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Doc#: 0726302166 Fee: \$40.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 09/20/2007 01:34 PM Pg: 1 of 9

Recording Requested By and
After Recording Return To:
O'Rourke, Hogan, Fowler & Dwyer
10 S. LaSalle Street
Suite 2900
Chicago, Illinois 60603
Attn: Angela E. Hart

8336410 TRAZLEN/OL 10F3

Property of Cook County Office

Termination of Easement by General Release

This TERMINATION OF EASEMENT BY GENERAL RELEASE ("Release") is given this 19 day of APRIL, 2007 by COMCAST, a _____ ("COMCAST").

Understandings

A. FBI Chicago Partners, LLC, a Delaware limited liability company ("FBI Partners") is the fee owner of certain improved real estate commonly known as 2111 West Roosevelt Road, Chicago, Illinois, and legally described on Exhibit A attached hereto and made a part hereof ("Property").

B. On or about October 1, 2003, the City of Chicago approved a certain municipal ordinance, published in City of Chicago, City Council Journal on pages 9085 through 9087 and recorded as document number 0333832000 ("Ordinance"); which Ordinance, in part, (1) vacated a certain portion of the public street commonly known as South Hoyne Street located on the Property ("Vacated Street"), which Vacated Street is more particularly described in the Ordinance and is depicted on Exhibit B attached hereto and made a part hereof, and (2) reserved for the benefit of COMCAST and its successors and assigns an easement to operate, maintain, construct, replace and renew overhead poles, wires and associated equipment and underground conduit, cables and associated equipment for the transmission and distribution of electrical energy and telephonic and telecommunications and associated service under, over, and along the Vacated Street, together with the right of ingress and egress, as more particularly described in Section 4 of the Ordinance ("Easement").

C. Any overhead poles, wires and associated equipment and underground conduit, cables and associated equipment of COMCAST located in, on, over or under the Vacated Street have been removed, abandoned, vacated, terminated or relocated by COMCAST and COMCAST is not currently using any portion of the Vacated Street.

D. COMCAST now desires to terminate all of its right, title and interest in and to the Vacated Street pursuant to this Release.

gnc

Release

Now therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, COMCAST hereby covenants and agrees as follows:

1. Incorporation of Understandings. All of the Understandings set forth at the beginning of this Release are hereby incorporated into and made a part of this Release.

Box 400-CTCC

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2. Hoyne Street Easement. COMCAST, for itself and on behalf of its successors and assigns, hereby terminates, vacates, releases and quitclaims unto FBI Partners, as the owner of the Property, all of COMCAST's right, title and interest in and to the Vacated Street, including without limitation pursuant to the Ordinance, the Easement and otherwise.

3. Captions/Heading. Titles of Sections and Paragraphs are used in this Release solely for the convenience of those examining it and are not to be resorted to as aids in its construction or interpretation.

4. Successors and Assigns. This Release will bind COMCAST and its successors and assigns.

5. Governing Law. This Release will be interpreted and construed in accordance with the internal laws of the State of Illinois.

6. Partial Invalidity. If any term, covenant or condition of this Release or the application thereof to any person or circumstance will, to any extent, be invalid or unenforceable, the remainder of this Release will not be affected thereby, and each provision of this Release will be valid and enforceable to the fullest extent permitted by law.

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EXHIBIT A

Legal Description of the Property (Parcel 7)

ALL THAT PORTION OF SOUTH HOYNE AVENUE LYING WEST OF THE WEST LINE OF LOTS 25 AND 26 IN W. J. TEWKESBURY'S SUBDIVISION OF BLOCK 5 IN THE SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING WEST OF THE WEST LINE OF THE VACATED EAST-WEST 16 FOOT ALLEY VACATED BY ORDINANCE APPROVED DECEMBER 4, 2002 BY THE CITY COUNCIL OF THE CITY OF CHICAGO AND RECORDED MARCH 12, 2003 AS DOCUMENT 0030344538, SAID WEST LINE BEING DESCRIBED IN THE LAST RECORDED DOCUMENT AS "A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 25 TO THE NORTHWEST CORNER OF LOT 26 IN W. J. TEWKESBURY'S SUBDIVISION AFORESAID," LYING EAST OF THE EAST LINE OF LOTS 1 TO 24 IN CAMPBELL'S SUBDIVISION OF THE EAST 1/2 OF BLOCK 6 IN THE DIVISION OF SECTION 19 AFORESAID, LYING EAST OF THE EAST LINE OF THE VACATED EAST-WEST 16 FOOT ALLEY VACATED BY ORDINANCE APPROVED DECEMBER 4, 2002 BY THE CITY COUNCIL OF THE CITY OF CHICAGO AND RECORDED MARCH 12, 2003 IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, AS DOCUMENT 0030344538, SAID EAST LINE BEING DESCRIBED IN THE LAST RECORDED DOCUMENT AS "A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 1 IN CAMPBELL'S DIVISION OF THE EAST 1/2 OF BLOCK 6 AFORESAID TO THE NORTHEAST CORNER OF LOT 24 IN CAMPBELL'S DIVISION OF THE EAST 1/2 OF BLOCK 6 AFORESAID," LYING AND SOUTH OF A LINE DRAWN FROM THE NORTHWEST CORNER OF LOT 25 IN W.J. TEWKESBURY'S SUBDIVISION OF BLOCK 5 AFORESAID TO THE NORTHEAST CORNER OF LOT 1 IN CAMPBELL'S SUBDIVISION OF THE EAST 1/2 OF BLOCK 6 AFORESAID AND LYING NORTH OF A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 26 IN W.J. TEWKESBURY'S SUBDIVISION OF BLOCK 5 AFORESAID TO THE SOUTHWEST CORNER OF LOT 24 IN CAMPBELL'S SUBDIVISION OF THE EAST 1/2 OF BLOCK 6 AFORESAID, AS VACATED BY INSTRUMENT RECORDED DECEMBER 2, 2003 AS DOCUMENT 0333832000.

Commonly known as: 2111 West Roosevelt Road, Chicago, Illinois

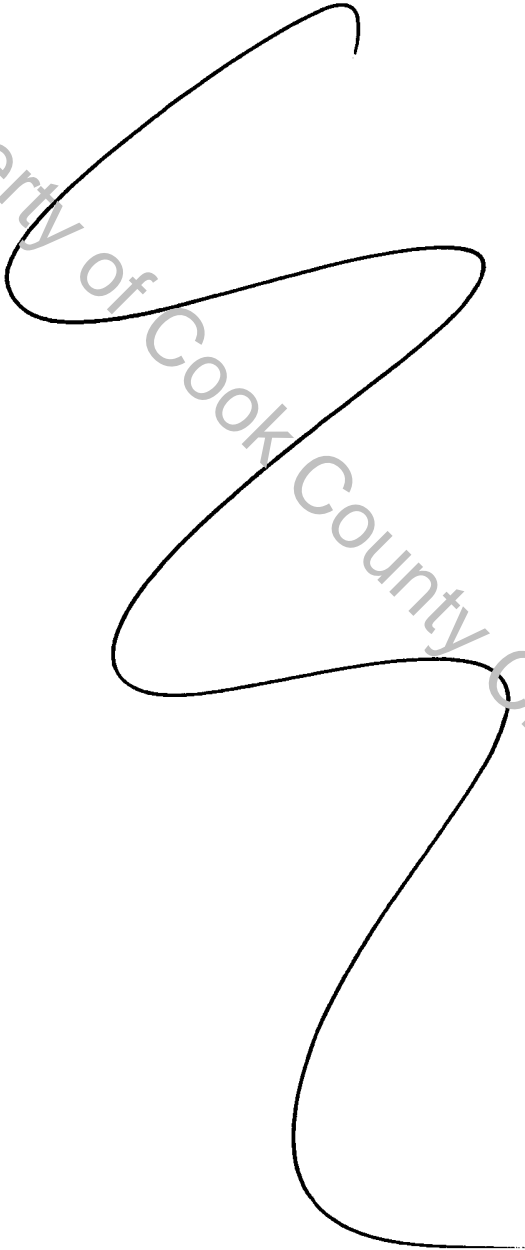
PIN's: 17-19-102-001; 17-19-102-002; 17-19-102-003; 17-19-102-004; 17-19-102-005; 17-19-102-006; 17-19-102-007; 17-19-102-008; 17-19-102-009; 17-19-102-010; 17-19-102-011; 17-19-102-012; 17-19-102-013; 17-19-102-014; 17-19-102-015; 17-19-102-016; 17-19-102-017; 17-19-102-018; 17-19-102-019; 17-19-102-020; 17-19-102-021; 17-19-102-022; 17-19-102-023; 17-19-102-024; 17-19-102-025; 17-19-102-026; 17-19-102-027; 17-19-102-028; 17-19-102-029; 17-19-102-030; 17-19-102-031; 17-19-102-032; 17-19-102-033; 17-19-102-034; 17-19-102-035; 17-19-102-036; 17-19-102-037; 17-19-102-038; 17-19-102-039; 17-19-102-040; 17-19-102-041; 17-19-102-042; 17-19-102-043; 17-19-102-044; 17-19-103-001; 17-19-103-002; 17-19-103-003; 17-19-103-004; 17-19-103-005; 17-19-103-006; 17-19-103-007; 17-19-103-008; 17-19-103-009; 17-19-103-010; 17-19-103-011; 17-19-103-012; 17-19-103-013; 17-19-103-014; 17-19-103-017; 17-19-103-018; 17-19-103-019; 17-19-103-020; 17-19-103-021; 17-19-103-022; 17-19-103-024; 17-19-103-025; 17-19-103-028; 17-19-103-029; 17-19-103-030; 17-19-103-031; 17-19-103-032; 17-19-103-033; 17-19-103-034; 17-19-103-035; 17-19-103-036; 17-19-103-037; 17-19-103-038; 17-19-103-039; 17-19-103-040; 17-19-103-041; 17-19-103-042; 17-19-103-043; 17-19-103-044; 17-19-103-045; 17-19-103-046; 17-19-103-047; 17-19-106-001; 17-19-106-002; 17-19-106-003; 17-19-106-004; 17-19-106-005; 17-19-106-006; 17-19-106-007; 17-19-106-008; 17-19-106-009; 17-19-106-010; 17-19-106-011; 17-19-106-012; 17-19-106-013; 17-19-106-016; 17-19-106-017; 17-19-106-018; 17-19-106-019; 17-19-106-020; 17-19-106-021; 17-19-106-022; 17-19-106-023; 17-19-106-024; 17-19-106-025; 17-19-106-026; 17-19-106-027; 17-19-106-028; 17-19-106-029; 17-19-106-030; 17-19-106-031; 17-19-106-032; 17-19-106-033; 17-19-106-034; 17-19-106-035; 17-19-106-036; 17-19-106-037; 17-19-106-038; 17-19-106-039; and 17-19-106-040.

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Exhibit B

(Chicago Municipal Ordinance No. 0333632000)

Property of Cook County Clerk's Office



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12/04/2003 09:41

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ILL. MEDICAL DISTRICT



Doc#: 0339832000
 Eugene "Gene" Moore Fee: \$69.00
 Cook County Recorder of Deeds
 Date: 12/02/2003 09:34 AM Pg: 0

The following is said ordinance as passed:

WHEREAS, The City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of part of public street described in the following ordinance; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. All that part of South Hoyne Avenue lying west of the west line of Lots 25 and 26, in W. J. Tewkesbury's Subdivision of Block 5 in subdivision of Section 19, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, lying west of the west line of the vacated east/west 16 foot alley vacated by ordinance approved December 4, 2002 by the City Council of the City of Chicago and recorded March 12, 2003 in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 0030344538 said west line being described in the last recorded document as "a line drawn from the southwest corner of Lot 25 to the northwest corner of Lot 26 in W. J. Tewkesbury's Subdivision aforesaid", lying east of the east line of Lots 1 and 24 in Campbell's Subdivision of the east half of Block 6 in division of Section 19 aforesaid, lying east of the east line of the vacated east/west 16 foot alley vacated by ordinance approved December 4, 2002 by the City Council of the City of Chicago and recorded March 12, 2003 in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 0030344538 said east line being described in the last recorded document as "a line drawn from the southeast corner of Lot 1 in Campbell's Division of the east half of Block 6 aforesaid to the northeast corner of Lot 24 in Campbell's Division of the east half of Block 6 aforesaid", lying south of a line drawn from the northwest corner of Lot 25 in W. J. Tewkesbury's Subdivision of Block 5 aforesaid to the northeast corner of Lot 1 in Campbell's Subdivision of the east half of Block 6 aforesaid and lying north of a line drawn from the southwest corner of Lot 25 in W. J.

17-19-102-047

17-19-102-023

17-19-103-001

17-19-103-024

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ILLINOIS MEDICAL DISTRICT

9086

JOURNAL-CITY COUNCIL-CHICAGO

10/1/2003

Tewkesbury's Subdivision of Block 5 aforesaid to the southeast corner of Lot 24 in Campbell's Subdivision of the east half of Block 6 aforesaid said part of public street herein vacated being further described as South Hoyne Avenue between the south line of West Roosevelt Road, as widened, and the north line of West Washburne Avenue as shaded and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The vacation herein provided for is made upon the express condition that The Illinois Medical District Commission shall agree to accept and maintain as private sewers all existing sewers and appurtenances thereto which are located in that part of the public street as herein vacated.

SECTION 3. The City of Chicago hereby reserves that part of the public street as herein vacated, as a right-of-way for existing city electrical facilities, and for the maintenance, renewal and reconstruction of said facilities or the construction of additional municipally-owned electrical facilities. It is further provided that no buildings or other structures shall be erected on the said right-of-way herein reserved or other use made of said area which in the judgment of the respective municipal officials having control of the aforesaid service facilities would interfere with the use, maintenance, renewal, and reconstruction of said facilities, or the construction of additional municipally-owned service facilities.

SECTION 4. The City of Chicago hereby reserves for the benefit of The Peoples Gas Light and Coke Company the right to abandon in place all or any part of the existing gas mains, service piping, associated equipment and appurtenances and all or any portion of its equipment as may be located over, through, under, along and across the vacated area. It is further provided that all costs and expenses associated with the removal of any abandoned main, pipe, appurtenance or equipment shall be borne exclusively by the beneficiary, its successors and assigns and not by The Peoples Gas Light and Coke Company.

The City of Chicago hereby reserves for the benefit of Commonwealth Edison Company, SBC and Comcast and their successors or assigns, an easement to operate, maintain, construct, replace, and renew overhead poles, wires and associated equipment and underground conduit, cables and associated equipment for the transmission and distribution of electrical energy and telephonic and telecommunications and associated services under, over and along that part of the street as herein vacated, with the right of ingress and egress.

SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, The Illinois Medical District Commission shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns

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9088

JOURNAL--CITY COUNCIL--CHICAGO

10/1/2003

Ordinance associated with this drawing printed on pages 9085 through 9087 of this Journal

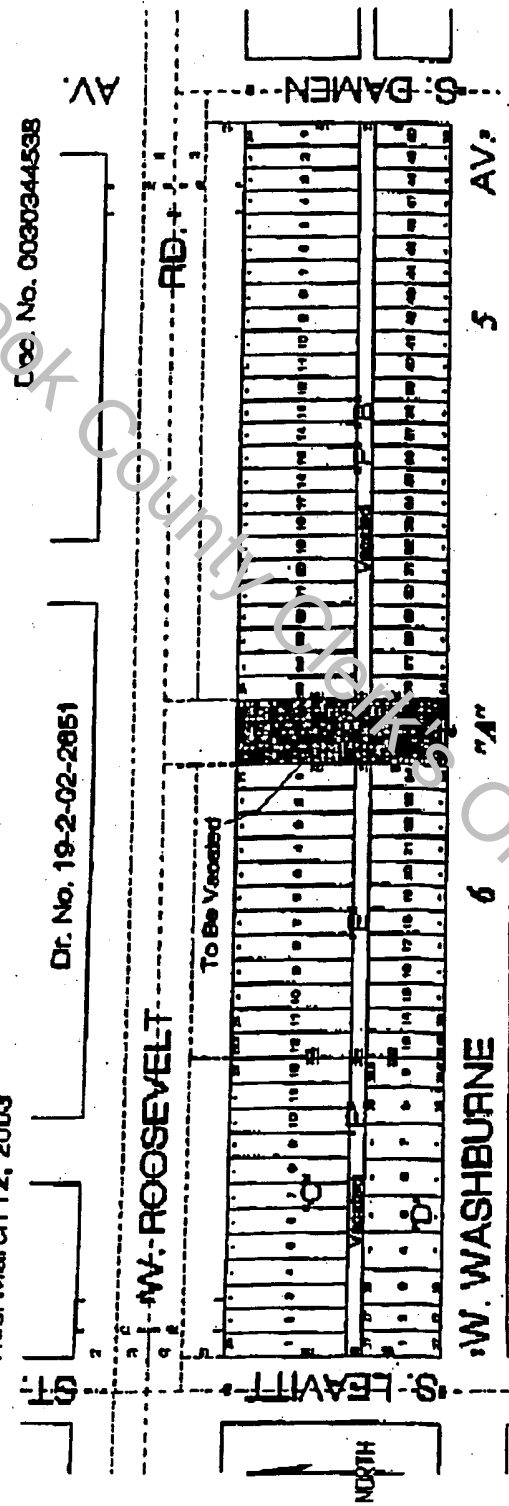
CITY OF CHICAGO
APPROVED
Lawrence J. Joyce
 Superintendent of Maps
 November 26, 2003
 EXAMINEE
OF
COOK SUBDIVISION
COUNTY ILLINOIS

I hereby certify that this print is an exact copy of the original from which it was made.
Lawrence J. Joyce
 Superintendent of Maps
 City of Chicago
 Nov. 26, 2003

- 'A' Subdivision of Section 19-39-14. Streets Opened and Block Numbers designated by Ordinance Passed November 21, 1853 Assessment Confirmed April 17, 1854.
- 'B' W.J. Tewkesbury's Subdivision of Block 6 in Subdivision of Section 19-39-14.
- 'C' Subdivision of the W. 1/2 of Block 6 in the N.E. 1/4 of the N.W. 1/4 of Section 19-39-14.
- 'D' Campbell's Subdivision of Lots 13 to 24 inclusive in Subdivision of the W. 1/2 of Block 6 etc. 1866 'C'.
- 'E' Campbell's Subdivision of the E. 1/2 of Block 6 in Division of Section 19-39-14.
- 'F' Vacated by Ordinance Passed December 4, 2002. Rec. March 12, 2003

Doc No. 0030344538

Dr. No. 19-2-02-2851



I FIND NO DEFERRED IMPROVEMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.
Paula Lynn Hecker
 DEPT. OF REVENUE - CHICAGO
 BY *Donna M. Doya* 11/24/03

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE STREETS AND ALLEYS INCLUDED IN THE ABOVE PLAT.
David Orr
 COUNTY CLERK
 DATE 11-21-2003

12/04/2003 09:41

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ILL. MEDICAL DISTRICT

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STATE OF ILLINOIS,
County of Cook ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office of a vacation of portion of South Hoyne Avenue between West Roosevelt Road and West Washburne Avenue.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the first (1st) day of October, 2003 and deposited in my office on the first (1st) day of October, 2003.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit:

Yeas 48, Nays 0.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor failed to return the said ordinance to the said City Council with his written objections thereto at the next regular meeting of the said City Council occurring not less than five (5) days after the passage of the said ordinance.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have heretunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this nineteenth (19th) day of November, 2003.

[L.S.]

James J. Laski

JAMES J. LASKI, City Clerk.