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Doc#: 0923633096 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/24/2009 02:05 PM Pg: 1 of 7

ABROGATION AND RELEASE OF EASEMENT

THIS ABROGATION AND RELEASE OF EASEMENT ("**Abrogation and Release**") is made and entered into as of the 18 day of August, 2009, by FURNITURE L.L.C. ("**Furniture**"), SONO WEST LLC ("**SoNo West**"), and FREMONT COMMERCIAL LLC ("**Fremont**") as follows:

RECITALS

A. Furniture, as the then fee owner of the parcels of land legally described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Furniture Parcels**"), executed a Declaration of Easement dated as of November 23, 1999 and recorded on December 12, 1999 ("**Declaration of Easement**"), pursuant to which Furniture declared a certain easement ("**Easement**") over portions of the Furniture Parcels for the benefit of other portions of the Furniture Parcels as described therein.

B. SoNo West and Fremont have acquired fee title to portions of the Furniture Parcels, and Furniture continues to own fee title to the remainder of the Furniture Parcels.

C. The Easement is no longer required, as the SoNo West condominium development has been constructed on the westerly portion of the Furniture Parcels and other easements have been granted and recorded to replace same.

D. SoNo West, Fremont and Furniture (collectively, "**Owners**") desire to abrogate and release the Easement.

PROVISIONS

NOW, THEREFORE, in consideration of the mutual covenants herein made, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each of the Owners agrees as follows:

1. **Recitals.** The foregoing recitals are incorporated herein as though fully set forth in this Paragraph 1.

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2. **Abrogation and Release.** Each Owner hereby agrees that the Easement and other rights reserved or granted to it pursuant to the Declaration of Easement shall hereinafter forever be terminated, released, abrogated and extinguished, and no longer an encumbrance against the Furniture Parcels.
3. **Counterparts.** This Abrogation and Release may be executed in counterparts all of which, when taken together, shall constitute but one and the same instrument.

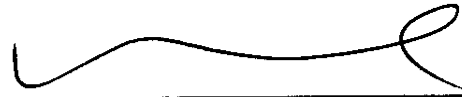
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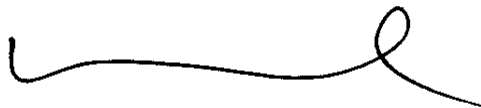
IN WITNESS WHEREOF, SoNo West Furniture have executed this Abrogation and Release as of the date first above written.

FURNITURE L.L.C., an Illinois limited liability company

By: 

W. Harris Smith, Manager

SONO WEST LLC, an Illinois limited liability company

By: 

W. Harris Smith, Manager

FREMONT COMMERCIAL LLC, an Illinois limited liability company

By: 

W. Harris Smith, Manager

**This document prepared by and
after recording return to:**

Lawrence M. Gritton
400 W. Huron Street
Chicago, Illinois 60654

Street Address:

840-860 West Blackhawk
Chicago, Illinois 60642

Permanent Index Numbers:

17-05-214-010, 011, 012

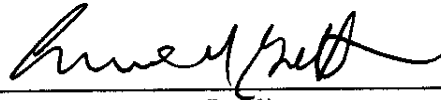
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ACKNOWLEDGMENT

STATE OF ILLINOIS)
)
 COUNTY OF COOK)

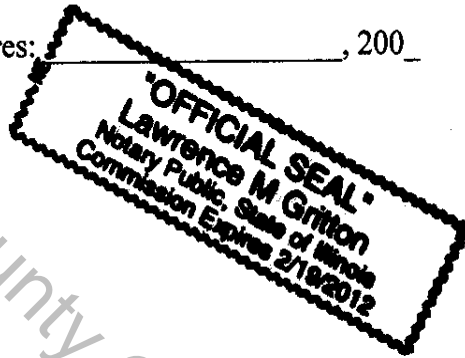
I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, **DO HEREBY CERTIFY** that W. Harris Smith, as Manager of **Furniture L.L.C., SoNo West LLC** and **Fremont Commercial LLC**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager of said Companies, 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 Manager of said Companies, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18 day of August, 2009.



Notary Public

My Commission Expires: _____, 200__



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CONSENT OF MORTGAGEE

The undersigned, being the holder of a note secured by a first mortgage on the Condominium Parcel recorded with the Recorder of Deeds of Cook County, Illinois on June 25, 2007 as Document No. 0717622047, as amended from time to time, hereby consents to execution and recording of the above and foregoing Abrogation and Release of Easement, and hereby subordinates said mortgage to the provisions of the foregoing Abrogation and Release of Easement.

August 18, 2009

MB FINANCIAL BANK, N.A.

By: _____

Its: Richard J. Chang
First Vice President

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Richard J. Chang, as First Vice President of MB Financial Bank, N.A., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such First Vice President of said company, 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 company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of August, 2009.

Ursula Fernandes



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EXHIBIT A

Legal Description of Furniture Parcels

Parcel 1:

LOTS 16 THROUGH 35, BOTH INCLUSIVE, ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 52, 43, 44, 45, 57, 58, 59, 60, 61 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT FROM SAID LOTS, TAKEN AS A TRACT, THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 125.0 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 05 MINUTES 30 SECONDS WEST 115 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 121.62 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 30 SECONDS EAST 115.50 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE NORTH 89 DEGREES 54 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE 121.62 FEET TO THE POINT OF BEGINNING) IN COOK COUNTY, ILLINOIS;

ALSO,

THE NORTH-SOUTH VACATED ALLEY IN BLOCK 44 LYING EAST OF THE EAST LINE OF LOTS 16 THROUGH 25, BOTH INCLUSIVE, AND LYING WEST OF THE WEST LINE OF LOTS 26 THROUGH 35, BOTH INCLUSIVE, ALL IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 61, AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

ALSO,

THE WEST 145.22 FEET OF THE SOUTH HALF OF THE EAST-WEST VACATED ALLEY IN BLOCK 44, LYING SOUTH OF THE SOUTH LINE OF LOTS 1 THROUGH 15, BOTH INCLUSIVE, AND LYING NORTH OF THE NORTH LINE OF LOTS 16 THROUGH 26 PROLONGATED EASTERLY TO THE NORTHWEST CORNER OF LOT 26 ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 61 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

ALSO,

THE VACATED WEST 1 FOOT OF NORTH DAYTON STREET (INCLUDING THE INTERSECTION OF WEST BLACKHAWK STREET) LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 26 THROUGH LOT 35, BOTH INCLUSIVE, IN BLOCK 44 AND THE EAST LINE OF LOT 35 IN BLOCK 44 PROLONGATED SOUTHERLY 6 INCHES;

ALSO

THE VACATED NORTH 6 INCHES OF WEST BLACKHAWK STREET SOUTH OF AND ADJOINING THE SOUTH LINE OF LOT 25 AND LOT 35 AND THE SOUTH LINE OF LOT 25 PROLONGATED EASTERLY TO THE SOUTHWEST CORNER OF LOT 35, ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 61 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Parcel 2:

THE PORTION OF LOTS 26 THROUGH 35, BOTH INCLUSIVE, ALL IN BLOCK 44 IN JOHN YALES RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 61, AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TAKEN AS A TRACT, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 125.0 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 05 MINUTES 30 SECONDS WEST 115 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS WEST 121.62 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 30 SECONDS EAST 115.50 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE NORTH 89 DEGREES 54 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE 121.62 FEET TO THE POINT OF BEGINNING) IN COOK COUNTY, ILLINOIS.

Common Address: 840-860 West Blackhawk, Chicago, Illinois 60642

PIN(s): 17-05-214-010-0000; 17-05-214-011-0000; 17-05-214-012-0000

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