

# UNOFFICIAL COPY



1424734030

Prepared by and return to:

Hardt, Stern & Kayne, P.C.  
2610 Lake Cook Road  
Suite 200  
Riverwoods, Illinois 60015  
Attn: Joseph S. Kayne, Esq.

Doc#: 1424734030 Fee: \$60.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 09/04/2014 10:51 AM Pg: 1 of 12

P.I.N.'s Current: 24-03-300-016-0000 and 24-03-300-017-0000; Previous 24-03-300-013-0000,  
24-03-300-015-0000, 24-03-301-008-0000 & 24-03-301-011-0000  
Common Address: 9121 S. Cicero Ave., Oak Lawn, Illinois 60453

## RELEASE AND TERMINATION OF SUBORDINATION AND AGREEMENT

THIS RELEASE AND TERMINATION AGREEMENT, is made this 5<sup>TH</sup> day of August, 2014 by and between JAMES SPELLMAN, an Illinois resident, BRET MATTHEWS, an Illinois resident, LIBERTYVILLE CHEVROLET, INC., an Illinois corporation, CESM, LLC, an Illinois limited liability company, and OAK LAWN HYUNDAI, INC., an Illinois corporation (collectively, the "Subordinate Lender"), in favor of BMO HARRIS BANK N.A., a National Banking Association, whose address is 111 W. Monroe Street, 3<sup>rd</sup> Floor West, Chicago, Illinois 60603 (the "Senior Lender"), with reference to the following facts.

WITNESSETH

WHEREAS, the Subordinate Lender and Senior Lender entered into that certain Subordination Agreement on or about November 13, 2013 (the "Agreement") covering and affecting the Premises and more particularly described in Exhibit "A" attached hereto, and incorporated herein, as recorded with the Cook County Recorder of Deeds, on 8<sup>th</sup> day of December, 2013, as Document number 1334026015, as amended from time to time; and

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**WHEREAS**, the parties agree that the Agreement shall now be terminated and now wish to reduce their agreements and understandings to writing;

**NOW, THEREFORE**, in consideration of the agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

- 1. Release & Termination.** The parties hereto for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby agree that the Agreement is terminated and the parties respective obligations under the Agreement are hereby terminated and released.

**P.I.N.'s Current: 24-03-300-016-0000 and 24-03-300-017-0000; Previous: 24-03-300-013-0000, 24-03-300-015-0000, 24-03-301-008-0000 & 24-03-301-011-0000**

**Common Address: 9121 S. Cicero Ave., Oak Lawn, Illinois 60453**

Property of Cook County Clerk's Office

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WITNESS the hand and seal of the parties hereto this 5 day of August, 2014.

**SENIOR LENDER:**

**BMO HARRIS BANK, N.A.**

By: [Signature]  
Name: Robert Berisburzen  
Its: Vice President

**CESML PROPEDES LLC**, an Illinois limited liability company

By: [Signature]  
Name: James Spellman  
Title: Manager

By: [Signature]  
Name: Bret Matthews  
Title: Manager

**JAMES SPELLMAN**, individually

**BRET MATTHEWS**, individually

**LIBERTYVILLE CHEVROLET, INC.**,  
AN ILLINOIS CORPORATION

By: [Signature]  
Name: James Spellman  
Title: President


**OAK LAWN HYUNDAI, INC.**,  
an Illinois corporation

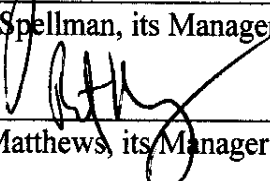
By: [Signature]  
James Spellman, its President

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

CESM, LLC, an Illinois limited liability company

By:   
James Spellman, its Manager

By:   
Bret Matthews, its Manager

Property of Cook County Clerk's Office

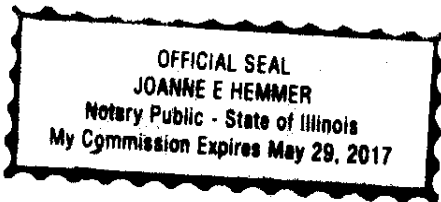
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STATE OF Illinois )  
 ) SS  
COUNTY OF Cook )

The undersigned, a Notary Public in and for said County in the State aforesaid, does hereby certify that **JAMES SPELLMAN**, an Illinois resident, and **BRET MATTHEWS**, the managers of **CESML PROPERTIES, LLC**, an Illinois limited liability company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said limited liability company pursuant to its Articles of Organization and its Operating Agreement for the purposes therein set forth.

Given under my hand and notarial seal this 5 day of August, 2014.

(Notary Seal)



Joanne E Hemmer  
Notary Public  
(Type or Print Name)  
My commission expires: 5-29-17

# UNOFFICIAL COPY

STATE OF Illinois )  
 ) SS  
COUNTY OF Cook )

The undersigned, a Notary Public in and for said County in the State aforesaid, does hereby certify that **JAMES SPELLMAN**, an Illinois resident, and **BRET MATTHEWS**, the managers of **CESM, LLC**, an Illinois limited liability company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said limited liability company pursuant to its Articles of Organization and its Operating Agreement for the purposes therein set forth.

Given under my hand and notarial seal this 5 day of August, 2014.

(Notary Seal)



Joanne E Hemmer  
Notary Public  
(Type or Print Name)

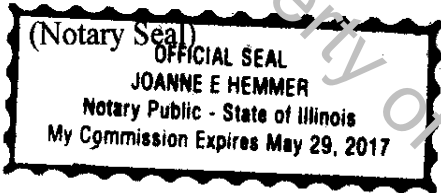
My commission expires: 5-29-17

# UNOFFICIAL COPY

STATE OF Illinois )  
 ) SS  
COUNTY OF Cook )

The undersigned, a Notary Public in and for said County in the State aforesaid, does hereby certify that **JAMES SPELLMAN**, an Illinois resident, 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 he signed and delivered the said instrument as his own free and voluntary act for the purposes therein set forth.

Given under my hand and notarial seal this 5 day of August, 2014.



Joanne E Hemmer  
Notary Public  
(Type or Print Name)

My commission expires: 5-29-17

STATE OF Illinois )  
 ) SS  
COUNTY OF Cook )

The undersigned, a Notary Public in and for said County in the State aforesaid, does hereby certify that **BRET MATTHEWS**, an Illinois resident, 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 he signed and delivered the said instrument as his own free and voluntary act for the purposes therein set forth.

Given under my hand and notarial seal this 5 day of August, 2014.

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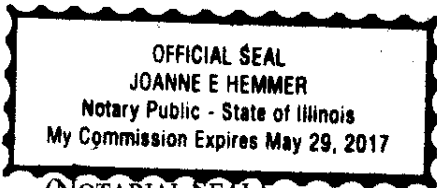
Joanne E Hemmer  
Notary Public  
(Type or Print Name)

My commission expires: 5-29-17

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF Cook )

The foregoing instrument was acknowledged before me this 5 day of August, 2014, by James Spellman, the President of **OAK LAWN HYUNDAI, INC.**, an Illinois corporation, on his own behalf and as the free and voluntary act of said corporation pursuant to its Articles of Incorporation, actions of its Board of Directors, and its Bylaws for the purposes therein set forth on behalf of the corporation

Given under my hand and Notarial Seal this 5 day of August, 2014.



(NOTARIAL SEAL)

Joanne E Hemmer  
Notary Public

Joanne E Hemmer  
(Type or Print Name)

My Commission Expires:

5-29-17



# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF Cook )

The foregoing instrument was acknowledged before me this 5 day of August, 2014, by James Spellman, the President of **LIBERTYVILLE CHEVROLET, INC.**, an Illinois corporation, on his own behalf and as the free and voluntary act of said corporation pursuant to its Articles of Incorporation, actions of its Board of Directors, and its Bylaws for the purposes therein set forth on behalf of the corporation.

Given under my hand and Notarial Seal this 5 day of August, 2014.



Joanne E Hemmer  
Notary Public

Joanne E Hemmer  
(Type or Print Name)

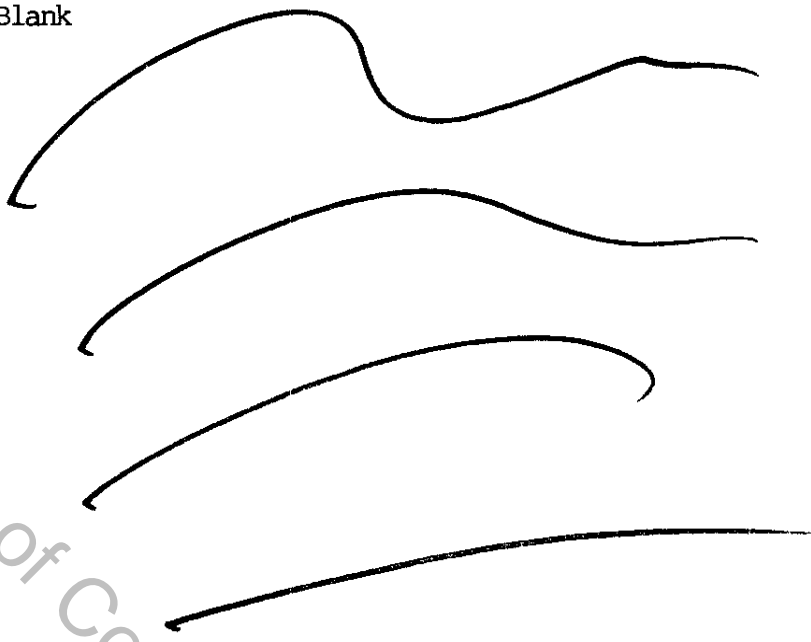
(NOTARIAL SEAL)

My Commission Expires: 5-29-17

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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF Cook )

The foregoing instrument was acknowledged before me this 5 day of August, 2014 by Robert Beishwizer, the Vice President of BMO HARRIS BANK N.A., a national banking association, on behalf of the association.

Given under my hand and Notarial Seal this 5 day of August, 2014.



Joanne E Hemmer  
Notary Public  
Joanne E Hemmer  
(Type or Print Name)

(NOTARIAL SEAL)

My Commission Expires:

5-29-17

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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## EXHIBIT A1

### LEGAL DESCRIPTION

#### PARCEL 1:

LOT 1 IN JDB CHICAGO RESUBDIVISION OF PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 2012, AS DOCUMENT 1208022012, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

LOT 2 IN JDB CHICAGO RESUBDIVISION BEING A SUBDIVISION OF PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 2012 AS DOCUMENT 1208022012, EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF LOT 5 EXTENDED EASTERLY IN BLOCK 4 IN FREDERICK H. BARTLETT'S PLEASANT HILL GARDENS, IN COOK COUNTY, ILLINOIS.

#### TAX IDENTIFICATION NUMBERS:

P.I.N.'s Current: 24-03-300-016-0000 and 24-03-300-017-0000

Previous 24-03-300-013-0000, 24-03-300-015-0000, 24-03-301-008-0000 & 24-03-301-011-0000

COMMON ADDRESS: 9121 S. CICERO AVE., OAK LAWN, ILLINOIS 60452