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Eugene "Gene" Moore
Cook County Recorder of Deeds
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Prepared by and After Recording Return to:

Steven J. Holler
Deputy Corporation Counsel
Department of Law
City of Chicago
121 N. LaSalle Street, Room 600
Chicago, Illinois 60602

For Recorder's Use Only

TERMINATION AND RELEASE OF RAILROAD EASEMENT AND OTHER INTERESTS

This **TERMINATION AND RELEASE OF RAILROAD EASEMENT AND OTHER INTERESTS** ("Termination") is made as of July 19, 2010 by and between **CHICAGO TERMINAL RAILROAD COMPANY**, an Illinois corporation, having its principal offices at 118 S. Clinton Street, Suite 400, Chicago, Illinois 60661 (the "**Railroad**"), and the **CITY OF CHICAGO**, an Illinois municipal corporation and home rule unit of government, having an address of 121 N. LaSalle Street, Chicago, Illinois 60602 (the "**City**").

RECITALS

A. The Railroad is the holder of certain easement, license, use and other rights with respect to the Kingsbury Segment and the Lakewood Segment rail lines (as hereinafter defined), including, without limitation, those easements and other interests granted by the City with respect to the Kingsbury Segment pursuant to that certain ordinance adopted by the City Council of the City on June 12, 1872, those easement interests with respect to the Lakewood Segment acquired pursuant to order dated June 30, 1882 in Chicago and Evanston Railway Company v. Josephine S. Porter, et al. (Doc. No. 3515 CC), and such other easements and interests as may have been acquired by ordinance, judicial proceeding, written agreement or otherwise with respect to the establishment and maintenance of such rail lines (the "**Railroad Easements and Interests**").

B. The Kingsbury Segment and Lakewood Segment consist of segments of rail line that are defined as follows: (1) a portion of the Kingsbury Branch from its southern terminus south of the intersection of North Kingsbury Street, West Division Street, and North Halsted Street, to but not including, the point at which the Goose Island Branch diverges from the Kingsbury Branch at or near West Willow Street, a distance of approximately 6 city blocks (.75-mile) (the "**Kingsbury Segment**"); and (2) a portion of the North Lakewood Avenue line between the southwest right-of-way line of North Clybourn Avenue and the line's northern terminus at West Diversey Parkway, a distance of approximately 7 city blocks (.875-mile) (the "**Lakewood Segment**"). A legal description, depiction, and identification of the tax parcel

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identification numbers traversed by the Kingsbury Segment and Lakewood Segment are attached to this Termination as Exhibit A, Exhibit A-1 and Exhibit A-2, respectively.

C. The Railroad now desires to terminate and release the Railroad Easements and Interests.

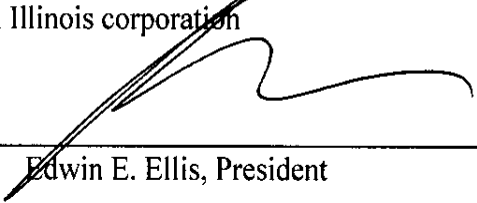
D. Such termination and release has been authorized pursuant to the decision and final order of the Surface Transportation Board, decided June 15, 2010, and effective July 16, 2010, Docket No. AB 1036.

NOW THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Railroad hereby terminates and releases all of the Railroad's right, title and interest in the Railroad Easements and Interests pursuant to that certain Settlement Agreement between the Railroad and the City dated March 29, 2010.

IN WITNESS WHEREOF, the undersigned has executed this Termination as of the day and year first above stated.

RAILROAD:

CHICAGO TERMINAL RAILROAD COMPANY,
an Illinois corporation

By: 
Edwin E. Ellis, President

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State of Illinois)
) SS.
County of Cook)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Edwin E. Ellis, personally known to me to be the President of Chicago Terminal Railroad Company, an Illinois corporation (the "Company"), and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day and acknowledged that as said officer he signed and delivered said instrument and caused the corporate seal of said Company to be affixed thereto, pursuant to authority given by the Board of Directors of the Company, as his free and voluntary act, and as the free and voluntary act and deed of the Company, for the uses and purposes therein set forth.

[Handwritten Signature] Date: *July 19, 2010*
Notary Public Official Seal
E R Stephansen-Leddin
Notary Public State of Illinois
My Commission Expires 04/14/2013

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EXHIBIT A

Legal Description (Kingsbury Segment and Lakewood Segment)

The Railroad's right, title and interest in the easement, license, use and other rights with respect to the rail lines and all related ties, ballast, signals, switches, and other track materials required for the use for railroad operations upon the real property described below:

Those portions of the C&E Line described in and conveyed by that certain Quitclaim Deed executed December 20, 2006, but dated effective January 1, 2007 from Soo Line Railroad Company, doing business as Canadian Pacific Railway, as grantor, to Iowa Pacific Holdings, LLC, as grantee, recorded in the Cook County Recorder of Deeds Office on December 22, 2006 as document no. 0635639105, and reconveyed pursuant to that certain deed dated and effective as of January 3, 2007, from Iowa Pacific Holdings, LLC, as grantor, to the Chicago Terminal Railroad Company, as grantee, recorded in the Cook County Recorder of Deeds Office on March 15, 2007 as document no. 0707445060 comprised of the following segments of such C&E Line:

(a) the portion of the Kingsbury Branch line commencing at its southern terminus at the intersection of N. Kingsbury Street, W. Division Street and N. Halsted Street, extending northward to, but not including, the point at which the Goose Island Branch diverges from the Kingsbury Branch at or near W. Willow Street, a distance of approximately 6 city blocks (0.75 miles) (the "Kingsbury Segment"); and

(b) the portion of the Lakewood Avenue Line commencing at the southwest right-of-way line of N. Clybourn Avenue and extending northward to the Lakewood Avenue Line's northern terminus at West Diversey Parkway, a distance of approximately 7 city blocks (0.875 miles) (the "Lakewood Segment").

The Kingsbury Segment rail lines are located within the right of way for N. Kingsbury Street (and various other public rights of way that intersect with N. Kingsbury Street), with certain spurs branching off therefrom onto private property.

A portion of the Lakewood Segment rail lines are located within the right of way for N. Lakewood Avenue (and various other public rights of way, including, without limitation, N. Clybourn Avenue, W. Webster Avenue, W. Belden Avenue, W. Altgeld Street and W. Wrightwood Avenue). A portion of the Lakewood Segment rail lines, and certain spurs branching off therefrom, are located on private property.

The Kingsbury Segment and the Lakewood Segment are depicted on Exhibit A-1 and traverse the public and private property with the permanent tax identification numbers identified on Exhibit A-2.

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EXHIBIT A-1

Depiction of Kingsbury Segment and Lakewood Segment

[SEE ATTACHMENT]

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EXHIBIT A-2

PINs Traversed by Kingsbury Segment and Lakewood Segment

[SEE ATTACHMENT]

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RAIL ROAD PIN NUMBERS

The PIN number that covers the rail tracks from the N. Clybourn Ave. and N. Lakewood Ave. intersection to W. Nursery St. is:

14-32-129-004

The 2 PIN numbers that cover the rail tracks from W. Nursery St. to W. Webster Ave. are:

14-32-125-008 and 14-32-125-009

The PIN number that covers the rail tracks from W. Webster Ave. to W. Belden Ave. is:

14-32-111-026

The PIN number that covers the rail tracks from W. Belden Ave. to W. Fullerton Ave. is:

14-32-105-019

The PIN numbers that cover the rail tracks from W. Fullerton Ave. to W. Altgeld St. are:

14-29-321-037; 14-29-321-038; 14-29-321-041 and 14-29-321-042

The PIN numbers that cover the rail tracks from W. Altgeld St. to W. Wrightwood Ave. are:

14-29-315-093 and 14-29-315-097

The PIN number that covers the rail tracks from W. Wrightwood Ave. to W. Diversey Parkway on the N. Lakewood Ave. is:

14-29-501-003

There is no PIN number for the N. Kingsbury St. right of way from W. Division St. to W. Willow St.