

RELEASE OF EASEMENT AND RIGHT OF WAY

WHEREAS, ADOLPH MERKEL, MARY MERKEL, OARA H MERKEL AND JOHANNA WOLKE, HEREINAFTER REFERRED TO AS THE "PARTY OF THE FIRST PART" WERE THE OWNERS OF A PARCEL OF REAL ESTATE LOCATED IN THE CITY OF CHICAGO, COUNTY OF COOK STATE OF ILLINOIS ON THE 11TH DAY OF SEPTEMBER 1951 HEREINAFTER REFERRED TO AS "LOT 8", LEGALLY DESCRIBED AS FOLLOWS:

LOT EIGHT [8] IN BLOCK ONE [1] IN CLARK AND MCCONNELL'S ADDITION TO LAKEVIEW, A SUBDIVISION OF LOTS THIRTY ONE [31] AND THIRTY TWO [32] OF PINE GROVE, A SUBDIVISION BY ELISHA E HUNDLEY OF FRACTIONAL SECTION TWENTY ONE [21] TOWNSHIP FORTY [40] NORTH, RANGE FOURTEEN [14] EAST OF THE THIRD PRINCIPAL MERIDIAN,

. DEPT-01 RECORDING \$29.50
. 787777 TRAN 1296 12/07/94 11:45:00
. 87431 & DW *-04-023986
. COOK COUNTY RECORDER

AND,

WHEREAS, LASALLE NATIONAL BANK OF CHICAGO, AS TRUSTEE UNDER A CERTAIN TRUST AGREEMENT DATED THE 18TH DAY OF SEPTEMBER 1950 AND KNOWN AS TRUST NUMBER 12332, HEREINAFTER REFERRED TO AS THE "PARTY OF THE SECOND PART", WAS THE OWNER OF A PARCEL OF REAL ESTATE LOCATED IN THE CITY OF CHICAGO, COUNTY OF COOK STATE OF ILLINOIS ON THE 11TH DAY OF SEPTEMBER 1951 HEREINAFTER REFERRED TO AS "LOT 7" LEGALLY DESCRIBED AS FOLLOWS:

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LOT SEVEN [7] IN BLOCK ONE [1] IN CLARK AND MCCONNELL'S ADDITION TO LAKEVIEW, A SUBDIVISION OF LOTS THIRTY ONE [31] AND THIRTY TWO [32] OF PINE GROVE, A SUBDIVISION BY ELISHA E HUNDLEY OF FRACTIONAL SECTION TWENTY ONE [21] TOWNSHIP FORTY [40] NORTH, RANGE FOURTEEN [14] EAST OF THE THIRD PRINCIPAL MERIDIAN,

AND,

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WHEREAS, THE AFORESAID "LOT 8" IS ADJACENT TO AND IMMEDIATELY TO THE WEST OF "LOT 7", AND

WHEREAS, THERE EXISTED ALONG THE EAST EIGHT [8] FEET OF "LOT 8" A DRIVEWAY" WHICH IS EIGHT [8] FEET IN WIDTH, AND

WHEREAS, ON THE 11TH DAY OF SEPTEMBER 1951 THE "PARTY OF THE FIRST PART" GRANTED TO THE "PARTY OF THE SECOND PART" AN "EASEMENT OR RIGHT OF WAY" ALONG SAID DRIVEWAY", AND

WHEREAS, SAID "EASEMENT OR RIGHT OF WAY" WAS DULY RECORDED ON THE 20TH DAY OF NOVEMBER 1951 IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS AS DOCUMENT 15220851 IN BOOK 47431 OF RECORDS, AT PAGE 573-578, AND

WHEREAS, MARQUETTE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED THE 31ST DAY OF DECEMBER 1986 AND KNOWN AS TRUST 11519, HEREINAFTER REFERRED TO AS THE "PARTY OF THE THIRD PART" IS NOW THE OWNER OF "LOT 8" AND

WHEREAS, MICHAEL MAHONEY, BRIDGET M SULLIVAN, CHRISTOPHER PAYNE, SUSAN SPRITZ, MICHAEL KERR, MARY C JONES, ROBERT ZIMMERMAN, WHO TOGETHER OWN ONE HUNDRED PERCENT [100%] OF THE TOTAL UNITS AND COMMON ELEMENTS IN A CONDOMINIUM NOW KNOWN AS 626 WEST BUCKINGHAM CONDOMINIUM, HEREINAFTER JOINTLY REFERRED TO AS THE "PARTY OF THE FOURTH PART" , NOW OWNS "LOT 7", AND,

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WHEREAS, THE "PARTY OF THE FOURTH PART", BY UNANIMOUS VOTE OF ONE HUNDRED PERCENT [100%] OF THE TOTAL MEMBERSHIP OF THE CONDOMINIUM ASSOCIATION AFORESAID APPROVED THE TERMINATION OF THE AFORE- DESCRIBED "EASEMENT OR RIGHT OF WAY" AND AUTHORIZED THE PRESIDENT OF THE ASSOCIATION TO EXECUTE THIS DOCUMENT ON THEIR BEHALF, AND

WHEREAS, THE "PARTY OF THE THIRD PART" DESIRES TO TERMINATE THE AFORESAID EASEMENT,

N O W T H E R E F O R E, IN CONSIDERATION OF THE SUM OF \$10,000.00, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, IT IS AGREED THAT THE AFORESAID "EASEMENT OR RIGHT OF WAY" EXECUTED ON THE 11TH DAY OF SEPTEMBER 1951 AND RECORDED ON THE 20TH DAY OF NOVEMBER 1951 IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS AS DOCUMENT 15220851 IN BOOK 47431 OF RECORDS, AT PAGE 573-578, IS HEREBY TERMINATED AND HELD FOR NAUGHT.

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I N W I T N E S S W H E R E O F the parties hereto have hereunto set their hands and seals on the day first written.

**SUCCESSOR GRANTOR
OWNER OF LOT 8**

**MARQUETTE NATIONAL BANK, NOT INDIVIDUALLY BUT SOLELY AS TRUSTEE
UNDER TRUST AGREEMENT DATED THE 31ST DAY OF DECEMBER 1986 AND KNOWN
AS TRUST 11519.**

It is expressly understood and agreed by and between the parties hereto, anything hereto to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless such and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument to be executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee, and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Marquette National Bank, on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

IN WITNESS WHEREOF Marquette National Bank, not personally but as Trustee as aforesaid, has caused these presents to be signed by its Vice President and its corporate seal to be hereunto affixed and attested by its Assistant Secretary, the day and year first above written.

MARQUETTE NATIONAL BANK

TR 11519

[Signature]
Vice President

[Signature]
Assistant Secretary

STATE OF ILLINOIS

SH

COUNTY OF COOK

I, the undersigned, a Notary Public in and for said County, in the state aforesaid, DO HEREBY CERTIFY, that the above named Vice President and Assistant Secretary 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 severally acknowledged that they signed and delivered the said instrument as such officers of said Bank and caused the seal of said Bank to be thereunto affixed, as their free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this

day of _____ 1987
"OFFICIAL SEAL"
BARBARA A. KANADET
Notary Public, State of Illinois
My Commission Expires 12 / 18 / 91

[Signature]
Notary Public

NOTARY PUBLIC [FOR MARQUETTE NATIONAL BANK]

060-3984

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SUCCESSOR GRANTEE
OWNER OF LOT 7

626 WEST BUCKINGHAM CONDOMINIUM ASSOCIATION

BY : Michael F. Kerr
ITS : PRESIDENT
ATTEST : [Signature]

STATE OF ILLINOIS]
] SS
COUNTY OF COOK]

I, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID,
DO HEREBY CERTIFY THAT Michael E. Kerr AND
[Signature] ARE PERSONALLY KNOWN TO
ME AS THE SAME INDIVIDUALS WHO SUBSCRIBED TO THE FOREGOING
INSTRUMENT ON BEHALF OF MARQUETTE NATIONAL BANK, THAT THEY APPEARED
BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED,
SEALED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND
VOLUNTARY ACT, FOR THE USES AND PURPOSES SET FORTH THEREIN.

GIVEN UNDER MY HAND AND NOTARIAL SEAL ALL THIS 7th DAY OF DECEMBER
1994

Ruth J. Miller
NOTARY PUBLIC

"OFFICIAL SEAL"
Ruth E. Miller
Notary Public, State of Illinois
My Commission Expires 10/31/97

PREPARED BY AND MAILED TO

HOWARD KILBERG
225 WEST WASHINGTON STREET
#2300
CHICAGO, ILLINOIS
60606
312-236 7723

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