

This instrument prepared by
and after recording,
please return to:



Patrick E. Brady
Ross & Hardies
150 North Michigan Avenue
Suite 2500
Chicago, IL 60601

8058500, 602, 02 6

RELEASE OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that **SBC AMERITECH**, Grantor, for the consideration of Ten Dollars (\$10.00) and other good and valuable considerations received to its full satisfaction from **GATEWAY CENTER PALATINE LLC**, an Illinois limited liability company, Grantee, whose mailing address is 1400 S. Wolf Road, Wheeling, Illinois 60090, has given, granted, remised, released and forever quitclaimed and does by these presents absolutely give, grant, remise, release and forever quitclaim unto Grantee, its successors and assigns forever, all such right and title as Grantor has in and to: (i) that certain public utilities easement depicted at Exhibit "A" and created pursuant to that certain Plat of Resubdivision of Gateway Center, said Plat having been recorded in the Cook County Recorder's Office on October 30, 2001 as Document 0011012354 (the "Plat of Subdivision") located upon that certain real property described on Exhibit "B" attached hereto and made a part hereof (the "Subject Property"); and (ii) any other easements located upon Subject Property that are not depicted upon the Plat of Subdivision.

By acknowledging this Release, the Grantee agrees on behalf of itself and its successors and assigns upon demand of Grantor to execute and deliver, and cause any mortgagee of the subject property to acknowledge and consent to a replacement easement in favor of the Grantor to serve the Subject Property and other property served by the easement being released, in such area(s) as shall be mutually agreeable to the Grantor and Grantee. Said easement shall be in substance the same as the utility easements being hereby released.

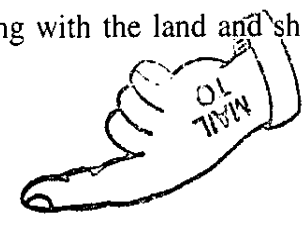
If the Grantor institutes litigation to enforce its rights hereunder, Grantee or the then current owner of the Subject Property, shall upon demand reimburse Grantor for all costs and expenses (including attorney's fees) incurred by Grantor for such litigation.

This instrument may be executed in counterparts, both of which when taken together shall constitute a single original.

The obligations contained herein shall be covenants running with the land and shall be binding upon the successors and assigns of Grantor and Grantee.

Box

Box
333



UNOFFICIAL COPY

21250789

IN WITNESS WHEREOF, GRANTOR AND GRANTEE, by their duly authorized officers has signed this release and grant as of this _ day of October, 2002.

SBCAMERITECH

By: *Robert J. Reetzow*
Name: Robert J. Reetzow
Title: Right of Way Manager

GATEWAY CENTER OF PALATINE LLC,
an Illinois limited liability company

By: _____
Name: _____
Title: _____

Property of Cook County Clerk's Office

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21250789

IN WITNESS WHEREOF, GRANTOR AND GRANTEE, by their duly authorized officers has signed this release and grant as of this __ day of October, 2002.

SBC AMERITECH

By: _____
Name: _____
Title: _____

GATEWAY CENTER OF PALATINE LLC, an Illinois limited liability company

By: _____
Name: Laurance H. Freed
Title: manager

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EXHIBIT A

Depiction of Released Easement

Property of Cook County Clerk's Office

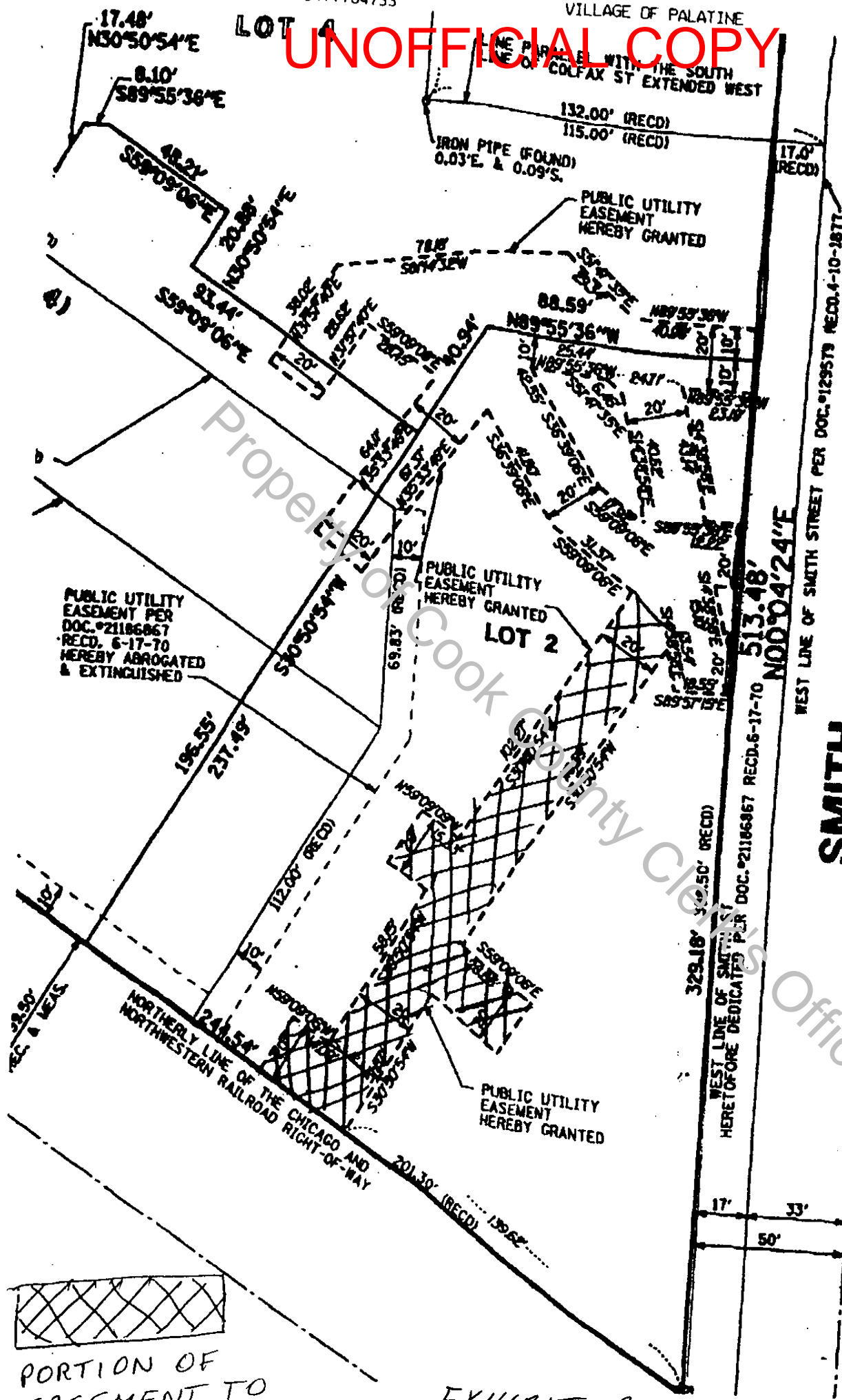


LOT 1

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S

21250783



PUBLIC UTILITY
EASEMENT PER
DOC. #21186867
REC'D. 6-17-70
HEREBY ABROGATED
& EXTINGUISHED

PUBLIC UTILITY
EASEMENT
HEREBY GRANTED

LOT 2

PUBLIC UTILITY
EASEMENT
HEREBY GRANTED

513.48'
N00°04'24"E

SMITH

WEST LINE OF SMITH ST
HEREFORE DEDICATED PER DOC. #21186867 REC'D. 6-17-70

WEST LINE OF SMITH STREET PER DOC. #129579 REC'D. 4-10-1877

PORTION OF
EASEMENT TO
BE RELEASED

EXHIBIT A

135

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EXHIBIT B

Legal Description

LOT 2 OF PLAT OF RESUBDIVISION OF GATEWAY CENTER, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN COOK COUNTY, ILLINOIS, SAID PLAT HAVING BEEN RECORDED OCTOBER 30, 2001 AS DOCUMENT 0011012354.

PIN.: Part of 02-15-400-039; 02-15-400-040; 02-15-100-041; 02-15-400-042 and 02-15-411-002

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

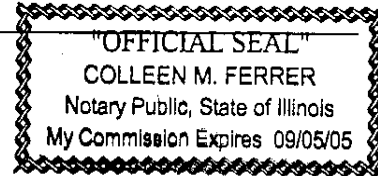
I, Colleen M. Ferrer, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Laurance H. Freed, personally known to me to be the manager of GATEWAY CENTER OF PALATINE LLC, an Illinois limited liability company, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such manager, he signed and delivered the foregoing instrument as his free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 17 day of October, 2002.

Colleen M. Ferrer
Notary Public

My Commission expires _____

[SEAL]



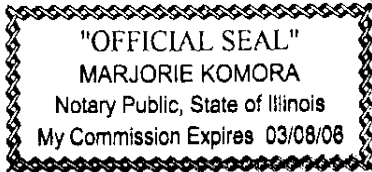
UNOFFICIAL COPY

21250789

STATE OF Illinois)
)SS.
COUNTY OF Cook)

I, MARJORIE KOMORA, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Debra J. Letzow, personally known to me to be the ROW Manager, of SBC AMERITECH and personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such ROW Manager, she has signed and delivered the foregoing instrument as her free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 18 day of October, 2002.



Marjorie Komora
Notary Public

My Commission expires _____.

Property of Cook County Clerk's Office