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COOK COUNTY ILLINOIS  
FILED FOR RECORD  
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1985 OCT 31 AM 9 27

15<sup>00</sup>

LEASE TERMINATION AGREEMENT

85 261 568

69-84-805  
03

This Agreement made this 30<sup>th</sup> day of October, 1985, by and between Chicago Title and Trust Company, as Trustee under a trust agreement dated June 15, 1985, and known as Trust No. 1085200 ("Lessor"), and CPS Realty Partnership, an Illinois general partnership ("Lessee").

WITNESSETH

WHEREAS, Lincoln-Cicero Corporation, a Delaware corporation, and Carson Pirie Scott & Company, a Delaware corporation, entered into a lease dated August 18, 1972 (the "Lease") demising certain retail store premises located at Lincoln Mall, in Matteson, Illinois (the "Property"), and legally described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, on June 15, 1985, Lincoln-Cicero Corporation conveyed its interest in the Property to Lessor; and

WHEREAS, on June 25, 1985, Carson Pirie Scott & Company assigned its interest in the Lease to Lessee; and

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This instrument prepared by <sup>retained to</sup> x

Heather Gilchrist

Sidley & Austin  
One First National Plaza  
Chicago, Illinois 60603

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WHEREAS, Lessee then subleased the Property to Carson Pirie Scott & Company on the 25th day of June, 1985; and

WHEREAS, Lessor and Lessee mutually desire to terminate the Lease.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

As of this 31st day of October, 1985, the Lease and Sublease shall terminate and neither Lessor nor Lessee shall have any further obligations with respect to the Lease.

CHICAGO TITLE AND TRUST COMPANY,  
as Trustee

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Chicago Title and Trust Company or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

IN WITNESS WHEREOF, Chicago Title and Trust Company, not personally but as Trustee as aforesaid, has caused these presents to be signed by its Assistant Vice-President, and its corporate seal to be hereunto affixed and attested by its Assistant Secretary, the day and year first above written.

CHICAGO TITLE AND TRUST COMPANY, as Trustee as aforesaid and not personally,

By [Signature] ASSISTANT VICE-PRESIDENT

Attest [Signature] ASSISTANT SECRETARY

Corporate Seal

STATE OF ILLINOIS, SS.  
COUNTY OF COOK

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that the above named Assistant Vice President and Assistant Secretary of the CHICAGO TITLE AND TRUST COMPANY, Grantor, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Secretary respectively, 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 Company for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that said Assistant Secretary, as custodian of the corporate seal of said Company, caused the corporate seal of said Company to be affixed to said instrument as said Assistant Secretary's own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 30 day of OCT 1985

[Signature]  
Notary Public

Notarial Seal

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*[Signature]*  
Secretary

ATTEST:

*[Signature]*  
President

By:

By: Carson Pritz Scott & Company,  
Managing Partner

CPS REALTY PARTNERSHIP

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and Sublease shall terminate and neither Lessor nor Lessee  
As of this 31st day of October, 1985, the Lease  
Lessor and Lessee agree as follows:  
the receipt and sufficiency of which are hereby acknowledged,  
Dollars (\$10.00) and other good and valuable consideration,  
NOW THEREFORE, in consideration of the sum of Ten  
terminate the Lease.

WHEREAS, Lessor and Lessee mutually desire to  
and  
Carson Pritz Scott & Company on the 25th day of June, 1985;  
WHEREAS, Lessee then subleased the Property to

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STATE OF ILLINOIS )

COUNTY OF COOK )

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I, the undersigned, a Notary Public in and for said County, and the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, who is \_\_\_\_\_ President of Chicago Title and Trust Company, and \_\_\_\_\_, who is \_\_\_\_\_ Secretary of said corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and \_\_\_\_\_ Secretary, respectively, and personally known to be such \_\_\_\_\_ President and \_\_\_\_\_ Secretary, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary acts as such \_\_\_\_\_ President and \_\_\_\_\_ Secretary, as aforesaid, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Notary Public

My Commission Expires \_\_\_\_\_

STATE OF ILLINOIS )

SS

COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, and the State aforesaid, DO HEREBY CERTIFY that Charles T. Keiser, who is Vice President of Carson Pirie Scott & Company and Robert J. Karthall, who is Asst Secretary of said corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Asst Secretary, respectively, and personally known to me to be such Vice President and Asst Secretary, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary acts as such Vice President and Asst Secretary as aforesaid and as the free and voluntary act of the corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 30<sup>th</sup> day of October, 1985.

Marilyn C. Keetgen  
Notary Public

My Commission Expires

March 14, 1987

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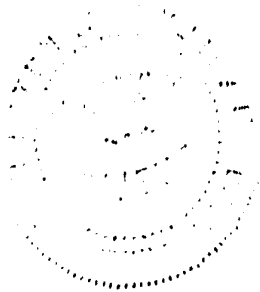


EXHIBIT A  
**UNOFFICIAL COPY**

LINCOLN MALL

3 5 2 6 1 5 6 8

PARCEL 1:

LOT 2 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTH WEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIANS, THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE PROTECTION WATER STORAGE TANK AND PUMPHOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF COMMON FOUNDATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANGS, AWNINGS, ALARM BELLS, SIGNS, LIGHTS AND LIGHTING DEVICES, UTILITY VAULTS AND OTHER SIMILAR APPURTENANCES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS, CREATED AND GRANTED AS APPURTENANCES TO THE AFORESAID PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED ON MARCH 24TH 1972 AS DOCUMENT NUMBER 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AND WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, IN, ON, OVER, UPON AN UNDER LOTS 1, 3, 4, 5 AND 6 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLAT PLAN ATTACHED TO SAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT

PARCEL 3:

THE RECIPROCAL AND NON-EXCLUSIVE EMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFORESAID PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THE CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEHOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57855, IN, ON, OVER, UPON AND UNDER LOTS 1, 3, 4, 5, 8, 9, 10, 11 AND 12 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT.

PERMANENT INDEX #31223000 <sup>0230000</sup> ~~0230000~~

*Lincoln Highway, Cicero Ave.*

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