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1998-12-15 15:27:32  
Cook County Recorder 25.50



RELEASE OF AGREEMENT FOR  
MODIFICATION AND EXTENSION  
OF PROMISSORY NOTE AND  
MORTGAGE BY A NATIONAL  
BANKING ASSOCIATION  
(ILLINOIS)

Property of Cook County Recorder's Office

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 OR DEED OF TRUST WAS FILED.

KNOW ALL MEN BY THESE PRESENTS, That First Midwest Bank, National Association of the County of DuPage and State of Illinois for and in consideration of the payment of the indebtedness secured by the AGREEMENT FOR MODIFICATION AND EXTENSION OF PROMISSORY NOTE AND MORTGAGE hereinafter mentioned, and the cancellation of all the notes thereby secured, and of the sum of one dollar, the receipt whereof is hereby acknowledged, do hereby REMISE, RELEASE, CONVEY, and QUIT CLAIM unto DAMAR FUNERAL HOME, INC., DAVID E. KLEIN AND MARK A. KAMINSKI, SR. heirs, legal representatives and assigns, all the right, title, interest, claim or demand whatsoever they may have acquired in, through or by a certain AGREEMENT FOR MODIFICATION AND EXTENSION OF PROMISSORY NOTE AND MORTGAGE, bearing date the 6TH day of DECEMBER, 1997, and recorded in the Recorder's Office of COOK County, in the State of Illinois, in book--- of records, on page---, as document No.98046228, to the premises therein described as follows, situated in the County of COOK, State of Illinois, to wit:  
SEE ATTACHED EXHIBIT "A"

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

Permanent Real Estate Index Number(s): 18-26-301-001 AND 18-27412-008

Address(es) of premises:

*Corner of Corb: Archer  
Justice, Ill*

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1ST AMERICAN TITLE Order # CC127939  
2af2mc

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Witness our hands, this 7TH day of JULY, 1998.

FIRST MIDWEST BANK, NATIONAL ASSOCIATION

BY: Kristen L Capita  
 ITS: Commercial Loan Officer  
 By: Louise McLaren  
 ITS: Vice President

This instrument was prepared by:

First Midwest Bank, N. A.  
 P.O. Box 6480  
 Vernon Hills, Illinois 60061

STATE OF ILLINOIS  
 COUNTY OF LAKE

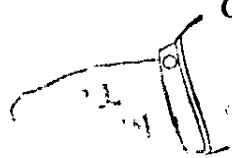
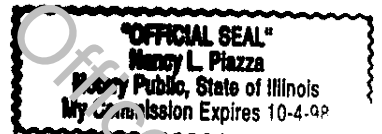
I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Kristen L. Capita personally known to me to be the Comm'l. Loan Officer of First Midwest Bank, N.A., a national banking association, and Louise McLaren, personally known to me to be the Vice President of said national banking association, and personally known to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Comm'l. Loan Officer and Vice President, they signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said national banking association, as their free and voluntary act, and as the free and voluntary act of said national banking association, for the uses and purposes therein set forth.

GIVEN under by hand and notary seal this 10<sup>th</sup> day of July, 1998.

Nancy J. Piazza

Notary Public

Commission Expires 10-4-98



MAIL TO:

FIRST MIDWEST BANK, N.A.  
 P.O. BOX 6480  
 VERNON HILLS, IL 60061  
 LN #: 101004706

Customer's Mailing Address: DAMAR FUNERAL HOME INC. 13314 FARM VIEW STREET  
 LOCKPORT, ILLINOIS 60441

EXHIBIT "A"

**LEGAL DESCRIPTION:**

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 26 AND THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 33.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 26 WITH THE NORTHEAST LINE OF CORK AVENUE, AS WIDENED IN COURT CASE NUMBER 58S9975; THENCE NORTH 46 DEGREES 38 MINUTES 10 SECONDS WEST, ALONG SAID NORTHEAST LINE, 334.13 FEET; THENCE NORTH 43 DEGREES 21 MINUTES 50 SECONDS EAST AT RIGHT ANGLES TO LAST DESCRIBED COURSE, 160.00 FEET; THENCE SOUTH 46 DEGREES 38 MINUTES 10 SECONDS EAST ALONG A LINE THAT IS PARALLEL AND 160.00 FEET NORTHEAST OF SAID NORTHEAST LINE OF CORK AVENUE, 210.37 FEET; THENCE SOUTH 5 DEGREES 38 MINUTES 34 SECONDS WEST 202.28 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS AND CONTAINING 1.000 ACRE THEREIN.

ALSO KNOWN AS:

LOT 1 IN DAMAR SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26 AND PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**SUBJECT TO:**

COVENANTS, CONDITIONS, AND RESTRICTIONS OF RECORD; GENERAL TAXES FOR THE YEAR 1997 AND SUBSEQUENT YEARS; PROVIDED PURCHASER AND ANY SUBSEQUENT PURCHASERS AND ANY SUCCESSOR OPERATORS SHALL BE RESTRICTED AND PROHIBITED FROM SELLING GRAVE MONUMENTS, MARKERS AND GRAVE BOXES TO ANY FAMILIES TO BE BURIED OR INTERRED AT BETHANIA CEMETERY; AND PROVIDED PURCHASER AND ALL SUBSEQUENT OWNERS/OCCUPIERS SHALL BE RESTRICTED FROM USING THE SUBJECT PROPERTY FOR A CREMATORY OR ANY PURPOSE OTHER THAN A FUNERAL HOME BUSINESS AND RELATED SERVICES, NECESSARY PARKING AND OUT BUILDINGS IN CONNECTION THEREWITH, WITHOUT PRIOR WRITTEN APPROVAL AND AUTHORIZATION FROM THE BETHANIA ASSOCIATION BOARD OF DIRECTORS, OR ITS SUCCESSORS AND/OR ASSIGNS; AND

FURTHER, IN THE EVENT THE REAL ESTATE IS EVER PUT TO A USE OTHER THAN A FUNERAL HOME, THIS PROVISION MAY BE ENFORCED BY A COURT OF COMPETENT JURISDICTION, AND THE GRANTEE (AND ITS SUCCESSOR(S) AND ASSIGNS) SHALL BE LIABLE TO BETHANIA ASSOCIATION FOR ALL OF ITS COSTS, INCLUDING REASONABLE ATTORNEY'S FEES, IN ENFORCEMENT HEREOF; PROVIDED, HOWEVER, BETHANIA ASSOCIATION MAY RELEASE THIS RESTRICTION BY INSTRUMENT DULY RECORDED WITH THE COOK COUNTY RECORDER OF DEEDS. THIS RESTRICTIVE COVENANT SHALL BE DEEMED TO BE A COVENANT RUNNING WITH THE LAND.

corner of CORK & Archer  
Justice, Ill

18-26-301-001

18-27-412-008