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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

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

**THIS INSTRUMENT PREPARED BY  
& AFTER RECORDING RETURN TO:**

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

**TERMINATION OF SPUR TRACK RIGHTS AGREEMENT**

This Termination of Spur Track Rights Agreement (this "**Agreement**") is made as of the 9<sup>th</sup> day of September, 2019 by and 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 dated 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 Benefitted 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 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.

S Y  
P 6  
S —  
M X  
SC —  
E X  
INT AS

Box 400

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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

1. Recitals. The recitals set forth above are hereby incorporated into the body of this Agreement as if fully restated herein.

2. Termination of Spur Track. All rights and obligations with respect to the Spur Track are hereby terminated. 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 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.

3. Counterparts. This Agreement may be executed in any number of identical counterparts, all of which, when taken together, shall constitute the same instrument.

[Signature Pages Follow]





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## Exhibit A

### Legal Description of Subject Property

Lot 2 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

24 28 100 003

11859 S. Central +  
12161 S. Central

Alsip, IL 60803

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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

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11939 CENTRAL AVE.

Alsip, IL 60803