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Doc#: 0702433185 Fee: \$28.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/24/2007 01:38 PM Pg: 1 of 3

**Prepared By, and After
Recording Return To:**

Jeff Jackson
Eckelberger & Jackson, LLC
7120 East Orchard Road, Suite 450
Englewood, CO 80111

Loan No. 06486
139 North Northwest Highway
Palatine, Illinois

RELEASE OF MORTGAGE AND OF ASSIGNMENT OF LEASES AND RENTS

THIS RELEASE OF MORTGAGE AND OF ASSIGNMENT OF LEASES AND RENTS (the "Release") is made this 31 day of December, 2006 by Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., (formerly Norwest Bank Minnesota, National Association), as Indenture Trustee for Franchise Loan Trust 1998-1 (the "Mortgagee").

WITNESSETH:

WHEREAS, Captec Financial Group Funding Corporation ("Captec") made a loan in the original principal amount of Two Hundred Forty-Five Thousand and No/100 Dollars (\$245,000.00) (as the same may have been amended from time to time, the "Loan") to Chi-Co, Inc., a Colorado corporation (the "Borrower"), on or about November 14, 1997;

WHEREAS, Borrower granted to Captec that certain Leasehold Mortgage and Fixture Filing, dated on or about November 14, 1997 (as the same may have been amended from time to time, the "Mortgage") to secure Borrower's obligations under the Loan, which Mortgage was recorded on January 13, 1998 as Document Number

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98031443 in Cook County, Illinois, and which Mortgage encumbered the following described real property (the "Property"):

Lot 16 (except the South 10 feet) and Lot 17 in Block 3 in Arthur T. McIntosh and Co.'s Palatine Northwest Highway Addition in the Southwest ¼ of the Southeast ¼ of Section 14, Township 42 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded November 28, 1925 and December 30, 1926 as Document 9019237, in Cook County, Illinois.

Address of Real Estate: 139 North Northwest Highway, Palatine, Illinois
Permanent Tax Parcel No.: 02-14-402-023-0000

WHEREAS, Borrower granted that certain Assignment of Leases and Rents (as the same may have been amended from time to time, the "Assignment of Rents") to Captec which was recorded on January 13, 1998 as Document Number 98031447 in Cook County, Illinois;

WHEREAS, the Mortgage and the Assignment of Rents were subsequently assigned to Mortgagee; and

WHEREAS, the Loan has been paid in full and/or the purposes of the Mortgage and the Assignment of Rents have been fully satisfied, and therefore Mortgagee desires to cause the Mortgage and the Assignment of Rents to be fully and forever released and discharged of record.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mortgagee hereby fully and forever releases and discharges the Mortgage and the Assignment of Rents in their entireties, and therefore hereby fully and forever releases and discharges the Property of and from the liens and encumbrances of the Mortgage and/or the Assignment of Rents.

IN WITNESS WHEREOF, the Mortgagee has executed this Release as of the day and year first written above.

MORTGAGEE:

WELLS FARGO BANK, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A. (formerly known as Norwest Bank Minnesota, National Association), as Indenture Trustee for Franchise Loan Trust 1998-1

By: The Bank of New York, as Servicer

By: 
Michael P. Randall, Vice President

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STATE OF Texas)
) SS.
COUNTY OF Dallas)

I, Stephanie L. Johnson, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Michael P. Randall, a Vice President of The Bank of New York, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said entity, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 6 day of December, 2006.

Stephanie L. Johnson
NOTARY PUBLIC

My commission expires: 10/10/09

