DECLARATION OF

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CONDOMINIUM RECORDED JANUARY 4, 2002 AS DOCUMENT NUMBER 0020017903 FOR THE USE OF AUTOMOBILE SPACES AND ACCESS THERETO OVER THOSE PORTIONS OF THE PARKING UNITS AND THE COMMON ELEMENTS AS DESCRIBED THEREIN.

PARCEL 5:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS DESCRIBED IN SECTION 29 OF THE DECLARATION OF CONDOMINIUM RECORDED JANUARY 4, 2002 AS DOCUMENT NUMBER 0020017903 FOR INGRESS, EGRESS AND OTHER USES AS MORE FULLY DESCRIBED THEREIN OVER AND ACROSS THE NONSUBMITTED PORTION AS DESCRIBED THEREIN.

PARCEL 6:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS DESCRIBED IN THE EASEMENT AGREEMENT RECORDED MAY 18, 2000 AS DOCUMENT NUMBER 00358933 FOR INGRESS AND EGRESS FOR THE CONSTRUCTION, INSTALLATION OPERATION, USE AND PROTECTION OF CAISSONS AS MORE FULLY DESCRIBED THEREIN.

SUBJECT TO: GENERAL REAL ESTATE TAXES NOT YET DUE AND PAYABLE; ZONING AND BUILDING LAWS OR ORDINANCES; COVENANTS, CONDITIONS, RESTRICTIONS AND UTILITY EASEMENTS OF RECORD; TERMS, PROVISIONS, OPTIONS, RIGHTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND RESERVATIONS OF RECORD OR CONTAINED IN THE DECLARATION OF CONDOMINIUM OF THE RESIDENCES AT RIVERBEND CONDOMINIUM; PROVISIONS OF THE CONDOMINIUM PROPERTY ACT OF THE STATE OF ILLINOIS (THE "ACT"); RIGHTS OF THE UNITED STATES OF AMERICA, THE STATE OF ILLINOIS, THE CITY OF CHICAGO, THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO, AND THE PUBLIC IN AND TO THAT PART OF THE LAND LYING WITHIN THE BED OF THE NORTH BRANCH OF THE CHICAGO RIVER, AND THE RIGHTS OF THE OWNERS OF LAND BORDERING THE RIVER WITH RESPECT TO THE WATER OF THE CHICAGO RIVER; RECIPROCAL CROSS EASEMENTS FOR PARKING, INGRESS AND EGRESS AS DESCRIBED IN THE DECLARATION OF CONDOMINIUM OVER AND ACROSS PARKING UNITS, PARKING SPACES AND COMMON ELEMENT AREAS; TERMS, PROVISIONS AND CONDITIONS IN THE DECLARATION OF ZONING RESTRICTIONS MADE BY LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 1, 1979 AND KNOWN AS TRUST 100819, DATED SEPTEMBER 26, 1979 AND RECORDED OCTOBER 18, 1979 AS DOCUMENT NUMBER 25198721 AND AMENDMENT THERETO RECORDED JUNE 5, 1981 AS DOCUMENT NUMBER 25895252; TERMS, PROVISIONS AND CONDITIONS IN THE DECLARATION OF EASEMENTS AND COVENANTS DATED JUNE 1, 1981 AND RECORDED JUNE 5, 1981 AS DOCUMENT NUMBER 25895261 MADE BY LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 1, 1979 AND KNOWN AS TRUST NUMBER 100819 AND FULTON HOUSE ASSOCIATES, LTD., AS AMENDED; THE TERMS, PROVISIONS AND CONDITIONS OF RESIDENTIAL BUSINESS DEVELOPMENT NUMBER 445; EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, INSPECTION AND IMPROVEMENT OF RAILROAD FACILITIES, AND FOR THE OPERATION OF RAILROAD EQUIPMENT UNDER AGREEMENT RECORDED MARCH 5, 1976 AS DOCUMENT NUMBER 23408720 AS AMENDED BY ASSIGNMENT RECORDED FEBRUARY 8, 1990 AS DOCUMENT NUMBER 25355664; UNRECORDED EASEMENT MADE BY CONSOLIDATED RAIL CORPORATION AND RICHARD B. OGILVIE, AS TRUSTEE, TO CONSTRUCT, ESTABLISH AND MAINTAIN A ROADWAY, AS DISCLOSED BY ASSIGNMENT OF NON-EXCLUSIVE EASEMENT RECORDED APRIL 10, 1986 AS DOCUMENT NUMBER 86138458 AND THE COVENANTS, CONDITIONS AND AGREEMENT THEREIN CONTAINED, AND ASSIGNED TO CHICAGO TITLE & TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 16, 1985 AND KNOWN AS TRUST NUMBER 1086781 BY ASSIGNMENT OF NON-EXCLUSIVE EASEMENT DATED APRIL 8, 1986 AND RECORDED ON APRIL 10, 1986 AS DOCUMENT NUMBER 86138458; COVENANTS, CONDITIONS AND RESTRICTIONS AS CONTAINED IN THE DECLARATION RECORDED AUGUST 10, 1998 AS DOCUMENT NUMBER 98698770; COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS CONTAINED IN TRUSTEE'S DEED RECORDED AUGUST 10, 1998 AS DOCUMENT NUMBER 98698771; RESERVATIONS CONTAINED IN THE DEEDS RECORDED MARCH 28, 1989 AS DOCUMENT NUMBER 89134782 AND 89134783, AS AMENDED BY INSURANCE PROVISION MODIFICATIONS TO DEED AND TRUST RECORDED

**which do not interfere with the use of unit 2301 as a condominium residence for a single family*

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JUNE 15, 1999 AS DOCUMENT NUMBER 99573329; TERMS AND CONDITIONS OF A PERMIT ISSUED BY THE U.S. ARMY CORP OF ENGINEERS FOR THE PROPOSED CONSTRUCTION OF A SEA WALL AND A RIVER WALK, DATED OCTOBER 21, 1999 AND RECORDED NOVEMBER 16, 1999 AS DOCUMENT NUMBER 09073110; COVENANT RECORDED JULY 19, 2000 AS DOCUMENT NUMBER 00541394 FOR THE MAINTENANCE AND REPAIR OF THE COMMON SEWER AND WATER LINES FROM THE POINT OF CONNECTIONS TO THE SEWER AND WATER MAINS; EASEMENT AGREEMENT RECORDED MAY 13, 2000 AS DOCUMENT NUMBER 00358933; ENCROACHMENT OF BITUMINOUS PAVEMENT LOCATED ON THE PARCEL NORTH AND ADJOINING ONTO THE PARCEL BY AN UNDISCLOSED DISTANCE; ENCROACHMENT OF METAL GUARD RAIL AND CONCRETE MEDIAN ALONG THE EAST AND WEST LINES OF THE PARCEL BY AN UNDISCLOSED DISTANCE; AND SUCH OTHER MATTERS AS TO WHICH THE TITLE INSURER COMMITS TO INSURE BUYER AGAINST LOSS OR DAMAGE

GRANTOR ALSO HEREBY GRANTS TO THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS RIGHTS AND EASEMENTS APPURTENANT TO THE SUBJECT UNIT DESCRIBED HEREIN, THE RIGHTS AND EASEMENTS FOR THE BENEFIT OF SAID UNIT SET FORTH IN THE DECLARATION OF CONDOMINIUM; AND GRANTOR RESERVES TO ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHTS AND EASEMENTS SET FORTH IN SAID DECLARATION FOR THE BENEFIT OF THE REMAINING LAND DESCRIBED THEREIN.

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