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Doc#: 0819745186 Fee: \$48.25
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Cook County Recorder of Deeds
Date: 07/15/2008 04:11 PM Pg: 1 of 6

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1. **Title of Document:** Release of Memorandum of Purchase Agreement
2. **Date of Document:** July 11 2008
3. **Grantor:** Robert Schwake Stone Co., Inc., an Illinois corporation
4. **Grantee:** Remington Homes, L.L.C., an Illinois limited liability company
5. **Statutory Mailing Address(es):**
Grantor: Robert Schwake Stone Co., Inc.
1313 Rand Road
Des Plaines, IL 60016
Grantee: Remington Homes, L.L.C.
4000 River Ridge Road
Elgin, IL 60123
6. **Legal description:** See Exhibit A annexed to the document.

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RELEASE

THIS RELEASE OF MEMORANDUM OF PURCHASE AGREEMENT, is effective as of this 11th day of July, 2008, and is made by and between Robert Schwake Stone Co., Inc., an Illinois corporation ("Seller"), and Remington Homes, L.L.C., an Illinois limited liability company ("Buyer").

RECITALS:

A. Buyer and Seller are parties to that certain Purchase Agreement having an effective date of December 9, 2005, as amended on or about April 11, 2006, August 11, 2006, October 4, 2006, November 2, 2006, November 8, 2006 and November 16, 2006 (hereinafter collectively referred to as the "Agreement"), relating to real estate situated in the City of Des Plaines, Illinois and legally described on Exhibit "A" (the "Property"):

B. Seller consented to the recordation in the Recorder of Deeds of Cook County, Illinois (the "Recorder of Deeds") of a Memorandum of Purchase Agreement (the "Memorandum") on the condition that Buyer deliver to Seller an executed and acknowledged copy of this Release to be held in trust by Seller pending expiration or termination of the Agreement, and following expiration or termination of the Agreement, upon five (5) business days prior written notice to Buyer, is to be recorded in the Recorder of Deeds. Seller hereby represents and warrants to Buyer and any other party in interest that Seller has delivered the foregoing written notice to Buyer and five (5) business days have elapsed since the delivery of the same.

D. The Memorandum was recorded on or about January 23, 2008 at the Recorder of Deeds, and the Contract expired and/or terminated on or about July 11, 2008 (the "Termination Date").

NOW THEREFORE, each of Buyer and Seller hereby declare and acknowledge and agree that the Agreement has expired and/or terminated as of the Termination Date, and do hereby release the Memorandum.

IN WITNESS WHEREOF, each of Buyer and Seller have duly executed this Release as of July 11, 2008.

[SIGNATURE PAGE TO FOLLOW]

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SELLER:

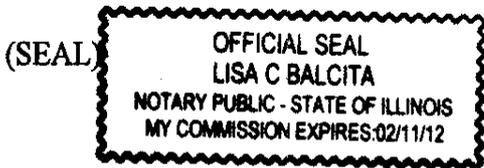
**ROBERT SCHWAKE STONE CO.,
INC., an Illinois corporation**

By: Donna L. McNulty
Name: DONNA L. McNulty
Title: President

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

On this 11th day of July, in the year 2008, before me, Lisa Balcita, a Notary Public in and for said state, personally appeared Donna L. McNulty, known to be the person who executed the within Release of Memorandum of Purchase Agreement in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.



Lisa C. Balcita
Notary Public

My Commission Expires: 2/11/12

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BUYER:

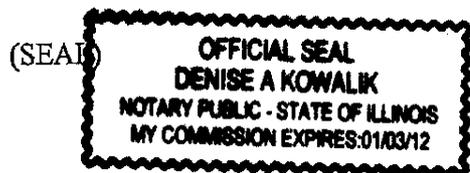
REMINGTON HOMES, L.L.C., an Illinois limited liability company

By: _____
Name: Jay Dulla
Title: Manager

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

On this 10th day of July, in the year 2008, before me, Denise A. Kowalik, a Notary Public in and for said state, personally appeared Jay Dulla, known to be the person who executed the within Release of Memorandum of Purchase Agreement in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.



Denise A. Kowalik
Notary Public

My Commission Expires: 01/03/12

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EXHIBIT "A"

LEGAL DESCRIPTION:

PARCEL ONE: THAT PART OF THE WEST 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE DES PLAINES VALLEY LINE OF THE CHICAGO & NORTHWESTERN RAILROAD NOW THE UNION PACIFIC RAILROAD AND THE WEST LINE OF THE RIGHT OF WAY OF THE FORMER FEEHANVILLE BRANCH OF THE CHICAGO & NORTHWESTERN RAILROAD, WHICH WEST LINE IS 100.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 17; THENCE SOUTH ON THE WEST RIGHT OF WAY LINE OF SAID FEEHANVILLE BRANCH OF THE CHICAGO & NORTHWESTERN RAILWAY COMPANY, A DISTANCE OF 512.44 FEET TO A POINT; THENCE WEST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 597.14 FEET TO A POINT ON THE EASTERLY LINE OF THE NORTHWEST HIGHWAY, AS DEDICATED AND OCCUPIED; THENCE NORTHWESTERLY ON THE EASTERLY LINE OF SAID NORTHWEST HIGHWAY TO THE SOUTHERLY LINE OF SAID DES PLAINES VALLEY RAILROAD; THENCE NORTHWESTERLY ON THE SOUTHERLY LINE OF SAID DES PLAINES VALLEY RAILROAD, AFORESAID, A DISTANCE OF 803.74 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL TWO: THE NORTH 60 FEET OF THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE WEST 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF THE RIGHT OF WAY OF THE FEEHANVILLE BRANCH OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, WHICH WEST LINE IS 100.0 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 17, 512.44 FEET SOUTH OF THE SOUTHERLY LINE OF THE DES PLAINES VALLEY RAILROAD, NOW THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, AS MEASURED ON THE WEST LINE OF SAID FEEHANVILLE BRANCH OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY RIGHT OF WAY; THENCE WEST AT RIGHT ANGLES TO SAID WEST LINE OF THE FEEHANVILLE BRANCH, A DISTANCE OF 597.14 FEET TO A POINT ON THE EASTERLY LINE OF THE NORTHWEST HIGHWAY AS DEDICATED AND OCCUPIED; THENCE SOUTHEASTERLY ON THE EASTERLY AND NORTHEASTERLY LINE OF SAID NORTHWEST HIGHWAY TO THE WEST LINE OF THE RIGHT OF WAY OF SAID FEEHANVILLE BRANCH; THENCE NORTH ON THE WEST LINE OF SAID FEEHANVILLE BRANCH, A DISTANCE OF 683.86 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL THREE: THAT PART OF THE WEST 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF THE EAST 100.0 FEET OF THE WEST 1/2 OF SAID SECTION 17 (BEING THE WEST LINE OF THE FEEHANVILLE BRANCH OF THE CHICAGO AND NORTHWESTERN RAILROAD) WITH THE SOUTHERLY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE CHICAGO AND NORTHWESTERN RAILROAD - DES PLAINES VALLEY LINE); BEING A LINE 50.0 FEET SOUTHERLY OF THE CENTER BETWEEN MAIN TRACKS OF SAID RAILROAD; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 518.44 FEET FOR A POINT OF BEGINNING;

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THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE DRAWN AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 307.98 FEET; THENCE SOUTH 44 DEGREES 58 MINUTES 54 SECONDS EAST, A DISTANCE OF 87.65 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 346.02 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 17; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 17, A DISTANCE OF 62.0 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 100.0 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE EAST 7.0 FEET THEREOF, IN COOK COUNTY, ILLINOIS.

PARCEL FOUR: THAT PART OF THE WEST 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN TOGETHER WITH THAT PART OF LOT 3 OF THE COUNTY CLERK'S DIVISION OF THE UNSUBDIVIDED LAND IN THE NORTH PART OF SAID SECTION 17 LYING NORTH OF THE RAILROAD, THE PLAT OF WHICH WAS RECORDED SEPTEMBER 12, 1888 AS DOCUMENT NO. 1003451, BOUNDED BY A LINE DESCRIBED AS FOLLOWS BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE EAST 100.0 FEET OF THE WEST 1/2 OF SAID SECTION 17 (BEING THE WEST LINE OF THE FEEHANVILLE BRANCH OF THE CHICAGO AND NORTHWESTERN RAILROAD) WITH THE SOUTHERLY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE CHICAGO AND NORTHWESTERN RAILROAD - DES PLAINES VALLEY LINE), BEING A LINE 50.0 FEET SOUTHERLY OF THE CENTER BETWEEN MAIN TRACKS OF SAID RAILROAD; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 518.44 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG A LINE DRAWN AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 100.0 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 17; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 17, A DISTANCE OF 164.30 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3 IN THE COUNTY CLERK'S DIVISION, AFORESAID; THENCE SOUTH 87 DEGREES 21 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 3 AND SAID LINE EXTENDED WEST, A DISTANCE OF 15.52 FEET TO A POINT 8.50 FEET EASTERLY, AS MEASURED RADIALLY AND AT RIGHT ANGLES TO THE CENTER LINE OF SPUR TRACK, ICC NO. 198 OF THE CHICAGO AND NORTHWESTERN RAILROAD, AS PREVIOUSLY LOCATED; THENCE NORTHERLY ALONG A LINE PARALLEL WITH AND 8.50 FEET EASTERLY OF THE CENTER LINE OF SAID SPUR TRACK TO A POINT ON A LINE DRAWN 175.0 FEET NORTH, MEASURED AT RIGHT ANGLES AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 3; THENCE SOUTH 87 DEGREES 21 MINUTES 20 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 16.08 FEET TO A POINT 10.0 FEET SOUTHEASTERLY, MEASURED RADIALLY, OF THE CENTER LINE OF SPUR TRACK, ICC NO. 116 A, AS PREVIOUSLY LOCATED, SAID POINT BEING 5.50 FEET EAST OF THE WEST OF SAID LOT 3; THENCE NORTHEASTERLY ALONG SAID LINE PARALLEL WITH AND 10.0 FEET SOUTHEASTERLY OF THE CENTER LINE OF SAID SPUR TRACK TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE UNION PACIFIC RAILROAD, AS AFORESAID; THENCE WESTERLY ALONG SAID RAILROAD RIGHT OF WAY LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PERMANENT INDEX NUMBER: 09-17-100-009, 09-17-100-032, 09-17-100-053, 09-17-100-054, 09-17-100-055, 09-17-100-056, 09-17-100-057, 09-17-203-024

PROPERTY ADDRESS: 300 SOUTH WESTERN AVENUE, DES PLAINES, IL 60016