



# UNOFFICIAL COPY

51 531 305

## SCHEDULE "A"

ALL THAT TRIANGULAR shaped parcel of land situate in the Village of Summit, County of Cook and State of Illinois, being part of the Southwest 1/4 of Section 13, and 38 N., R12 E. of the Third Principal Meridian, bounded and described as follows, viz:

BEGINNING at a point at the Southwesterly corner of the parcel of land containing 139,625 square feet, +, which has been conveyed by Indiana Harbor Belt Railroad Company to Joseph D. Skelly, Jr. and Barbara, his wife, by deed dated December 27, 1967, said beginning point 638.40' South from the North line of said Southwest 1/4 of Section 13; thence Northeasterly along the Southeasterly line of the parcel of land conveyed as aforesaid to Joseph D. Shelly, Jr., and wife, a distance of 506.48' to the Southeasterly corner of said last mentioned parcel of land; thence Southerly along the prolongation of the Easterly line of said last mentioned parcel of land, a distance of 27.48' to a point distant 18' Northwestwardly and radially from the centerline the 2nd main track of railroad of said Railroad Company; and thence Southwestwardly, parallel with and 18' Northwestwardly and radially from said centerline of 2nd main track and 18' Northwestwardly radially and at right angles from the centerline of the No. 3 track of railroad of said Railroad Company to the place of beginning.

CONTAINING 6,173 square feet, +

AND the said Grantor, for the consideration aforesaid, grants unto said Grantee, insofar as its title permits it so to do, the perpetual right, liberty and privilege to use for themselves and for their agents, patrons, employees, tenants, lessees, licensees, shippers and all other persons having business with them, in common with the said Grantor, its agents, patrons, employees, tenants, lessees, licensees, shippers and all other persons having business with it, as and for a driveway and as a means of access to and from its or their adjoining land:

The East 50 feet of the South 30.00 feet of the North 298.50 feet of the Southeast Quarter of Fractional Section 14, Township 38 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

The West 982.37 feet of the South 30.00 feet of the North 268.50 feet of the West Half of the Southwest Quarter of Section 13, Township 38 North, Range 12 East of the Third Principal Meridian, containing 29,471 square feet of land, more or less.

21 237 302

# UNOFFICIAL COPY

THIS INDENTURE is executed, delivered and accepted upon the understanding and agreement:

(1) that the said Grantee shall and will, immediately after the delivery of this Indenture, at their sole cost and expense, construct and thereafter maintain a good and substantial fence satisfactory to the said Grantor along the Southerly line of the land hereinbefore described, containing 6,173 square feet, +, to prevent any encroachments of any kind whatsoever upon adjoining land and Railroad of said Grantor; it being understood and agreed that said fence will be constructed before any other building construction is commenced.

(2) that the said Grantee shall not place any fill upon the land hereinbefore described containing 6,173 square feet, +, which will adversely affect the drainage of the Grantors adjoining land and railroad track.

(3) that the Grantee shall at all times indemnify and save harmless the said Grantor from and against any and all detriments, damages, losses, demands, claims, suits, costs or expenses which the Grantor may suffer, sustain or be subject to directly or indirectly, caused wholly or in part by reason of the Grantee, their agents, employees, patrons being upon and by virtue of the use of said easement area.

(4) that should a claim adverse to the title hereby quitclaimed be asserted and/or proved, no recourse shall be had against the said Grantor herein.

21 237 302

# UNOFFICIAL COPY

AND, in consideration of the foregoing conveyance, the said Grantee does hereby remise, release, relinquish, surrender and forever yield up unto the said Grantor a portion of the non-exclusive easement over a roadway for the purpose of ingress and egress, as granted by Instrument from the said Grantor herein to the said Grantee herein dated December 27, 1967, said portion being:

THE WEST 982.37 feet of the South 30.00 feet of the North <sup>268.50</sup>~~298.50~~ feet of the West Half of the Southwest Quarter of Section 13, Township 36 North, Range 12 East of the Third Principal Meridian, containing 29,471 square feet of land, more or less.

THE words "Grantor" and "Grantee" used herein shall be construed as if they read "Grantors" and "Grantees", respectively, whenever the sense of this Instrument so requires and whether singular or plural, such words shall be deemed to include in all cases the successors and assigns of the respective parties.

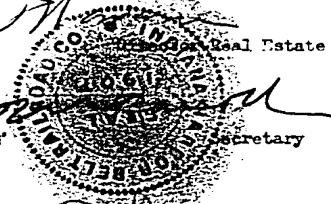
IN WITNESS WHEREOF the said Grantor has caused its corporate seal to be hereto affixed and has caused its name to be signed to these presents by its Director-Real Estate and attested by its Secretary and the said JOSEPH D. SHELLY, JR. and BARBARA SHELLY, husband and wife, have caused their hands and seals to be hereto affixed, this <sup>12</sup>~~12~~ day of MARCH A. D. 1970.

INDIANA HARBOR BELT RAILROAD COMPANY  
By:

F. J. GASPARINI

Attest:

R. W. Carroll



*Joseph D. Shelly, Jr.* (SEAL)  
Joseph D. Shelly, Jr.  
*Barbara Shelly* (SEAL)  
Barbara Shelly

21 131 302


# UNOFFICIAL COPY

COMMONWEALTH OF PENNSYLVANIA )  
 )SS  
COUNTY OF PHILADELPHIA )

I, Kathleen G. Brady, a Notary Public in and for said Commonwealth and County aforesaid, do hereby certify that F. J. Gasparini personally known to me to be the Director-Real Estate of INDIANA HARBOR BELT RAILROAD COMPANY and R.W. Carroll personally known to me to be the Secretary of said Corporation, and 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 severally acknowledged that as such Director-Real Estate and Secretary, they signed and delivered the said Instrument as Director-Real Estate and Secretary of said Corporation and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation, as their 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 notarial seal, this 7th day of May A.D. 1970.

Kathleen G. Brady  
Notary Public  
KATHLEEN G. BRADY  
Notary Public, Philadelphia, Philadelphia Co.  
My Commission Expires May 21, 1972



)  
) S  
)  
I, \_\_\_\_\_, a Notary Public in and for said \_\_\_\_\_ do hereby certify that \_\_\_\_\_ personally known to me to be the \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ personally known to me to be the Secretary of said Corporation, and 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 severally acknowledged that as such \_\_\_\_\_ and \_\_\_\_\_ Secretary, they signed and delivered the said Instrument as \_\_\_\_\_ and Secretary of said Corporation and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation, as their 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 notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19 \_\_\_\_\_

COOK COUNTY, ILLINOIS  
FILED FOR RECORD

Edwin R. Chen  
RECORDED FOR COOK

AUG 13 '70 3 03 PM


21237302

STATE OF ILLINOIS )  
 )SS  
COUNTY OF Cook )

I, Dorothy Ann Kwak, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that JOSEPH D., SHELLY, JR. and BARBARA SHELLY, husband and-wife, 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, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of Homestead.

GIVEN under my hand and Notarial seal, this \_\_\_\_\_ day of March A.D. 1970.

Dorothy Ann Kwak  
Notary Public



21237302

