### TERMINATION OF GRANT OF PERPETUAL RIGHT AND EASEMEN 61

THIS TERMINATION OF GRANT OF PERPETUAL RIGHT
AND EASEMENT, made on and as of October 31, 1985 by and
between HARRIS TRUST AND SAVINGS BANK, not personally,
but solely as Trustee under a Trust Agreement dated
August 10, 1982, and known as Trust No. 41898 (herein
called "Grantor"), and CITIZENS UTILITIES COMPANY OF
ILLINOIS, an Illinois corporation (herein called "Grantee"),

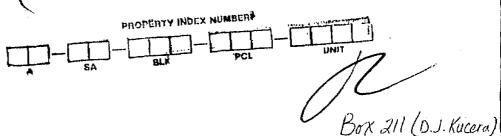
#### WITNESSETH, that:

WHEREAS, Grantor has heretofore granted to Granteen certain richts and easements, all as provided in that certain Grant of Perpetral Right and Easement (the "Grant of Easement dated December 31, 1982, and recorded as document no. 264620022 in the Office of the Recorder of Deeds of Cook County, Illinois; and Legal Descriptions attached as Exhibits A, B, and C attached hereto and made a part hereof; and

WHEREAS, Grantor and Grantee desire to terminate the Grant of Easement.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the parties hereto hereby agree as follows:

- 1. Grantee hereby conveys and quite lims to Grantor all of Grantee's right, title and interest in and to the Grant of Easement, including all easements granted thereunder.
- 2. The Grant of Easement is hereby terminated; and all rights, easements, and other interests granted thereunder are hereby extinguished as fully and with the same effect as if the Grant of Easement had never been executed.



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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 agreement of the Trustee are nevertheless each and every one of them, made and intended not as personal warrancies, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding the Trustee personally but ace made and intended for the purpose specifically described herein, and this instrument is executed and delivered by the Trustee not in its own right, but solely in the exercise of the powers conferred upon it as Trustee and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Harris Trust and Savings Bank or any of the beneficiaries under the Trust Agreement for Trust No. 41898, or account of this instrument or on account of any warranty indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

IN WITNESS WHEREOF, the parties hereto have ex-

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# 86000861

### UNOFFICIAL COPY I

Easement on and as of the day and year first written above.

**GRANTOR:** 

HARRIS TRUST AND SAVINGS BANK, as Trustee as aforesaid, and not individually

By: (Vice) President

ATTEST:

(Assistant) Secretary

**GRANTEE:** 

CITIZENS UTILITIES COMPANY OF ILLINOIS

By: David F. Chardergue
Asst (Vice) President

ATTEST:

(Assistant) Secretary

### CONSENT OF MORTGAGEE

LIFE SAVINGS OF AMERICA, a federal savings bank\*, being the first mortgagee of certain of the real property legally described in the foregoing Termination of Grant of Perpetual Right And Casement, hereby consents to the foregoing Termination of Grant of Perpetual Right and Easement.

LIFE SAVINGS OF AMERICA

Bv:

President

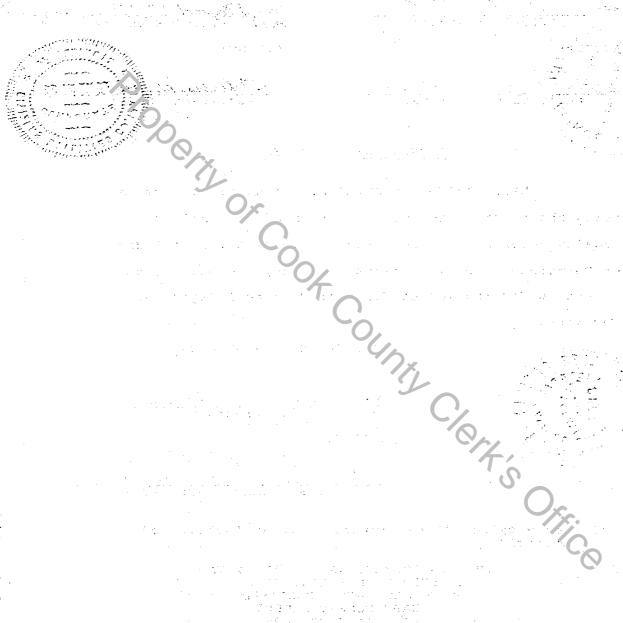
ATTEST:

(Assistant) Secretary)

(\*formerly called "Life Savings and Loan Association of America")

THIS INSTRUMENT WAS PREPARED BY STEPHEN P. KIKOLER, ESQ., ROSENTHAL AND SCHANFIELD 55 EAST MONROE STREET CHICAGO, ILLINOIS 60603

Address of property: Milwaukee Ave Wheeling Township, Illinois



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STATE OF ILLINOIS )

SS
COUNTY OF COOK )

for the County and State aforesaid, do hereby certify that HERMAN A. KOLE, a Vice President of Harris Trust and Savings Bank ("Bank"), an Illinois corporation, and KENNETH E. PIEKUT, an Assistant Secretary of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such 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 acts, and as the free and voluntary act of said Bank, as Trustee, for the uses and purposes therein set forth; and the said Assistant Scretary did also then and there acknowledged that he, as custouran for the corporate seal of said Bank, did affix the said instrument as his own free and voluntary act, and as the free and voluntary act of said Bank, did affix the said instrument as his own free and voluntary act, and as the free and voluntary act of said Bank, as Trustee, for the uses and pruposes therein set forth.

of Normber, 1985.

[SEAL]

My Commission Expires:

Notary Public

My Commission Expires March 6, 1988

STATE OF CONNECTICUT )
SSCOUNTY OF FAIRFIELD )

I, lather fancesco. Notary Public in and for the County and State aforesaid, do hereby certify that David E Charles and Message and Message and for the (Vice) President and (Assistant) Secretary of Citizens Utilities Company of Illinois, an Illinois corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such officers of said Corporation, 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 Corporation for the uses and purposes therein set forth, and the said (Assistant) Secretary of said Corporation then and there acknowledged that he, as custodian of the corporate seal of said Corporation, did affix such corporate seal to said instrument as his own free and voluntary act 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 19th day of December, 1985.

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My Commission Expires:

My Commission Contract Mar. 31, 1990

Ochrof County Clorks Office

STATE OF ILLINOIS حه٥١٦ COUNTY OF WINNEBAGO)

STEPHEN P. KIROLER , a Notary Public in and for the County and State aforesaid, do hereby certify that the (Vice) President and (Assistant) Secretary of Life Savings of America, a federal savings bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such officers of said bank, 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 bank for the uses and purposes therein set forth, and the laid (Assistant) Secretary of said bank then and there acknowledged that he, as custodian of the corporate seal of said bank, did affix such corporate seal to said instructort as his own free and voluntary act and as the free a.d voluntary act of said bank for the uses and purposes therein set forth.

Given under my hand and notarial seal this November, 1985. Coot County Clert's Office 19 day of

[SEAL]

My Commission Expires:

2-4-88

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#### EXHIBIT A

THAT PART OF LOT 1 IN HENRY GRANDT AND OTHERS SUBDIVISION OF PART OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 29, 1923 AS DOCUMENT NO. 7790590, BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE SOUTH LINE OF SAID LOT 1, 1371.0 TEET EAST OF THE SOUTHWEST CORNER THEREOF (SAID SOUTH LINE OF LOT 1 HAVING AN ASSUMED BEARING OF DUE EAST-WEST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 09 DEGREES 49 MINUTES 16 SECONDS WEST, 483.08 FEFT TO A POINT FOR A PLACE OF BEGINNING; THENCE NORTH 09 DEGREES 41 MINUTES 16 SECONDS WEST ALONG SAID LAST DESCRIBED LINE, 10 15 FEFT. THENCE NORTH 90 DEGREES 40 MINUTES 60 SECONDS TOTAL 10.15 FEET; THENCE NORTH 90 DEGREES OO MINUTES OO SECONDS EAST, 21.25 FEET; THENCE NORTH 70 DEGREES OI MINUTES 24 SECONDS EAST, 21.25 FEET; THENCE NORTH TO DEGREES OF MINUTES 24 SECONDS EAST, 44.73 FEET TO AN INTERSECTION WITH A LINE 60.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE NORTH 90 DEGREES OD MINUTES OO SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 0.03 FEET TO AN INTERSECTION WITH A LINE 65.0 FEET, AS MEASURED AT RIGHT ANGLES, EASTERLY OF AND PARALLEL WITH A LINE BEARING NORTH 09 DEGREES 49 MINUTES 16 SECONDS PARALLEL WITH A LINE BEARING NORTH 09 DEGREES 49 MINUTES 16 SECUNDS WEST FROM A POINT ON THE SOUTH LINE OF SAID LOT 1, 1371.0 FEET, AS MEASURED ALONG SAID SOUTH LINE, EAST OF THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 09 DEGREES 49 MINUTES 16 SECONDS EAST ALONG SAID LAST DESCRIBED LINE, 10.15 FEET TO AN INTERSECTION WITH A LINE 70.0 FEET, AS MEASURED AT RIGHT AUGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 70 DEGREES 01 MINUTES 24 SECONDS WEST, 44.73 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 21.28 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS ACE COME ILLINOIS.

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### EXHIBIT B

THAT PART OF LOT 1 IN HENRY GRANDT AND OTHERS SUBDIVISION OF PART OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 29, 1923 AS DOCUMENT NO. 7790590 BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE SOUTH LINE OF SAID LOT 1, 1371.0 FEET EAST OF THE SOUTHWEST CORNER THEREOF (SAID SOUTH LINE OF LOT 1 HAVING AN ASSUMED BEARING OF DUE EAST-WEST FOR THIS LEGAL OF LOT 1 HAVING AN ASSUMED BEARING OF DUE EAST-WEST FOR THIS LEGAL DESCRIPTION); THENCE HORTH O9 DEGREES 49 MINUTES 16 SECONDS WEST, 94.89 FEET 70 AN INTERSECTION WITH A LINE 93.50 FEET, AS MEASURED AT RIGHT AUGUSS, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, SAID 20 INT BEING THE PLACE OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUING NORTH 09 DEGREES 49 MINUTES 16 SECONDS WEST, 20.20 FEET TO AN INTERSECTION WITH A LINE 113.50 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 65.97 FEET TO AN INTERSECTION WITH A LINE 65.0 FEET, AS MEASURED AT RIGHT ANGLES, EASTERLY OF AND PARALLEL WITH A LINE BEARING NORTH 09 DEGREES 49 MINUTES 16 SECONDS WEST FROM A POINT ON THE SOUTH LINE OF SAID LOT 1, 1371.0 FEET, AS MEASURED ALONG SAID SOUTH LINE, EAST OF THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 09 DEGREES 49 MINUTES 16 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 20.30 FEET TO AN INTERSECTION WITH A LINE 93.50 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND FARALLEL WITH THE SOUTH LINE OF SAID AT RIGHT ANGLES, NORTH OF AND FARALLEL WITH THE SOUTH LINE OF SAID MINUTES 16 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 20.30 FEET TO AN INTERSECTION WITH A LINE 93.50 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND FARALLEL WITH THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 90 DEGREES UP NINUTES 00 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 65.97 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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#### EXHIBIT C

THAT PART OF LOT 1 IN HENRY GRANDT AND OTHERS SUBDIVISION OF PART OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 29, 1923 AS DOCUMENT NO. 7790590, BOUNDED AND DESCRIBED AS FOLLOWS; BEGINNING AT THE INTERSECTION OF A LINE 70.0 FEET. AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT?, WITH A LINE 390.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT?; THENCE SOUTH 25 DEGREES 33 MINUTES 16 SECONDS EAST ALONG SAID LAST DESCRIPGO PARALLEL LINE, 7.07 FEET; THENCE NORTH 64 DEGREES 26 MINUTES 44 SECONDS EAST, 14.78 FEET TO AN INTERSECTION WITH A LINE 70.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT?; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID LAST DESCRIBED PARALLEL LINE, 23.18 FEET; THENCE SOUTH 65 DEGREES 26 MINUTES 44 SECONDS WEST, 35.70 FEET TO AN INTERSECTION WITH A LINE 390.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT?; THENCE SOUTH 25 DEGREES 33 MINUTES 16 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 100.50 FEET; THENCE NORTH 53 DEGREES 58 MINUTES 27 SECONDS EAST, 20.0 FEET; THENCE SOUTH 36 DEGREES 58 MINUTES 33 SECONDS EAST, 20.0 FEET; THENCE SOUTH 36 DEGREES 58 MINUTES 37 SECONDS WEST, 42.26 SECT TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE 27 SECONDS WEST, 42.26 SECT TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE 25 DEGREES 58 MINUTES 27 SECONDS WEST, 42.26 SECT TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE 25 DEGREES 58 MINUTES 27 SECONDS WEST, 42.26 SECT TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE 25 DEGREES 58 MINUTES 27 SECONDS WEST, 42.26 SECT TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE 25 DEGREES SECONDS WEST, 42.26 SECT TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES OF THE SECONDS WEST, 42.26 SECT FOLLOWS; BEGINNING AT THE INTERSECTION OF A LINE 70.0 FEET. AS MINUTES 33 SECONDS EAST, 20.0 FEET; THENCE SOUTH 53 DEGREES 58 MINUTES 27 SECONDS WEST, 42.26 FEET TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLE; SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE NORTH 90 DEGREES OO MINUTES OO SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 331.12 FEET; THENCE NORTH 00 DEGREES OO MINUTES OO SECONDS EAST, 8.0 FEET; THENCE NORTH 90 DEGREES OO MINUTES OO SECONDS EAST, 10.0 LEET; THENCE SOUTH 00 DEGREES OO MINUTES OO SECONDS WEST, 8.0 FEET TO AN INTERSECTION WITH A LINE 185.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE NORTH 90 DEGREES OO MINUTES OO SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 26.0 FEET; THENCE SOUTH 00 DEGREES OO MINUTES OO SECONDS EAST, 10.0 FEET TO AN INTERSECTION WITH A LINE 195.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 90 DEGREES OO MINUTES OO SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 390.87 FEET TO AN INTERSECTION WITH A LINE 400.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID LOT 1; THENCE NORTH 25 DEGREES 33 MINUTES 16 SECONDS WEST ALUIG SAID LAST DESCRIBED PARALLEL LINE, 138.55 FEET TO AN INTERSECTION WITH A LINE 70.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL LINE, 138.55 FEET TO AN INTERSECTION WITH A LINE 70.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL LINE 118.0 FEET TO AN INTERSECTION WITH A LINE 70.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE NORTH 90 DEGREES OO MINUTES OD SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 110.08 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS. IN COOK COUNTY, ILLINOIS.

BEOWORES

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