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/8003329NCLKORG THIS INSTRUMENT PREPARED BY & AFTER RECORDING RETURN TO:

Barack Ferrazzano Kirschbaum & Nagelberg LLP 200 West Madison, Suite 3900 Chicago, Illinois 60606 Attn: Brett Femberg, Esq.



Doc# 1925545080 Fee \$88.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

EDWARD M. HOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 09/12/2019 02:11 PM PG: 1 OF 6

TERMINATION OF SPUR TRACK RIGHTS AGREEMENT

This Termination of Spire Track Rights Agreement (this "Agreement") is made as of the 9th day of September, 2019 by an a among CPI/DSP Alsip Terminal Owner, L.L.C., a Delaware limited liability company ("CPI/DSP") and AG-HS Central Avenue Property Owner, LLC ("Adjacent Owner").

RECITALS

- A. CPI/DSP is the owner of that certain property commonly known as 11859 South Central and 12161 South Central, Alsip, Illinois 60803, as more particularly described on Exhibit A attached hereto (the "Subject Property").
- B. Adjacent Owner is the owner of that certain property commonly known as 11939 Central Avenue, Alsip, Illinois 60803, as more particularly described on Exhibit B attached hereto (the "Adjacent Property").
- C. Pursuant to the terms of that certain Special Warranty Deed daied February 28, 1997 and recorded on March 4, 1997 with the Cook County Recorder as Document Number 97141846 (the "1997 Deed"), a certain non-exclusive easement over a portion of Parcel 4 of Subject Property, as more particularly described in the 1997 Deed, was granted for the Penefitted Parties (as defined in the 1997 Deed) for the use, enjoyment, maintenance, repair, replacement, alteration of and other improvement to the spur track and any appurtenant improvements located upon such easement property (the "1997 Deed Spur Track Easement").
- D. Reference is hereby made to that certain Maintenance Agreement dated February 28, 1997 by and between Sammis PCA Partners, a California general partnership, and Manheim Services Corporation, a Delaware corporation, recorded on March 4, 1997 with the Cook County Recorder as Document Number 97141847 (the "Maintenance Agreement"). The Maintenance Maintenance Agreement describes certain easements with respect to the Spur Track (as defined in the Maintenance Agreement) and sets forth an allocation of responsibility, and the payment of costs and expenses, with respect to the operation, maintenance and repair of the Spur Track.

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E. The parties to this Agreement desire to terminate all rights and obligations with respect to the Spur Track and to permit CPI/DSP to remove the Spur Track from the Subject Property.

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, the parties hereby agree as follows:

AGREEMENT

- <u>Recitals</u>. The recitals set forth above are hereby incorporated into the body of this Agreement as fully restated herein.
- <u>Tecraination of Spur Track</u>. All rights and obligations with respect to the Spur 2. Track are hereby ter ainated. Without limitation of the foregoing, (i) the 1997 Deed Spur Track Easement is hereby rendered null and void and (ii) all references to the Spur Track, as set forth in the Maintenance Agreement, together with all rights and obligations with respect to the Spur 1. Corroperty.

 Agreement may be an tegerher, shall constitu.

 [Signature Pages Follow] Track, are hereby rendered null and void. CPI/DSP, at CPI/DSP's sole cost, shall be permitted to remove the Spur Track on the Subject Property.
- Counterparts. This Agreement may be executed in any number of identical 3. counterparts, all of which, when taken tegerner, shall constitute the same instrument.

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date first set forth above.

C	P	ľ	D	SF	•
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CPI/DSP:
CPI/DSP Alsip Terminal Owner, L.L.C., a Delaware limited liability company
By: CPI/DSP Alsip Terminal Venture L.L.C., a Delaware limited liability company its sole member
By: CPI Alsip Terminal Member, L.L.C., a Delaware limited liability company its managing member
By: Mulchael Sollacic Title: Huntrusus Signatury
ACKNC WJ.EDGMENT
STATE OF ILLINOIS)) SS COUNTY OF COOK)
I, Dina Jarcett, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Michael Schack, the Authorized Sanatory of CPI Alsip Terminal Member, L.L.C., a relaware limited liability company and the managing member of CPI/DSP Alsip Terminal Venture L.L.C., a Delaware limited liability company and the sole member of CPI/DSP Alsip Terminal Owner, L.L.C., a Delaware limited liability company, 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 she/he signed and delivered said instrument as her/his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.
GIVEN under my hand and notarial seal this $\underline{9 + n}$ day of September, 2019.
Dina Davott Notary Public
DINA JARRETT Official Seal Notary Public - State of Illinois My Commission Expires Aug 29, 2020 My Commission Expires Aug 29, 2020
8/29/2020

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ADJACENT OWNER:

5-0

James R. Redland Managing Director AG-HS Central Avenue Property Owner, LLC

ACKNOWLEDGMENT

STATE OF Illiviois)

COUNTY OF Cook

I, <u>Cindy</u> <u>De Kroiff</u>, a Notary Public in and for and residing in said County and State, DO HEREBY CIPTIFY THAT <u>James R. Redland</u>, the <u>Managing Director</u> of <u>respect to the foregoing increment appeared before me this day in person and acknowledged that she/he signed and delivered said instrument as her/his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.</u>

GIVEN under my hand and notarial seal this

Th day of

September

2019.

Notary Public

My Commission Expires:

OFFICIAL SEAL CINDY S DEIGNUIFF

NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/29/21

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Exhibit A

Legal Description of Subject Property

in Samm.
Partners Subdiv..

ne Third Principal Mc.

Jument 97138821 and Certin.

Cook County, Illinois

Alg

11859 S. Central +

12161 S. Central

Alsip, IL 62803 Lot 2 in Sammis PCA Manheim Subdivision, being a Resubdivision of Lots 1 and 2 in Sammis

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Exhibit B

Legal Description of Adjacent Property

Lot 1 in Sammis PCA Manheim Subdivision, being a Resubdivision of Lots 1 and 2 in Sammis PCA Partners Subdivision in the Northwest 1/4 of Section 28, Township 37 North, Range 13 East of the Third Principal Meridian, according to the Plat thereof recorded February 28, 1997 as document 97138821 and Certificate of Correction recorded April 7, 1997 as Document 97240059, in Cook County, Illinois

2428100022

11939 EENTRAL AVE

Alsip, IL 05,0803

Coop County Clark's Office