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Doc#: 0932731053 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 11/23/2009 12:51 PM Pg: 1 of 6

Recording Requested By:
And When Recorded Return To:

Isaacson Rosenbaum P.C.
1001 17th Street, Suite 1800
Denver, CO 80202
Attention: Matthew D. Pluss, Esq.

10781526

(Space Above this Line for County Recorder's Use Only)

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TERMINATION OF OPTION AND PURCHASE AGREEMENT

THIS TERMINATION OF OPTION AND PURCHASE AGREEMENT (this "Termination") is made as of the 14th day of August, 2009 (the "Effective Date"), by and among PNWP-Elk Grove, LLC, a Colorado limited liability company ("PNWP-Elk Grove"), PNWP, LLC, a Colorado limited liability company ("PNWPLLC"), and OPUS NORTH CORPORATION, an Illinois corporation ("Opus").

RECITALS:

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- A. PNWP-Elk Grove, PNWPLLC and Opus have previously entered into an Option Agreement dated as of August 19, 2004 ("Option Agreement"), pursuant to which PNWP-Elk Grove and PNWPLLC granted to Opus a right to purchase all or portions of the certain real property described therein (the "Property") and as set forth on **Exhibit A** attached hereto and incorporated herein by this reference.
- B. In connection with the Option Agreement, a Memorandum of Option and Purchase Agreement was recorded in the office of the Cook County, Illinois Recorder of Deeds on August 23, 2006, as Document Number 0623545080 (the "Memorandum").
- C. Opus' rights to purchase all or a portion of the Property under the Option Agreement expired on August 14, 2009.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, PNWP-Elk Grove, PNWPLLC and Opus acknowledge, confirm and agree as follows:

1. As of the Effective Date, the Option Agreement and Memorandum are terminated and of no further force or effect. The parties remise, release, quitclaim and surrender to the other, their successors and assigns, the Option Agreement and all of the estate and rights of the parties in and to the Option Agreement.
2. This Termination shall be binding upon and inure to the benefit of PNWP-Elk Grove, PNWPLLC and Opus and their respective successors, assigns and related entities.

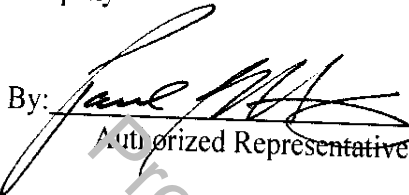
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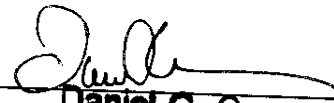
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IN WITNESS WHEREOF, PNWP-Elk Grove, PNWPLLC and Opus have executed this Termination on the dates set forth below but to be effective as of the day and year first above written.

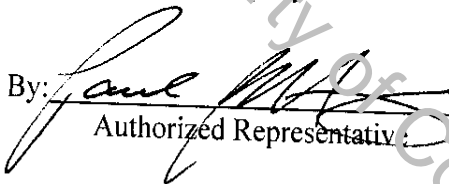
PNWP, LLC, a Colorado limited liability company

OPUS NORTH CORPORATION, an Illinois corporation

By: 
Authorized Representative

By: 
Name: **Daniel G. Queenan**
Title: **President and CEO**

PNWP-ELK GROVE, LLC, a Colorado limited liability company

By: 
Authorized Representative

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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Acknowledgment

STATE OF Illinois

SS.

COUNTY OF Cook

I, Eva J. Johns, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Daniel G. Queenan personally known to me to be the President & CEO of OPUS NORTH CORPORATION, an Illinois corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President & CEO, he signed and delivered the said instrument, pursuant to authority, given by the Board of Directors of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 2 day of November, 2009.

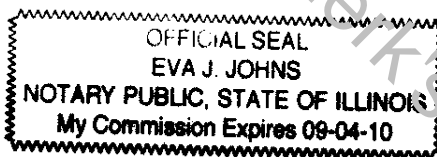
Eva J. Johns

 Notary Public

Printed Name: Eva J. Johns

Resident of: Cook County

Commission Expires: 9-4-10



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Acknowledgment

STATE OF Colorado
COUNTY OF Denver SS.

I, Linda L. LeRoy, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Paul B. Hogan personally known to me to be the Executive VP of PNWP-Elk Grove, LLC, a Colorado limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Executive VP, he signed and delivered the said instrument, pursuant to authority, given by the Investment Committee of said company as his free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

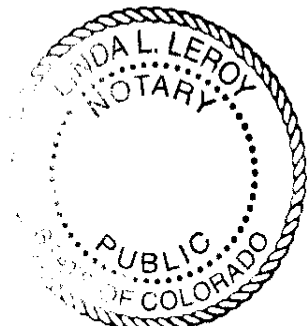
GIVEN under my hand and official seal this 5th day of November, 2009.

Linda L. LeRoy
Notary Public

Printed Name: Linda L. LeRoy

Resident of: Denver County

Commission Expires: 4-10-2012



My Commission Expires 04/10/2012

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Acknowledgment

STATE OF Colorado
COUNTY OF Denver SS.

I, Linda L. Leroy, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Paul D. Hogan personally known to me to be the Executive VP of PNWP, LLC, a Colorado limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Executive VP, he signed and delivered the said instrument, pursuant to authority, given by the Investment Committee of said company as his free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

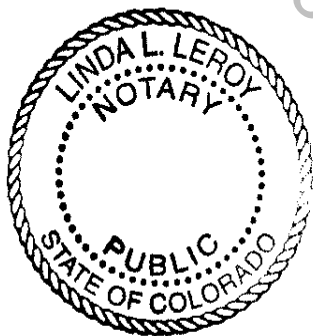
GIVEN under my hand and official seal this 5th day of November, 2009.

Linda L. Leroy
Notary Public

Printed Name: Linda L. Leroy

Resident of: Denver County

Commission Expires: 4-10-2012



My Commission Expires 04/10/2012

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EXHIBIT A
TO
TERMINATION OF OPTION AND PURCHASE AGREEMENT

Legal Description of Property

PARCEL 1:

Lots 1 and 2 in the Metropolitan - Victoria Subdivision being a resubdivision of Part of Lot 1 in The Park at Northwest Point, a subdivision of parts of Sections 15, 16, 21 and 22, all in Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat of said Metropolitan - Victoria Subdivision recorded April 10, 1997 as Document Number 97251207, in Cook County, Illinois.

PIN #: 08-22-100-019 and 08-22-100-020

PARCEL 2:

Lot 1 in the Resubdivision of parts of Higgins Road Commercial Subdivision Unit No. 2 and part of Higgins Road Commercial Subdivision Unit No. 4, all in the West ½ of Section 22, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat of said Resubdivision recorded April 27, 1983 as Document Number 26584907, in Cook County, Illinois (except from the above described tract of land those parts dedicated for public street as per Document Number 26584907).

PIN #: 08-22-102-237