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Doc#: 0615148037 **Fee:** \$28.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/31/2006 11:16 AM Pg: 1 of 3

**THIS INSTRUMENT PREPARED BY,
AND AFTER RECORDING
MAIL TO:**

**Jeffery L. Keffer, Esq.
Brown Rudnick Berlack Israels LLP
One Financial Center
Boston, Massachusetts 02111**

Above Space for Recorder's Use Only

**RELEASE OF MORTGAGE AND ASSIGNMENT OF LEASES AND RENTS BY
CORPORATION (ILLINOIS)**

**FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE
RECORDER OF DEEDS OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE
MORTGAGE AND THE ASSIGNMENT OF LEASES AND RENTS WERE FILED.**

KNOWN ALL MEN BY THESE PRESENTS, That Wachovia Capital Finance Corporation (New England), a Massachusetts corporation, f/k/a Congress Financial Corporation (New England), for and in consideration of the payment of indebtedness secured by the property herein mentioned, and the cancellation of all the notes thereby secured, and the sum of one dollar, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE, CONVEY, and QUIT CLAIM unto Farley's & Sathers Candy Company, a Delaware corporation, and its successor and assigns, all the right, title interest, claim or demand whatsoever it might have acquired in, through or by (i) a certain Leasehold Mortgage and Security Agreement and Fixture Filing dated February 19, 2002, and recorded February 25, 2002, in the Recorder's Office of Cook County, in the State of Illinois, as Document No. 0020216493 ("Mortgage"), as amended by a certain First Amendment to Leasehold Mortgage and Security Agreement and Fixture Filing dated September 26, 2003, and recorded October 16, 2003, in said Recorder's office, as Document No. 0328927148 ("Amendment to Mortgage"), and (ii) a certain Collateral Assignment of Leases and Rents recorded together with the Mortgage as Document No. 0020216494, as amended by a certain First Amendment to Collateral Assignment of Leases and Rents recorded together with the Amendment to Mortgage as Document No. 0328927149, to the premises therein described as follows, situated in the County of Cook, State of Illinois, to wit:

See EXHIBIT A attached

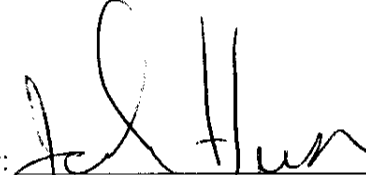
together with all the appurtenances and privileges thereunto belonging or appertaining.

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Witness my hand and seal, this 3rd day of ~~April~~^{May}, 2006.

**WACHOVIA CAPITAL FINANCE CORPORATION
(NEW ENGLAND)**

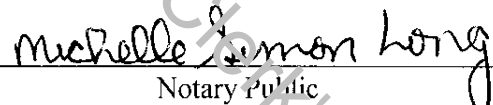
By: 
Name: John Husson
Title: Director

COMMONWEALTH OF MASSACHUSETTS }

COUNTY OF SUFFOLK }

On this 3rd day of ~~April~~^{May}, 2006, before me, the undersigned Notary Public in and for the said County in the said State, personally appeared John Husson, known to me to be an authorized signatory of Wachovia Capital Finance Corporation (New England), 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 authorized signatory, he/she signed and delivered the said instrument, pursuant to authority given by the Board of Directors or otherwise of said corporation, as his/her free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 3rd day of ~~April~~^{May}, 2006.


Notary Public

Commission expires 10/27/2011



MICHELLE SIMON LONG
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 27, 2011

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EXHIBIT A

LEGAL DESCRIPTION

Title to the Leasehold Estate described as follows:

That part of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 41 North, Range 12 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said West $\frac{1}{2}$; thence South 1,196.048 feet along the East line of said West $\frac{1}{2}$; thence West along a line parallel with the North line of said West $\frac{1}{2}$, 723.98 feet to the point of beginning of the following tract of land; thence continuing West along said parallel line 450.0 feet; thence North perpendicularly to said parallel line to a point on a line 756.066 feet South of (as measured along the East line of said West $\frac{1}{2}$) and parallel with the North line of said West $\frac{1}{2}$; thence East along the last described parallel line 450.0 feet; thence South to the herein described point of beginning, all in Cook County, Illinois.

Permanent Index Number: 09-28-300-021-0000

Property Address: 1665 East Birchwood Avenue, Des Plaines, Illinois, 60018

Property of Cook County Clerk's Office