

UNOFFICIAL COPY

Prepared by and after recordation return to:

Glen R. Conblath, Esq.
Krasnow Saunders Cornblath, LLP
500 North Dearborn Street
Second Floor
Chicago, IL 60610



Doc#: 0622933207 Fee: \$28.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/17/2006 01:17 PM Pg: 1 of 3

8351636 D2
D2 CW

Property of Cook County Clerk's Office

TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT (this "*Termination Agreement*") is executed this 8th day of August, 2006 by NORTHPOINT LLC, an Illinois limited liability company ("*Northpoint*").

WHEREAS, an Access and Parking Easement Agreement dated as of June 20, 1995 was recorded with the Cook County Recorder's Office on June 23, 1995 as Document No. 95407102 (the "*APEA*");

WHEREAS, a Reciprocal Easement and Operation Agreement dated as of June 20, 1995 was recorded with the Cook County Recorder's Office on June 23, 1995 as Document No. 95407103 (the "*REOA*");

WHEREAS, Northpoint is the owner of all the property described in the APEA and REOA commonly known as Northpoint Shopping Center including the Outlot Tract (collectively, the "*Shopping Center*"), legally described on Exhibit A attached hereto; and

WHEREAS, Northpoint has determined that the easements, restrictions, covenants and conditions contained in the APEA and REOA are not desirable or required for the continued operation of the Shopping Center and therefore wishes to terminate both the APEA and REOA.

WHEREAS, a Declaration of Easements, Covenants and Restrictions dated as of January 23, 1972 was recorded with the Cook County Recorder's Office on April 17, 1972 as Document No. 21869198 (the "*DECR*") by LA SALLE NATIONAL BANK, not personally, but as Trustee under Trust Agreement dated October 1, 1961, and known as Trust #28684 ("*Trust #28684*"); and

WHEREAS, Northpoint, which is the successor in interest to Trust #28684, has determined that since the Effective Date referred to in Section 3 of the DECR did not occur by June 1, 1998, the DECR automatically terminated pursuant to the terms thereof, and should be formally terminated.

Box 400-CTCC

3/8

UNOFFICIAL COPY

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Northpoint hereby declares that the APEA, REOA, and DECR are terminated and of no further force and effect.

NORTHPOINT LLC

By: PROCRUSTES, INC., an Illinois corporation, its Manager

By: [Signature]

State of Illinois) SS
County of Cook)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Laurance H. Freed, personally known to me to be the President of PROCRUSTES, INC., an Illinois corporation, the Manager of NORTHPOINT LLC, an Illinois limited liability company, and personally know to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered said instrument as said officer and as his free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my and notarial seal this 11th day of August, 2006.

[Signature]
Notary Public



UNOFFICIAL COPY

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

LOT 1 OF NORTHGATE SHOPPING CENTER SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1 THENCE SOUTHWARD ALONG THE WESTERLY LINE OF SAID LOT 1, BEING THE EASTERLY LINE OF ARLINGTON HEIGHTS ROAD; SOUTH 1 DEGREES, 50 MINUTES, 41 SECONDS EAST, A DISTANCE OF 73.57 FEET; THENCE SOUTH 00 DEGREES, 17 MINUTES, 45 SECONDS EAST, A DISTANCE OF 470.00 FEET; THENCE SOUTH 13 DEGREES, 57 MINUTES, 59 SECONDS EAST, A DISTANCE OF 40.00 FEET; THENCE SOUTH 33 DEGREES, 05 MINUTES, 01 SECONDS EAST, A DISTANCE OF 37.43 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 33 DEGREES, 05 MINUTES, 01 SECONDS EAST, A DISTANCE OF 7.57 FEET, THENCE SOUTHEASTERLY ALONG A LINE BEING 50.00 FEET NORTHEASTERLY OF AND PARALLEL WITH THE CENTER LINE OF RAND ROAD, SOUTH 48 DEGREES, 24 MINUTES, 05 SECONDS EAST A DISTANCE OF 387.47 FEET; THENCE SOUTH 50 DEGREES 47 MINUTES 20 SECONDS EAST A DISTANCE OF 48.01 FEET; THENCE NORTH 48 DEGREES, 24 MINUTES, 05 SECONDS WEST, A DISTANCE OF 444.74 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PIN: 03-17-301-017, 03-17-301-019, 03-17-301-020, 03-17-301-021 and 03-17-301-022

Common Address: Rand Road, Arlington Heights Road and Palatine Road, Arlington Heights, Illinois