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Cook County Recorder

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RELEASE AND QUITCLAIM

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This Release and Quitclaim is made this 10th day of FEBRUARY, 2003, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, successor in interest to Union Pacific Railroad Company, a Utah corporation and Chicago and North Western Railway Company, Grantor, and CMC HEARTLAND PARTNERS, a Delaware general partnership, ("Grantee").

WHEREAS, by Deed dated August 25, 1988, recorded as Instrument Number 88412483, in the records of Cook County, Illinois, Chicago and North Western Transportation Company, (now Chicago and North Western Railway Company) conveyed and quitclaimed certain property located in Cook County, Illinois (hereinafter "Property") to West Bank Associates Limited Partnership, but in said deed, reserved unto itself an easement to maintain, operate, use, repair, reconstruct and replace all water, sewer and electrical services and facilities situated within Parcel 4 of Lots 1 to 14 in Block 60 in Canal Trustees' Subdivision of Lots and Blocks 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 of the Property (hereinafter "Easement").

WHEREAS, Grantee desires that Grantor release, relinquish and quitclaim all of its right, title and interest in and to the Easement which Grantor is willing to do.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to it paid by the Grantee, the receipt of which is hereby acknowledged, Grantor does hereby release, relinquish and quitclaim the Easement contained in said Deed dated August 25, 1988; it being the express intent of the Grantor, however, to release and relinquish only the Easement described herein and that all other reservations, terms and conditions contained in said Deed dated August 25, 1988, shall remain in full force and effect.

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Property of Cook County Clerk's Office

LEGAL DESCRIPTION

Parcel 1:

Lot 8 and Lots 1 and 2 in Block 9, and Lots 1 to 5, both inclusive, in the subdivision of Lot 7 in Block 9, all in the Original Town of Chicago in the West 1/2 of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, (except therefrom those parts of Lots 1 and 2 in Block 9 in the Original Town of Chicago, being part of the West 1/2 of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with the part of the alley in said Block, bounded and described as follows:

Beginning at the Southeast corner of said Lot 1; thence North 87 degrees 25 minutes 15 seconds West along the South lines of said Lots 1 and 2 and extensions thereof, a distance of 322.80 feet to the Southwest corner of said Lot 2; thence North 00 degrees 06 minutes 35 seconds West along the West line of said Lot 2 a distance of 37.99 feet; thence South 88 degrees 23 minutes 31 seconds East a distance of 322.67 feet to a point on the East line of said Lot 1; thence South 00 degrees 00 minutes 00 seconds East, a distance of 43.45 feet to the point of beginning), in Cook County, Illinois.

Parcel 3:

Lots 3 and 6, both inclusive, in Block 9 in the Original Town of Chicago, being part of the West 1/2 of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, and North and South vacated alley West and adjoining Lots 4 and 5 and East of and adjoining Lots 3 and 6, and those parts of Lots 1 and 2 in Block 9 in Original Town of Chicago, being part of the West 1/2 of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with part of the alley in said Block, and bounded and described as follows:

Beginning at the Southeast corner of said Lot 1; thence North 87 degrees 25 minutes 15 seconds West along the South lines of said Lots 1 and 2 extensions thereof, a distance of 322.80 feet to the Southwest corner of said Lot 2; thence North 00 degrees 06 minutes 35 seconds West along the West line of said Lot 2, a distance of 37.99 feet; thence South 88 degrees 23 minutes 31 seconds East, a distance of 322.67 feet to a point on the East line of said Lot 1, thence South 00 degrees 00 minutes 00 seconds East, a distance of 43.45 feet to the point of beginning, in Cook County, Illinois.

Excepting therefrom the North 10 feet of said Lot 3 in Block 9 in the Original Town of Chicago dedicated for use as a public alley and that part of the North and South alley lying East of the East line of said Lots 2, 3 and 6, and West of the West line of said Lots 1, 4 and 5, all in Block 9 of the Original Town of Chicago.

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17-09-303-009
17-09-303-002
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