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TERMINATION AND VACATION OF EASEMENT

Prepared by and upon recording
return to:

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500 W. Madison St.
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Chicago, Illinois 60661



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Eugene "Gene" Moore Fee: \$30.00
Cook County Recorder of Deeds
Date: 05/13/2005 03:31 PM Pg: 1 of 4

11/16/17 11 of 16 AP
DEC
NCS-157917

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THIS TERMINATION AND VACATION OF EASEMENT ("Termination") is made and entered into as of the 6th day of May, 2005 by Shoe Factory Road L.L.C., an Illinois limited liability company ("Shoe Factory").

WITNESSETH

WHEREAS, Shoe Factory is the "Declarant" of that certain Declaration of Covenants, Conditions, Restrictions and Easements dated February 15, 1999 and recorded June 10, 1999 as Document Number 99558930 (the "Declaration"); and

WHEREAS, the Declaration granted a Roadway Easement pertaining to the Parcel 9 Roadway Easement Premises (all such capitalized terms being defined in the Declaration); and

WHEREAS, Shoe Factory has entered into that certain Annexation and Development Agreement for the Laufenburger Farm and Fourth Amendment to the University Place Annexation Agreement dated May 2, 2005 and as approved by Village of Hoffman Estates Ordinance No. 3720-2005 (the "Development Agreement"); and

WHEREAS, the Development Agreement approves a residential subdivision upon Parcel 9 and provides for the future platting of public dedicated roads upon Parcel 9; and

WHEREAS, Parcel 9 is appurtenant to Essex Drive, a public dedicated road; and

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WHEREAS, Declarant has determined that the Roadway Easement pertaining to the Parcel 9 Roadway Easement Premises is no longer desirable or necessary for the future development of Parcel 9.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant agrees that effective immediately, the Roadway Easement in, over, under, across, and upon that portion of Roadway Easement Premises pertaining to Parcel 9 (which portion of the Roadway Easement Premises is legally described on Exhibit A hereto) is hereby vacated, forever terminated and shall no longer be of any force or effect.

[Executed on Following Page]

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IN WITNESS WHEREOF, Shoe Factory Road L.L.C. has executed this instrument as of the date first written above.

SHOE FACTORY ROAD L.L.C.,
an Illinois limited liability company

By: DECO Investments Ltd.,
an Illinois corporation
Its: Manager

By: *Dennis A. Cortesi*
Dennis A. Cortesi, President

STATE OF ILLINOIS)
) ss.
County of Cook)

The foregoing instrument was acknowledged before me this 5th day of May, 2005, by Dennis A. Cortesi, President of DECO Investments, Ltd., an Illinois corporation, the Manager of Shoe Factory Road L.L.C., an Illinois limited liability company, on behalf of the company.

Thomas A. McCarthy
Notary Public

My commission expires: 11/22/06



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EXHIBIT "A"

Legal Description of the Vacated Roadway Easement Premises

ROADWAY EASEMENT VACATION PREMISES LEGAL DESCRIPTION

THAT PART OF FRACTIONAL SECTION 5 IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PARCEL 8 AS SHOWN ON THE PLAT OF SURVEY RECORDED JUNE 26, 1981 AS DOCUMENT NO. 25918743, POINT BEING IN THE APPROXIMATE CENTERLINE OF SHOE FACTORY ROAD; THENCE NORTH 00 DEGREES 34 MINUTES 55 SECONDS EAST (ILLINOIS STATE PLANE GRID-EAST ZONE), ALONG A MONUMENTED LINE OF OCCUPATION, ALSO BEING THE EAST LINE OF ESSEX DRIVE AS DEDICATED BY A PLAT RECORDED AUGUST 15, 2003 AS DOCUMENT NO. 0322719109, 1173.44 FEET TO A LINE DRAWN PARALLEL WITH AND 1942.50 FEET SOUTH OF, AS MEASURED PERPENDICULAR TO, THE OCCUPIED AND MONUMENTED CENTERLINE OF THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY'S NORTHWEST TOLLWAY (I-90); THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 80.01 FEET TO THE WEST LINE OF SAID ESSEX DRIVE; THENCE NORTH 00 DEGREES 34 MINUTES 55 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 692.57 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS WEST A DISTANCE OF 825.15 FEET; THENCE NORTH 00 DEGREES 34 MINUTES 55 SECONDS EAST A DISTANCE OF 80.00 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 35 SECONDS EAST A DISTANCE OF 825.15 FEET TO THE NORTHWEST CORNER OF SAID ESSEX DRIVE; THENCE SOUTH 00 DEGREES 34 MINUTES 55 SECONDS WEST, ALONG THE AFOREMENTIONED WEST LINE OF ESSEX DRIVE, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING, LYING IN COOK COUNTY, ILLINOIS.

HENDERSON AND BODWELL MAY 5, 2005

06-05-200-015, also affects other land
06-05-100-014, also affects other land
06-05-100-016, also affects other land

*Address Vacant Land, west of Essex Drive
Hoffman Estates, IL 60195*