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### AFTER RECORDING, RETURN THIS DOCUMENT TO:

Mr. Daniel J. Kucera 475 Dunham Road Suite 2A St. Charles, Illinois 60174 (630) 444-1797

### THIS DOCUMENT WAS PREPARED BY:

Myles L. Tohin Fletcher & Sippel LLC 29 North Wacker Drive Suite 920 Chicago, Illinois 60606 (312) 252-1500

Doc#: 0701839068 Fee: \$70.50 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 01/18/2007 01:23 PM Pg: 1 of 24

Above Space for Recorder's Use Only

# Ox Coot County PARTIAL ASSIGNMENT AND ASSUMPTION OF EASEMENTS (ATTACHED HERETO)

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0701839068 Page: 2 of 24

### **UNOFFICIAL COPY**

#### PARTIAL ASSIGNMENT AND ASSUMPTION OF EASEMENTS

KNOW ALL MEN BY THESE PRESENTS, that Illinois Central Railroad Company, an Illinois corporation (hereinafter the "Assignor") does, for valuable consideration, effective as of the date hereof, partially assign, transfer and set over unto Glenn Yard Water Association, an Illinois not-for-profit corporation (hereinafter the "Assignee"), that portion of Assignor's right, title and interest, if any, in, to and under each and all of the easement agreements, or reservations of easement rights, as shown in Exhibit 1, hereto attached and hereby made a part hereof; provided, however, such partial assignment and assumption of easement rights shall be limited to Assignor's right to place and maintain water pipes on the easement property referenced in said agreements; and provided, further, however, said partial assignment and assumption shall be further limited to the real property underlying the portion of the Glenn Yard Water System water pipes transferred by Assignor to Assignee in a Bill of Sale of even date herewith. This partial assignment and assumption shall not encompass assignment of easement agreements or reservation of easement rights unrelated to placement and maintenance of water pipes on the essement property referenced in the agreements identified in Exhibit 1, and such partial assignment and assumption of easement rights shall not encompass easements for any water pipes for which is signor is retaining ownership, and not transferring to Assignee in the Bill of Sale of even date here with

This Assignment is subject to retention by Assignor of all other rights granted to or retained by Assignor in those agreements identified in Exhibit 1, except for placement and maintenance of the water main purchased by Assignee frem Assignor pursuant to that certain Bill of Sale of even date herewith.

This Assignment is subject to all of the terms and conditions of that certain agreement by and between Assignor and Assignee dated October 11, 2006.

Subject to the terms hereof, Assignee hereby accepts the aforesaid partial assignment of easement rights, assumes all of the duties and obligations of Assignor thereunder, from and after the effective date of this Assignment which is December 15, 2006.

This Assignment shall be binding upon and shall inure to the benefit of the parties hereto, their successors and assigns. No provision hereof shall be construed as intended for the benefit of any third party.

Dated this 15<sup>th</sup> day of December, 2006.

ILLINOIS CENTRAL RAILROAD **COMPANY** 

An Illinois Corporation,

GLENN YARD WATER ASSOCIATION An Illinois not-for-profit Corporation,

0701839068 Page: 3 of 24

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#### **EXHIBIT 1**

1. An easement for Assignor's existing underground water pipe as reserved in the indenture dated October 6, 1959, by and between the Gulf, Mobile & Ohio Railroad Company and Witco Chemical, Inc. (a copy of which is attached hereto) in a strip of land, 10-feet wide in the North half of the Northwest quarter of Section 8, Township 38 North, Range 13 East of the 3<sup>rd</sup> Principal Meridian; the centerline of said strip being described as follows:

Commencing at the point of intersection of a Northward extension of the East line of Lot 2 in Witco Chemical Company's Subdivision, the plat of which was recorded in the Recorder's Office of Cook County, Illinois on March 25, 1958 as Document No. 17164195, with a line 10.00 feet Northwesterly from and parallel with the Northwesterly line of said Lot 2 and running

thence Northwestwardly along an extension of said parallel line of the point of intersection of said parallel line with a line 53.00 feet North from and parallel with the North line of the South half of the Northwest quarter of said Section 8;

thence Ersi along the last described parallel line to the point of intersaction of said parallel line with a line described as follows:

Beginning on the No.th line of the South half of the Northwest quarter of said Section 8 at a point which is 475.48 feet East from the Vest line of said Lot 2 in Witco Chemical Company's Subdivision and running

thence North a distance of 5.77 feet to a point which is 356.17 feet (measured perpendicularly) North from the North line of the South 983.00 feet of said Northwest quarter and 475.48 feet (measured perpendicularly) East from said East line of Lot 2;

thence Northwardly and Northeastwardly, along the area of a circle having a radius of 573.69 feet, convex Northwesterly and tangent to the last described course, a distance of 287.22 feet to a point 631.27 feet (measured perpendicularly) North from the North line of the South 983.00 feet of said Northwest quarter.

2. An easement for Assignor's existing underground water pipe as reserved in the indenture dated July 6, 1961, by and between the Gulf, Mobile & Ohio Railroad Company and Donald Marion (a copy of which is attached hereto) in a strip of land described as follows:

A strip of land, 10 feet wide, across a part of the Northeast quarter of the Northwest

0701839068 Page: 4 of 24

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quarter of Section 8, Township 38 North, Range 13 East of the 3<sup>rd</sup> Principal Meridian, said strip of land being described as that part of the North 10 feet of the South 58 feet of said Northeast quarter of the Northwest quarter of Section 8 which is bounded on the East by a straight line extending from the South line of said Northeast quarter of the Northwest quarter at a point thereon 31.59 feet West from the Southeast corner thereof to a point which is 379.29 feet North from the South line and 33.47 feet West from the East line of said Northeast quarter of the Northwest quarter, and which is bounded on the West by a straight line extending from the South line of said Northeast quarter of the Northwest quarter at a point thereon which is 206.60 feet West from the Southeast corner thereof to a point which is 86.06 feet North from the South line and 207.23 feet West from the East line of said Northeast quarter of the Northwest quarter.

3. An easement for that portion of Assignor's existing underground water pipe, but only to the extent of that portion of the water pipe which has been purchased by Assignee in a Bill of Sale of even date herewith, as reserved in the indenture dated July 10, 1979, by and between Illinois Central Gulf Railroad Company and The Clorox Company, recorded as Document No. 25154604, in a strip of land underlying Merrimac Avenue (attached hereto).

0701839068 Page: 5 of 24

### UNOFFICIAL COPY

THIS INDESTURE WITHESERTS, That the Greater, Gulf, Mobile and Ohio Railroad Company, a corporation of the State of Masterippi, having its principal office at Mobile, Alabama, for the consideration of Righty-five Thousand Sight Hundred Ten and mo/100 Bollars (985, d10.00) in hand paid, the receipt of which is hereby acknowledged, does hereby enever and varrout (with the recervations hereinefter stated) white Witco Chamisel Company, Inc., a Delaware Arrocation, having an office at Chicago, Illinets, the following described two percels of land situated in the County of Cook and State of Hillmois:

#### PARGET. "A"

That part of the sprthwest quarter of Section 8, employ 18 Karth, Rows 13 Best of the 3rd Principal writing more particularly described as follows:

Beginning at the point of intersection of the Herch
Line of the Bouth Of Fact - wild Reviewest quarter
with the Fest Line is aright - leaded of the private
road Marca as I. Nexde Avenue. Lide Intersection is also
the Sentheast cover of Let I in /Atea Chamical Company's
Subdivision, the plat of which was you visit in the
Respector's Office of Cook County, Illimits, on March Si,
1918 as Decument No. 1716-195 and results;
thence North along the East Line of wid Let I and a
Marthanird extension thereof a distance or 10.83 foots
thence Northeastwardly slong a straight 100 a distance
of Si, SZ (not to a point which is 2)3.79 foot | measured
perpendicularly | ant from the said Roytheard extension of the
fast Line of said let I and 197.77 foot | measured perpendicularly Borth from the said North line of the 4-th
163 fast of said Northeast quarter;
thence Southwestvarmity and Sentimerally along the arof a circle having a residue of 183.07 foot and convex

a circle having a redius of 181.07 feet and convex orthwesterly a distance of 301.29 feet to a point 121.69 set (measured perpendicularly) East from east Kest line of Lot I and 286.69 feet Morth from east North line of

math 96) feat!
themse South along a straight line a distance of 236.69
set to a point on said North line of the South 96) foot
high is 122.11 feet East from said Southeast corner of

Let 1: themes west along said North line of the South 983 fact a distance of 122.41 feet to the point of beginning; containing 63,446 square feet of land, more or lass.

#### PARCEL "B"

That part of the Northwest quarter of Section 6. Township 36 North, Asse 13 Sect of the 3rd Frincipal Maridian more particularly described as Follows:

Segimming at a point on the North line of the South 983 feet of said Northwest quarter which is 122,41 feet East from the point of intersection of said Borth line of the Bouth 98) feet with the West line (as originally located) of the private road known as S. Meads Lyangs, which intersection is also the Southeast corner of

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Let X in Viteo Chemical Company's Subdivision, the plat of which was reserved in the Recompany's Office of Cock County, Illinois, on March 25, 1958 as Decement to, 17161105 and remning
theres Forth along a straight line a distance of 256.69 feet to a point 121.89 feet (mesoured perpendicularly) hast from the Sent line of said Let X
themes Sorthwarely and Horthesptanyelly along the are of a sirgle having a residue of 181.89 feet to a point which is 133.79 feet (mesoured perpendicularly) hast from a Helbandard extension of said feet line of test and 197.77 feet many of perpendicularly Herts from said Eorth line of sorth and county the perpendicularly slong a straight line a distance of 148.80 feet of and Horthwart quartery there. Sorthwarters raing a straight line a distance of 148.80 feet of and Horthwart quartery there. Sorthwarters raing a straight line of the Sorth line of the So

themse dentries summedly and Southwarelly along the are a circle hardly a radius of \$73.69 foot and source inthemstorly along the area of \$73.69 foot and source inthemstorly along the select \$60.17 foot to a point \$60.17 foot measured personalisate. South \$60 foot interest personalisate. South \$60 foot interest personalisate. South \$60 foot interest personalisate. South \$60 foot into of the South half sales and Torcheste purpose of \$60.17 foot in the south half sales were been along sale south \$60.17 foot in the south half a sales were sales and sale

reases of 9-48 feet to its interestion with a line feet East from and parallel with side East line of

Lot \$1

thence South along said parallel 1 - a distance of 150.40 fact to its intersection with an a facth line of the South 983 feet of the Northwest quantary rai theory west along said North line of the Frath 985 feet & distance of \$1,50 feet to the paint - sectioning equalizing 175,907 square feet of land, more of land.

The said two pareols are shown on the amend joint of a Flat of Survey prepared by Chicago Guarantee Survey Company, sertified July 15, 1999, and revised July 27, 1999, and August 27, 1999.

The Granter reserves unto itself, its anonessors and assigns, the following easements:

(1) An easeness for a railread track upon and across andd pervols "A" and "B" as follows:

of the Northwest quarter of legion & Township I Meridian Iring between the North Line of the South 93 fact of said Northwest quarter which begins at a wolnt of the Meridian tring between the North Line of the South 93 fact of the Meridians quarter which begins at a wolnt 197.3 fact North from the Southeast corner of Let 2 measured along the East line and a Morthward extension of the Last line of said Let 3) in vitce Chemical Company's Subdivision, the plat of which was recorded in the Recorder's Office of Cook County, Illinois on March 25, 1918 as Document No. 17164195, (said Southeast corner of Let 2 being 963.00 feet North from the South Line of Said Northwest quarter) and runs Northeastwardly

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-3-

a distance of 594.54 feet to a point which is 631.27 feet (measured perpendicularly) North from said North line of South 983.00 feet; the center line of said strip of land being a line described as follows:

Beginning at a point on the North line of said South 983.00 feet of Northwest quarter which is South 783.80 feet of Northwest quarter which is 122.41 feet Mast from the point of intersection of said North line of South 983.00 feet with the West line (as originally located) of the private road known as 8. Mande Avenue, which intersection 1. also the Southeast corner of Let 2 in said witto Chemical Company's Subdivision and running change North along a straight line a distance of 126.59 feet to a point 121.89 feet (measured perperdicularly) Kast from the East line of said let 21

Let 2:

themes forthwardly and Northeastwardly along the arc of firele, having a radius of 383.07 feet and correct Northwesterly a tetal distance of 169.77 feet, safe are intersecting at 301.29 feet the diagonal line furetofore described at a point 233.79 feet (measure/ purpondicularly) East from a Ferthward extension of said East line of Lot 2 and 497.77 feet (measured jespendicularly) North from said North line of South 703.00 feet of said Northwest quarter.

(2) An easement for a reilroad truck upon and across said parcel "B" as follows:

A strip of land 19.48 feet wide acres, that part of the Northwest quarter of Section 8, commany 18 North, Range 1) Rest of the Third Principal Meridian lying between the North line of the Seuth half of the Northwest quarter of said Section 8 and 1 (lagonal line acress part of said Northwest quarter which begins at a point 197.83 feet North from the Southeast earler of Lot 2 (measured along the East line and a Northwest extension of the East line of said Lot 2) in Nitco Shaming Commany's Subdivision, the plat of which was Chemical Company's Subdivision, the plat of which was recorded in the Recorder's Office of Gook County. Illinois on March 25, 1958 as Document No. 17164195, (said Southeast corner of Let 2 being 98), 90 feet North from the South line of said Northwest quarter) and runs Northeastwardly a distance of 594.54 feet to a point which is 631.27 feet (measured perpendicularly) North from the North line of the South 983.00 feet of said Morthwest quarter; the easterly line of said strip of land being described as follows:

Beginning on the North line of the South half of the Northwest quarter of said Section 8 at a point which is 475.48 feet East from the East line of said Lot 2 in Witco Chemical Company's Subdivision and running

thence North a distance of 5.77 feet to a point which is 356.17 feet (measured perpendicularly) North from the North line of the South 983.00 feet of said Northwest quarter and 475.48 feet (measured perpendicularly) East from said East line of Lot 2;

thence Northwardly and Northeastwardly along the arc of a circle, having a radius of 573.69 feet, convex Northwesterly and tangent to the last described course a distance of 287.22 feet to the point on said diagonal 0701839068 Page: 8 of 24

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line which is located 631.27 feet (measured perpen-dicularly) North from the Earth line of the South 983.00 feet of eadd Northwest quarter.

The ensuments described in subparagraphs (1) and (2) hereof shall remain in force and effect for so long as the said tracks. respectively, shall remain in place.

(3) An essentit for the Greater's existing underground assivery some pipe line in a strip of land described as fellows

The North 18.8 foot of the South 18.8 feet of that part of the Morth half of the Morthwest quarter of Section (, Township 18 North, Easy 1) less of the Third Proping Mortises lying between the East 18th, and a North Pri extension of said Rest line of less I in Witne Charless Company's Subdivision, the plat of which we'r people in the Recorder's Cirile of South County, "Llinets, on Moreh 25, 1955 as Becament No. 17161115 and a line Contribed said follows:

Regimning on the North line of the South half of the Forthwest quarter of said fertion & at a point which is 175-46 free East from No East line of said int & in Nico Chemical Company's confivinion and

running
themes Hersh a distance of 5.77 feet to a point
which is 366.17 feet (mangared personalisticity) Burch
from the Hersh Line of the fourth 981 Of root of said
forthwest quarter and 573.48 feet (manuscred perpendicularly) hast from said feet line of Let 2;
thomas Northwardly and Sortheastwordly along the
are of a divide having a radius of 571.60 feet, cares
Korthwardly and takens to the last described escree,
a distance of 367.88 feet to a point 631.87 feet
(measured perpendicularly) Horth from the North line

The same of 367.88 feet of said Northwart quarter. (measured perpendicularly) mores from the mores that of the femal belief foot of said Northwest quarter.

(4) An exament for the Granter's existing underground water pipe line in a strip of land described as follows:

A strip of land, 10.00 feet wide, in the North half of the Northwest quarter of Section 8, Township 38 North, Reage 1) Seet of the Third Principal Meridian; the center line of said strip being described as follows:

Gommenting at the point of intersection of a Northward extension of the last line of let 2 in viteo Chemical Company's Subdivision, the plat of which was recorded in the Recorder's Office of Cook County, Illinois on March 35, 1958 as Document No. 17164195, with a line 10.0 feet Northwesterly from and parallel with the Northwesterly line of said lot 2 and running these Marchaesterly along the Atlanta and Atlanta

thence Northeastwardly along as extension of said perellel line of the point of intersection of said parallel line with a line \$1.00 feet North from and parallel with the North line of the South half of

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the Northwest quarter of said Section 6; thouse East along the last described parallel line to the point of intersection of said parellal line with a line described as follows:

Beginning on the Herth line of the South half of the Herthwest quarter of said Section 8 at a point which is 175.48 feet East from the Egst line of said Lot 2 in Vitco Chemical Company's Subdivision and

running
themse North a distance of 5.77 feet to a point which is 36.17 feet mensured perpendicularly which is 36.17 feet mensured perpendicularly North from the North line of the South 963.00 feet mensured perpendicularly hant from said Hast line of Let 1; Teeton Northwardly and Northeastwardly, along the same 570 sirale having a radius of 573.50 feet, conver solly and teagent to the last described source. Solly perpendicularly Hast from the North line of the South 963.00 feet of said Northwest quarter.

The Grantes will have the right of accounts said sever line and to said rater line for the purpose of maintaining and repairing them or either of them.

This conveyance is made subject lies to the following:

- (a) Special assessments, or installments thereof.
- if any, falling due after the date of this deed; and
  - (b) Zoning and building laws and o'd nances.

Temes for the current tax year shall be provated as of the date of delivery of this deed.

	TAL	MALA	end	converse.	) <b>145</b> 5	authorized	by	Order	of	the	4,
IJ	lineis	Corne	F06	Countraton	dated	Septemb	er	30	· · · · · · · · · · · · · · · · · · ·		1953
in	Bocket	No.		6233							

IN WITHERS WHENHOF, Gulf, Mobile and Chio Reilroad Company has enuced this instrument to be signed and its corporate seal to be affixed and attouted by its officers thereunto duly authorized on this the 6th day of October \_, 1959. ATTEST: GULF. MOBILE AND ONIO RAILMOND COMPANY /s/ K. D. Horton /s/ G. P. Brock Secrobery (SEAL) (ARABAIA TO STATE COUNTY OF MORILE)

I. Margoret McAllistor, a Movery Public in and for said County said State, do hereby certify that O. P. Stock, Freeldent, and

0701839068 Page: 10 of 24

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-6-

E. D. Herton, Secretary, of the above named Gulf, Mobile and Chie Sailroad Gospany, personally known to me to be the same personal whose names are subscribed to the foregoing instrument as such President and Secretary, respectively, appeared before me this day in person and acknowledged that they signed, scaled with the corporate seal and delivered the said instrument as the free and voluntary act of said Gulf, Mobile and Chie Railroad Gospany and as their own free had voluntary acts as such officers for the uses and purposes therein set forth.

Oiven	under	My.	her i	and	official	seel	ФЩ	this	6th	day	of
October										•	
- <del>Carlot and Marie Mari</del>	<del>en unitar quistares.</del>	-	man majatawa I		/ <b>*</b>						

/s/ Ya	rgaret	McAllis	ter
	77/4	Palite	

47/2

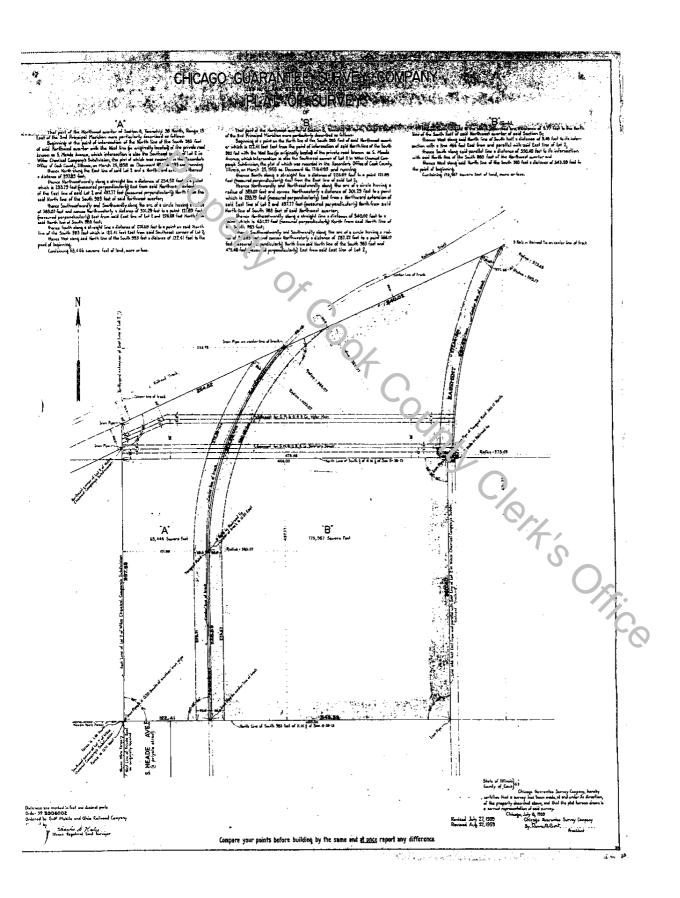
(SEAL)

My Sommission expires: January 11, 1961,

(\$94.60 in Documentary Revenue Stamps attached to original copy and cancelled.)

0701839068 Page: 11 of 24

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0701839068 Page: 12 of 24

### **UNOFFICIAL COPY**

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THIS INDENTURE WITNESSETH, That the Grantor, Gulf, Mobile and Ohio Railroad Company, a corporation of the State of Mississippi, having its principal office at Mobile, Alabama, for the consideration of Sixteen Thousand and no/100 Dellars (\$15,900) in hand paid, the receipt of which is hereby acknowledien, does hereby convey and warrant (with the reservations hereinifter stated) unto Denald Marion, a resident of Chicago. Illinois, the following described percel of land situated in the County of Jook State of Illinois:

Of a per; of the Bortheast quarter of the Northwest quarter of Section 8, Tomaship 38 Horth, Range 12 Fast of the 3rd Principal Moridian, descrited as follows:

(\$17.60 m to the origin Beginning at the point of intersection of the south line of said to theset quarter of Morthwest quarter with a line 25 feet west from and parallel with a northwest extension of the center line of the private of ret known as 5. Austin Avenus, as the same is 101 double across the South half of the North half of said Section 5, said point of intersection being 31.59 feet west from the seutheast ormer of the Northwest quarter of said Section 5 and running thence were along the south line of said Morthwest quarter of themes morth along a straight line a distance of 56.56 feet to a point 207.23 feet west from the east line of said Morthwest quarter of Morthwest quarter;

from the east line of said appearance queries. Moreovert quarter;
themse acrobes strardly along the arc of a circle, convex to the northwest and having a radius of 183.07 feet, a distance of 173.94 feet to a point which is 254.16 feet north from the south line and 169.66 feet most from the east line of said Northeast quarter of North-

west quarter;
themee continuing northeastwardly along the arc of a circle, convex to the merthwest and having a radius of 573.69 feet, a distance of 30.39 feet to a point which is 260.90 feet north from the south line and 155.95 feet west from the east line of said Northeast quarter of Nanthwest quarter. of Northwest quarter;

thence continuing nertheastwardly along the arc of a circle, convex to the northwest and having a radius of 193.19 feet, a distance of 17.59 feet to a point which is 295.89 feet north from the south line and 146.84 feet west from the east line of said Northeast quarter of Northwest quarter;

thence northeastwardly along a straight line a distance of 141.08 feet to its intersection with the line 25 feet west from and parallel with the northward extension of the center line of the private street known as S. Austin Avenue, said point of intersection being 379.29 feet north from the south line and 33.47 feet west from the east line of said Northeast quarter of Northwest quarter, and

0701839068 Page: 13 of 24

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#### Fase 1

themee south along the last described parallel line a distance of 379.29 feet to the paint of beginning. Containing \$2,429 square feet of land, more

The Greater reserves unto theelf, its successors and assigns, the following sessments:

(1) In empowent for a railroad treak upon and across said partel an follows:

A (Ari) of land, 10 fest wide, in the Northseat quarter of the Morthmost quarter of Section 5 Termship II Forth, Names 1) kest of the 3rd Frinelpsi Navidia., and setty of land being bounded as the South 1. As Secth Line of each Northeast quarter of the herbisset quarter, on the Morth by a straight line entrology from a point which is 195.49 from Morth from the South line and 146.64, feat Nest from the North Frem of said Northeast quarter of the North from the South line and 31.17 feat West from the South Line of said Northeast quarter of the Northwest quarter, on the Yest by a mondaring line described as fyllows:

Beginning on the South line of all Northeast quarter of the Morthwest quarter at a rol t thereon which is 200,00 feet West from the South of prince thereof and running themse North along a traight line a distance of 50,00 feet to a point 20,00 feet West From the East Line of said Northee

thence Murthamstwordly along the are of a circle. Comman to the Morthment and heving a position of 183.07 feet, a distance of 173.94 feet to a point which is \$54.18 feet Font to South line and 189.05 feet Wood from the Tack line of mald Northment quarter;

themes continuing Northeastwordly clong the are of a girele, seaves to the Northeast and hering a reduce of \$71.09 feet, a distance of \$0.09 feet to a point which is \$50.90 feet Forth from the Sauth line and life.95 feet feet from the Rass line of said Northeast quester of the Northeast grapter.

themen centiming Fertheestwordly slong the art of a direct, convex to the Serthwest and having a reduce of 17.39 fout to said point which is 495.59 foot North from the South line and 145.55 foot from the Law line of add Northwest quarter of the Northwest quarter

of and fortheast quarter of the hortweet everter, and branded on the hast by a line to feet, measured perpendicularly, hasterly from the last described meandaring line.

The encount described in subparagraph (1) bereaf thall remain in force and effect for no long us the outd track or tracks small remain in place.

0701839068 Page: 14 of 24

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(2) in encount for the Granter's nutsting underground markery sever pipe line in a strip of land described on follows:

part of the Northeast quarter of the Northwest quarter of the Northwest quarter of the Northwest quarter of the Northwest quarter of the South Sand Strainform Serician, baild strip of land being described so that part of the Northwest quarter of Morthwest Quarter of the Northwest quarter of Most of the Line automating from the South Line of said Northwest Quarter of the Northwest quarter of a price the thereof he a paint which is southered. The free the South Line and Northwest Quarter of the Chromb quarter, and which is 179.29 for the free the South Line and Northwest of the Chromb quarter, and which is bounded on the My to be a structure, and which is bounded on the My to be a structure, and which is bounded on the My to be a structure of the South Line on the her three quarter of the South Southeast quarter of the South Line of point which is the Southeast quarter of the South Line of a point while it is the Southeast quarter of the South South Line and Morthwest Quarter of the South South Line and Morthwest Quarter of the South Line and Morthwest Quarter of the Royth South South Line and Morthwest Quarter.

(3) An ensement for the Grantor's other ag undergrammi water pipe line in a strip of land describe to follows:

parts of the Northeans quarter of the Fortheans quarter of the Northeans quarter of the Fortheans quarter of the Fortheans 13 East of the Ird Finatsal Revision, said strive 15 Land being described as that part of the North 16 Feet of said Revis and the Routh 16 Feet of said Revis and the Routh 16 Feet of said Revis and the Routh 16 Feet of said Revis of this is bounded on the Routh the affect by a straight line entending from the South line of said Revisions courter of the Routh from the South line and 17.17 feet that From the Routh line of said Routheast quarter, and thick is Southeast of the Routh from the South line of said Routheast quarter of the Revisions than 16 Feet the South Line of said thick is bounded on the Vest by a straight line entending from the South Line of said Routh-east quarter of the Revisions quarter at a point the south from the South Line and 107.23 foot the Routh from the South Line and 107.23 foot the Routh from the South Line and 107.23 foot the Routh from the South Line and 107.23 foot the Routh from the South Line of said Hortheast quarter of the Routh from the South Line and 107.23 foot the Routh from the South Line of said Hortheast quarter

(4) An exament for a power line in a surip of land described as follows:

A strip of land, 7.50 feet wide, scrose a part of the Hertheust quarter of the Porthwest quarter of Section 8, Tommanip 38 North, Sange 0701839068 Page: 15 of 24

### **UNOFFICIAL COPY**

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1) East of the Jrd Principal Maridian, said navir of the South V.30 feet of said Maridians quarter of the South V.30 feet of said Maridians quarter of the Herthwest quarter of Social S which is bounded on the Rest by a straight line extending from the South line of each Martheost quarter of the Maridians temper thereof to a point which is J79.29 feet Repth from the South line and \$3.47 feet West From the East line of end Martheost quarter, and which is houseded on the West by a straight live witemaking from the South line of said live witemaking from the South line of said live and counter of the Marthwest quarter at a point these quarter of the Rosthwest quarter at a point these counter of the Marthwest to a paint which is \$6.00 feet Marth from the South line and \$67.2 feet West From the South line and \$67.2 feet West From the Rost Line of said Northwest quarter of the Marthwest quarter.

This conveyance is made subject also to the fellowings

- (a) Special measurements, or installments thereof, if any folling due after the date of this deed, and
  - (b) Seating and building law, old ordinances.

Taxes for the extrest tex year chall be proposed as of the date of delivery of this deed.

IN MITHERS WARRED, that, Mobile and Chio Pal) road Georgeny has sensed this instrument to be signed and its eco-person seal to be affixed and attented by the officers there—unto duly authorized on this the 6th day of July 1961.

ATTEST :

CULF, MORELS ME ONTO RATLEMAN CONTAIN

T.T.M.

/s/ K.D. Horton /s/ G. P. Brock

(SEAL)

STATE OF ALABAMA COURTS OF TOWERS

I, Hargaret A. Arreby, a Embary Public in and for said commany and State, do hereby cartify that 6. F. Brook, Fremident, and i. H. Horton, Secretary, of the above maned Gulf, Mahale and this Maliroud Company, personally known to me to be the same persona whose names are subscribed to the foregoing instrument as about tresident and importary, respectively, appeared before the this day is person and scientific that they signed, noticed with the corporate seal and collivered the ould instrument as the free and voluntary and of said Gulf, Nobile and date Estimated Company and as their san free and voluntary and as much officers

0701839068 Page: 16 of 24

### **UNOFFICIAL COPY**

Page 5

Given under my hand and official seal on this day of July , 1961.

/s/ Margaret M. Murphy

Of Countries 1-17-65

0701839068 Page: 18 of 24

# UNOFFICIAL COPY

THIS INDENTURE Witnesseth that the Grantor, ILLINOIS CENTRAL GULF RAILROAD COMPANY, a Delaware Corporation, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) Dollars in hand paid, and other valuable considerations, hereby conveys, releases, remises and forever quitclaims to the Grantee, THE CLOROX COMPANY all its right, title, interest and claim in and to the following described lands and property situated in the County of Cook and State of Illinois, to wit:

LEGAL DESCRIPTION OF LAND AS HEREIN SOLD AND CONVEYED IS THAT SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERFICE MADE A PART HEREOF.

Grantee covenants and agrees that it shall not do nor cause to be done any act that will impede the natural flow of drainage water over the premises herein conveyed, as to cause such drainage of water to accumulate on the premises of Grantor adjacent to the West, East and North boundaries of the premises herein above conveyed to the detriment of Grantor's, its successors' or assigns', use and enjoyment of such premises provided; however, this covenant shall in no way be construed to prohibit Grantee from erecting buildings or other improvements on the premises herein conveyed so long as drainage, equivalent to that presently existing, is maintained, whether naturally or by other means. This covenant shall run with the land herein conveyed and be binding upon Grantee, its successors and assigns forever.

Grantor reserves for itself, its successors, assigns, agents, patrons and licensees a roadway easement over and across the property to be conveyed, as indicated and defined by "fine unit ating lines" on the print marked Exhibit "B" attached hereto and made a part hereof. Said roadway easement shall be for ingress and egress from West 51st Street to Grantor's property North of the sale area. This reservation shall continue until such time the Grantee notifies Grantor in writing of its need for the exclusive use of the easement property and does convey unto Grantor a roadway easement built to following plans and specifications: roadway to be 24 feet wide and of heavy outy construction constructed on an 8" minimum crushed stone base and covered with 3" minimum asphaltic concrete paving and acceptable to the standards of applicable governmental authorities and Grantor's Division Superintendent, said road as indicated by the crosshatched lines on said Exhibit "B" (unless an acceptable alternative is proposed by Grantee and accepted by Grantor) for ingress and egress from West 51st Street to Grantor's property North of the land conveyed by this deed, for the benefit of Grantor, its successors, assigns, agents, patrons and licensees. Sole cost, risk and expense to construct the roadway is to be assumed by the Grantee, and Grantee shall deliver to Grantor an easement covering the use of said roadway in the form attached hereto as Exhibit "C".

Grantor shall at its own expense remove all railroad trackage, buildings, edifices and appurtenances presently located on the premises and shall have a period of 180 days following delivery of deed to the vacate premises. During this interim 180 day period the Grantor shall have the right to continue to use such property in the same manner and function as it has previously functioned in railroad operations. During this interim 180 day period Grantor agrees to indemnify and save harmless the Grantee from and against all claims, demands, liabilities and expenses whatsoever arising out of or in any manner connected with the use of such property in the ordinary course of railroad operations or in any manner anticipated by the Grantor.

0701839068 Page: 19 of 24

### **UNOFFICIAL COPY**

EXHIBIT "A"

That part of the West Half of the Northwest Quarter of Section 8, Township 38 North Range 13 East of the Third Principal Meridian bounded by a line described as follows:

Beginning at a point on the center line of South Merrimac Avenue, as said line is laid out in Bartlett's Highlands, a subdivision in the Southwest Quarter of said Section 8 the plat of which is recorded as Document Number 5050528 and said line extended North, which is 33.0 lect North of the East and West Center line of said Section, being also the South line of the West Half of the Northwest Quarter of said Section 8; Thence West along a line 33.0 feat North, as measured at right angles, and parallel with the South line of the West Half of said Northwest Quarter 33.0 feet to a point on the West line of said South Merrimac Avenue extended North; Thence North along the West line of said South Merrimac Avenue and said line extended North, being a line 33.0 feet West, as measured at right angles, and parallel with the centerline of said street, aforesaid 670.0 feet; Thence West along a line 703.0 feet North, a reasured along the centerline of South Merricam Avenue as MAC extended, and paralle? with the South line of the West Half of the Northwest Quarter of said Section 8, 932 45 feet to an intersection with the East line of South Narragansett Avenue, as seri line is laid out in Bartlett's Highlands, aforesaid, and extended North; thence worth along the East line of said Street as extended North, 112.23 feet to a point, thence Northeasterly in a straight line, 689.45 feetto a point, said point being ca fine parallel with the centerline of South Merrimac Avenue extended North and 297.6. Let West there from, as measured along a line 769.0 feet North as measured along the centerline of said South Merrimac Avenue as extended and parallel with the South ling of the West Half of the Northwest Quarter of said Section 8; thence South along the aforesaid line which is parallel with the centerline of Bouth Merrimac Avenue exterded North as aforesaid, 214.50 feet to its intersection with line 769.0 feet North, at measured along the centerline of said South Merrimac Avenue as extended and paralled with the South line of the West Half of the Northwest Quarter of said Section 8 hence East along said line 769.0 feet North, as aforesaid, 130.26 feet to a point which is 10.0 feet Westerly, measured radially, of the center of a railroad switch track; thency Northeasterly along a curved line, 10.0 feet Westerly of the centerline of laid switch track being a curved line convex to the Northwest and having a radius (f )93.65 feet, a distance of 260.40 feet, arc measure, to its intersection with a lin. 983.0 feet North, as measured along the centerline of South Merrican Avenue as extended and parallel . with the South line of the West half of the Northwest Quarter of hid Section 8, said point of intersection being a point 28.30 feet West of the intersection of said line 983.0 feet North with the centerline of South Merrimac Avenue excended North, as aforesaid; thence East along said line 983.0 feet North, 61.59 feet to a point on the East line of said South Merrimac Avenue extended North, being a line 33 0 feet East, as measured at right angles, and parallel with the centerline of said street as extended as aforesaid; thence South along the East line of said South Merrinac Avenue, 950.0 feet to a point on a line 33.0 feet North, as measured at right ingles, and parallel with the South line of the West Lalf of the Northwest Quarter of said Section 8; thence West along said line 33.0 feet North and parallel, 33.0 feet to the place of beginning, excepting therefrom all that part thereof lying within that tracof land conveyed by the Alton Railroad to John McGovern by Quit Claim Deed recorded September 4, 1941 as Document Number 12750848, Cook County, Illinois.

Subject to the rights of the Public Service Company of Northern Illinois as granted them by agreement dated August 8, 1939; the rights of the Commonwealth Edison Company as granted them by agreement dated September 12, 1960; the rights of the Commonwealth Edison Company and the Illinois Bell Telephone Company as granted them by agreement dated January 16, 1968; and to the rights of Northern Illinois Gas Company as granted them by agreement dated January 11, 1963.

All as shown on Plat of Survey bearing Order No. 780158 and having a revision date of November 10, 1978, said plat having been prepared by George D. Harker, Illinois Land Surveyor No. 1519 and revised to conform to the standards of the Illinois Central Gulf Railroad Company July 9, 1979.

0701839068 Page: 20 of 24

# **UNOFFICIAL COPY**

-2-

Grantor reserves for itself, its successors and assigns all coal, oil, gas, ores and any other minerals whether similar or dissimilar or now known to exist or hereafter discovered of every kind in, on or under said premises, together with the right at any time to explore, drill for, mine, remove and market all such products in any manner which will not damage structures on the surface of said premises. Grantee will release for itself, its successors or assigns the Grantor, its successors or assigns from any liability for any damages attributable to removing said minerals and this release shall run with the land.

Grantor reserves the right for the continued maintenance, replacement and use of all existing conduits, sewers, water mains, gas lines, electric power lines, wires and other utilities and easements on said premises whether or not of record including the repair, reconstruction and replacement thereof and Grantee agrees not to interfere with the rights herein reserved or any facilities used pursuant thereto.

As a part of the consideration hereof, and in accepting this conveyance, the Grantee agrees and bilds itself to purchase, affix and cancel any and all documentary stamps of every kind and nature in the amount prescribed by statute, and to pay any and all required transfer taxes and fees incidental to recordation of this instrument.

In Witness Whereof, ILLINGIS CENTRAL GULF RAILROAD COMPANY, The Grantor, has caused these presents to be signed by its Vice President, and its corporate seal, duly attested by its Assistant Secretary to be hereunto affixed, they being thereunto duly authorized, this  $10^{TH}$  day it VULY , 19 79.

ILLINOIS CENTRAL GULF RAILROAD COMPANY

Clary's Office

Vice President

ATTEST:

Assistant Secretary

Boul

233 N MICHIGAN CHICAGO, ILLINOIS 50001 D 0701839068 Page: 21 of 24

### UNOFFICIAL COPY

-3-

STATE OF ILLINOIS	)	
	)	SS
COUNTY OF COOK	)	

I, the undersigned, a Notary Public, in and for the County and State aforesaid, Do Hereby Certify, that R. A. Irvine personally known to me to be the Vice President of the ILLINOIS CENTRAL GULF RAILROAD COMPANY, a Delaware Corporation, and R. C. Wiese personally known to me to be the Assistant Secretary of said corporation, and 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 under oath that as such Vice President and Assistant Secretary, they signed and delivered the said instrument as Vice President and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their 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 hand and set 1 his  $10^{7H}$  day of 19

Notary Jub.i.

My Commission Expires

elmany 25 74 09 81.

Form Approved Attorney

0701839068 Page: 22 of 24

### **UNOFFICIAL COPY**

- 4 -

#### EXHIBIT "A"

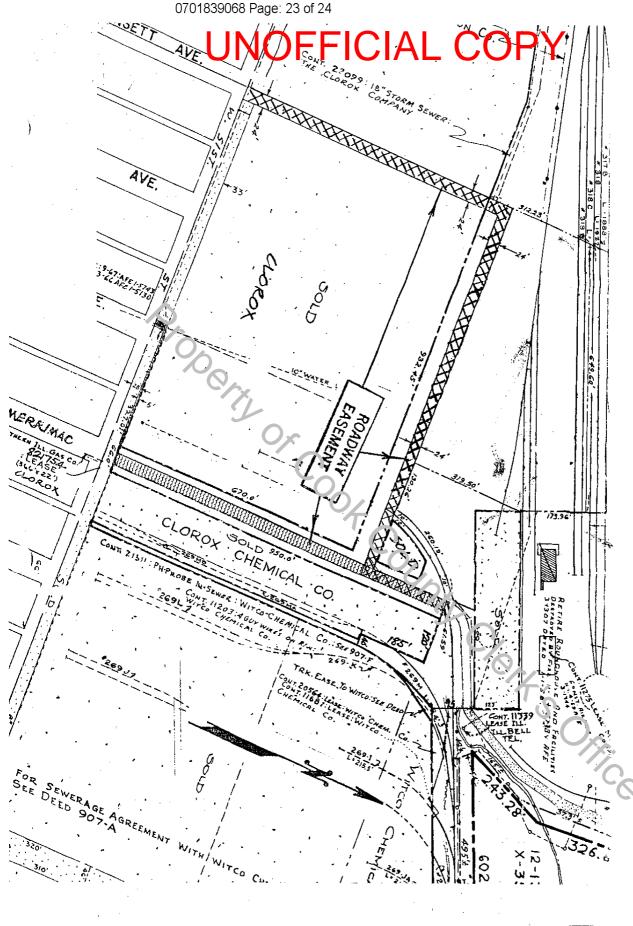
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Subject to the rights of the Public Service Company of Northern Illinois as granted them by agreement dated August 8, 1939; the rights of the Commonwealth Edison Company as granted them by agreement dated September 12, 1960; and to the rights of the Commonwealth Edison Company and the Illinois Bell Telephone Company as granted them by agreement dated January 16, 1968.

All as shown on Plat of Survey bearing Order No. 780158 and having a revision date of November 10, 1978, said plat having been prepared by George D. Harker, Illinois Land Surveyor No. 1519.

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### LEGEND

FINE UNDULATING LINES

XXXXXX CROSSED-HATCHED

### EXHIBIT "B"

I.C.G.R.R.CO.
REAL ESTATE DEPT.
CHICAGO, ILL.

CHICAGO (FORESTVIEW)

SALE TO CLOROX CO.

0701839068 Page: 24 of 24

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#### EXHIBIT C

#### EASEMENT

THIS INDENTURE WITNESSETH THAT THE CLOROX COMPANY, "Grantor", in consideration of Ten Dollars and 00/100 (\$10.00), hereby grants, warrants and conveys to ILLINOIS CENTRAL GULF RAILROAD COMPANY, "Grantee", for the benefit of Grantee, its successors, assigns, agents, patrons and licensees an easement for ingress and egress from West 51st Street to Seller's property north and east of said easement area in the County of Cook, State of Illinois together with all reasonable right of access to said easement property in order to maintain, repair, levalld or reconstruct the street over said easement, more particular'y indicated as follows:

The area cross-hatched on print marked Exhibit B.

Grantor is the true and lawful owner of the premises and has full power to convey this easement; that the property subject of said easement is free, clear and unencumbered; and Grantor will warrant and forever defend such title against all claim or claims of all persons whomsoever.

Grantee, its successors and assigns shall at all times hereafter, peaseably and quietly have, hold, use, occupy, possess, and enjoy the above granted premises and every part and partel thereof with all appurtenances for the purposes above recited, without any suit, molestation, eviction or disturbance whatsoever.

This Indenture has been duly authorized by the Board of Directors of Grantor and has been executed this \_\_\_\_\_ day of

Directors	of	Grantor	and	has	been	exec	uted	this	<b></b>	day	or.	
<u></u>			•									
						THE	CLOR	ох со	MPANY			
						BY:_			<u> </u>			
						TITI	E:					
ATTEST:												