

# UNOFFICIAL COPY

PARTIAL RELEASE 87114538

69-94-986 J

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THIS INDENTURE made this 30th day of October, 1986, by and among CITIBANK, N.A., a national banking association incorporated and existing under the laws of the United States of America, as Trustee, MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a corporation organized under the laws of the State of New York, and BURLINGTON NORTHERN RAILROAD COMPANY, a corporation organized under the laws of the State of Delaware, WITNESSETH:

WHEREAS, the property or real estate described in Exhibit "A", attached hereto, is subject to the lien of the following described mortgages:

1. First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, dated February 1, 1921, to Citibank, N.A. (formerly named First National City Bank, successor by merger to The First National Bank of the City of New York) and Victor Zarrilli (successor to John J. Ford), Trustees, as supplemented.

2. General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1921, to Citibank, N.A. (formerly named First National City Bank, successor by merger to The First National Bank of the City of New York), Trustee, as supplemented.

3. Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1970, to Morgan Guaranty Trust Company of New York and W. A. Johnson (successor to Bartlett Ford), Trustees, as supplemented.

WHEREAS, said mortgages were filed for record in the office of the Recorder, County of Cook, State of Illinois, as follows:

<u>Mortgage</u>	<u>Book</u>	<u>Page</u>
First and Refunding Mortgage, Feb. 1, 1921	17782	172
General Gold Bond Mortgage, Jan. 1, 1921	Document #21164811	
Consolidated Mortgage, March 2, 1970	Document #21164810	

WHEREAS, by virtue of and as a result of an agreement of merger which became effective March 2, 1970, Chicago, Burlington & Quincy Railroad Company, the mortgagor named in said First and Refunding Mortgage, and Great Northern Railway Company, the mortgagor named in said General Gold Bond Mortgage, were merged into and with Great Northern Pacific & Burlington Lines, Inc., the name of which company was changed to Burlington Northern Inc. on March 2, 1970, and

WHEREAS, by Supplemental Indenture, dated March 2, 1970, to said First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, and by Supplemental Indenture (No. 11), dated as of March 2, 1970, to said Great Northern Railway Company General Gold Bond Mortgage, Burlington Northern Inc. assumed and agreed to be bound by all the covenants and conditions of said mortgages therein agreed to be kept and performed by Chicago, Burlington & Quincy Railroad Company and Great Northern Railway Company, respectively, and succeeded to and was substituted for Chicago, Burlington & Quincy Railroad Company and Great Northern Railway Company, respectively, in said mortgages, and

BOX 333

mail to Burlington Northern Railroad  
Prepared by 3300 Continental Plaza  
1777 Main Street  
Ft Worth, Texas 76102 - Box 333

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EXHIBIT

0289-129-22

THIS INSTRUMENT was made on the day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ a National Banking Association incorporated under the laws of the State of New York, and having its principal office at \_\_\_\_\_ New York, and a branch office at \_\_\_\_\_ New York, a corporation organized under the laws of the State of Delaware, with \_\_\_\_\_

HEREBY, the property or real estate described in Exhibit "A", attached hereto, is subject to the lien of the following described mortgages:

1. That the \_\_\_\_\_ of Chicago, Illinois, and \_\_\_\_\_ of \_\_\_\_\_, Illinois, (formerly \_\_\_\_\_ National Bank, New York) and \_\_\_\_\_ (formerly \_\_\_\_\_ National Bank of New York) and \_\_\_\_\_ (formerly \_\_\_\_\_ National Bank of New York) and \_\_\_\_\_ (formerly \_\_\_\_\_ National Bank of New York) as assignees, as supplemented.
2. General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1931, to Citibank, N.Y., as assignee by mortgage to the First National Bank of New York, New York, as assignee.
3. Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1930, to \_\_\_\_\_ (formerly \_\_\_\_\_ and \_\_\_\_\_) as assignee by mortgage to \_\_\_\_\_, New York, as assignee.

WHEREAS, said mortgages were filed for record in the Office of the Recorder of Deeds, \_\_\_\_\_ as follows:

Book	Page	Mortgage
_____	_____	First and National Mortgage, Vol. 1, 1931
_____	_____	General Gold Bond Mortgage, Vol. 1, 1931
_____	_____	Consolidated Mortgage, March 2, 1930

WHEREAS, by virtue of and as a result of an agreement of merger, which became effective March 2, 1930, Chicago, Burlington & Quincy Railroad Company, the mortgage named in said First and National Mortgage and Great Northern Railway Company, the mortgage named in said General Gold Bond Mortgage were merged into a single mortgage to be filed in the Office of the Recorder of Deeds, \_\_\_\_\_ and \_\_\_\_\_

WHEREAS, by supplemental indenture, dated March 2, 1930, to said First and National Mortgage and by supplemental indenture, dated March 2, 1930, to said General Burlington & Quincy Railroad Company, the mortgages named in said First and National Mortgage and Great Northern Railway Company, the mortgage named in said General Gold Bond Mortgage were merged into a single mortgage to be filed in the Office of the Recorder of Deeds, \_\_\_\_\_ and \_\_\_\_\_

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PROPERTY OF COOK COUNTY CLERK'S OFFICE

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WHEREAS, by Supplemental Indenture (No. 12), dated as of March 2, 1970, to said Great Northern Railway Company General Gold Bond Mortgage, the lands, property and real estate of the former Chicago, Burlington & Quincy Railroad Company were subjected to the lien of said General Gold Bond Mortgage, and

WHEREAS, by Supplemental Indenture, dated as of March 2, 1970, to said Consolidated Mortgage, the lands, property and real estate of the former Chicago, Burlington & Quincy Railroad Company were subjected to the lien of said Consolidated Mortgage, subordinate to the prior liens of said First and Refunding Mortgage and said General Gold Bond Mortgage, and

WHEREAS, subsequent to name change of Burlington Northern Inc. to Burlington Northern Railroad Company on May 14, 1981, by three Supplemental Indentures each dated May 14, 1981, Burlington Northern Railroad Company has assumed and agreed to be bound by all of the covenants and conditions of said First and Refunding Mortgage, said General Gold Bond Mortgage and said Consolidated Mortgage and supplements thereto, and

WHEREAS, Burlington Northern Railroad Company, duly and in accordance with the provision of said three mortgages, has made application to the Trustees thereof for the release of said property from the lien thereof;

NOW, THEREFORE, THIS INDENTURE WITNESSETH that Citibank, N.A., as Trustee of said First and Refunding Mortgage and said General Gold Bond Mortgage, and Morgan Guaranty Trust Company of New York, as Trustee of said Consolidated Mortgage, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby forever release and discharge from the lien of said mortgages and all supplements thereto, respectively, and remise, release and quitclaim unto Burlington Northern Railroad Company, a corporation organized and existing under the laws of the State of Delaware, all of their respective rights, title, interest, claim or demand whatsoever said Citibank, N.A., and Morgan Guaranty Trust Company of New York may have acquired in, through, or by said Trust Mortgages, as such Trustees, in and to the property situate at Chicago,

County of Cook, and State of Illinois, more fully described in said Exhibit "A", hereto attached.

TO HAVE AND TO HOLD said property or real estate unto said Burlington Northern Railroad Company, its successors and assigns, free and clear and discharged of and from all liens and claims under said mortgages.

The recitals made herein are to be taken only as recitals made by Burlington Northern Railroad Company, and not by any of the mortgage trustees. The reservations and exceptions, if any, set forth in said Exhibit "A" are intended to be for the benefit of the mortgage trustees as well as Burlington Northern Railroad Company and the liens of the aforesaid mortgages on the rights and interests so reserved and excepted, if any, are not released, and nothing herein contained shall in anywise affect, alter or diminish the liens or encumbrances of the aforesaid mortgages on any of the properties covered by them respectively which are not hereby specifically released.

This release is made and accepted by said mortgage trustees without covenants or warranties, either expressed or implied in law or in equity, and shall be without recourse against such trustees or any of them in any event or in any contingency.

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WHEREAS, the undersigned... of March 18, 1881... the former Chicago, St. Paul & Northern Pacific Railway Company... and

WHEREAS, the undersigned... of March 18, 1881... the former Chicago, St. Paul & Northern Pacific Railway Company... and

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WHEREAS, the undersigned... of March 18, 1881... the former Chicago, St. Paul & Northern Pacific Railway Company... and

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IN WITNESS WHEREOF, said corporate mortgage trustees have caused this indenture to be signed and acknowledged or approved by one of their respective Senior Trust Officers or Trust Officers, and have caused their respective corporate seals to be hereunto affixed, and the same to be attested by the signatures of one of their respective Trust Officers or Assistant Secretaries, all as of the day and year first above written.

Signed, sealed and delivered on behalf of Citibank, N.A., as Trustee, in presence of:

E. Gilens  
E. GILENS  
J. D. Bowman  
J. D. Bowman

Signed, sealed and delivered on behalf of Citibank, N.A., as Trustee, in presence of:

E. Gilens  
E. GILENS  
J. D. Bowman  
J. D. Bowman

Signed, sealed and delivered on behalf of Morgan Guaranty Trust Company of New York, as Trustee, in presence of:

Frank Lo Castro  
FRANK LO CASTRO  
W. A. Spooner  
W. A. SPOONER

CITIBANK, N.A., as Trustee under First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, dated February 1, 1921

By [Signature]  
Senior Trust Officer  
S.D. MINEO

ATTEST: [Signature]  
Trust Officer  
MARK F. FERRARIS

CITIBANK, N.A., as Trustee under General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1921

By [Signature]  
Senior Trust Officer  
S.D. MINEO

ATTEST: [Signature]  
Trust Officer  
MARK F. FERRARIS

MORGAN GUARANTY TRUST COMPANY OF NEW YORK, as Trustee under Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1920

By [Signature]  
Trust Officer  
M. P. Kowalewski

ATTEST: [Signature]  
Assistant Secretary  
W. A. SPOONER

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COOK COUNTY, ILLINOIS  
FILED FOR RECORD

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IN WITNESS WHEREOF, I have caused this instrument to be signed and sealed and delivered on behalf of the Trust Company of New York, in presence of the undersigned Assistant Secretaries, all of the day and year first above written.

Signed, sealed and delivered on behalf of the Trust Company of New York, in presence of the undersigned Assistant Secretaries, all of the day and year first above written.

Signed, sealed and delivered on behalf of the Trust Company of New York, in presence of the undersigned Assistant Secretaries, all of the day and year first above written.

MARK F. FERRARIS  
Trust Officer

J. D. Bowman  
Trust Officer

MARK F. FERRARIS  
Trust Officer

J. D. Bowman  
Trust Officer

MARK F. FERRARIS  
Trust Officer

J. D. Bowman  
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J. D. Bowman  
Trust Officer

MARK F. FERRARIS  
Trust Officer

J. D. Bowman  
Trust Officer

W. A. SPOONER  
Assistant Secretary

MARK TO CASTRO  
Trust Officer

2111938

2111938

NOT RECORDED

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STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss  
CITY OF NEW YORK )

On this 30<sup>th</sup> day of October, in the year 1986, before me, ENZO L. CARBOCCI, a notary public personally appeared S.D. MINEO, to me known to be a Senior Trust Officer of Citibank, N.A., one of the corporations which executed the foregoing instrument and who being duly sworn did say that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal this 30<sup>th</sup> day of October, 1986.

*Enzo L. Carbocci*  
Notary Public, City, County and State of New York. My commission expires:

Notary Public, State of New York  
No. 4654931  
Qualified in District of Columbia  
Certificate Filed in New York County  
Term Expires March 30, 1988

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss  
CITY OF NEW YORK )

On this 17<sup>th</sup> day of November, in the year 1986, before me, MARYANN KRASS, a notary public, personally appeared M. F. Kowalewski, to me known to be a Trust Officer of Morgan Guaranty Trust Company of New York, one of the corporations which executed the foregoing instrument, and who being duly sworn did say that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said M. F. Kowalewski, acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal this 17<sup>th</sup> day of November, 1986.

*Maryann Krass*  
Notary Public, City, County and State of New York. My commission expires:

MARYANN KRASS  
Notary Public, State of New York  
No. 4654931  
Qualified in New York County  
Commission Expires Mar. 24, 1988

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STATE OF NEW YORK  
COUNTY OF NEW YORK  
CITY OF NEW YORK

On this 17th day of June, 1938, in the year 1938, before me, a Notary Public, personally appeared **EMSO L. CARDOCCI**, known to me to be a single man, who declared to me that he was the owner of the shares of the capital stock of the corporation known as the **EMSO L. CARDOCCI TRUST COMPANY**, and that he had authorized the undersigned to execute and deliver the instrument in and to the said corporation, and he acknowledged said instrument to be his free act and deed of said corporation.

Given under my hand and official seal this 17th day of June, 1938.

Notary Public, State of New York  
Qualified in New York County  
Commission Expires Mar. 24, 1939

STATE OF NEW YORK  
COUNTY OF NEW YORK  
CITY OF NEW YORK

On this 17th day of June, 1938, in the year 1938, before me, a Notary Public, personally appeared **MARYANN BRASS**, known to me to be a single woman, who declared to me that she was the owner of the shares of the capital stock of the corporation known as the **MARYANN BRASS TRUST COMPANY**, and that she had authorized the undersigned to execute and deliver the instrument in and to the said corporation, and she acknowledged said instrument to be her free act and deed of said corporation.

Given under my hand and official seal this 17th day of June, 1938.

Notary Public, State of New York  
Qualified in New York County  
Commission Expires Mar. 24, 1939

**MARYANN BRASS**  
Notary Public, State of New York  
No. 4882881  
Qualified in New York County  
Commission Expires Mar. 24, 1939

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Property of Cook County Clerk's Office



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## EXHIBIT "A"

BN 7911

CHICAGO, ILLINOIS - Sale of former CB&Q property to Chicago Perforating Company.

Lot 70 and the East 15 feet of Lot 71, in the Subdivision of Block 9, in S. J. Walker's Subdivision of the NE $\frac{1}{4}$  of Section 25, Township 39 North, Range 13 East of the 3rd Principal Meridian, Cook County, Illinois.

✓ 16-25-216-002 BBo  
mc ALL  
✓ property address: 24<sup>th</sup> Place and  
Western Ave,  
chgo,

Property of Cook County Clerk's Office

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CHICAGO, ILLINOIS

1911

CHICAGO, ILLINOIS - State of Illinois - Chicago Forwarding Company

Case of Charles F. ...  
Case of ...  
Case of ...

Property of Cook County Clerk's Office

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Property of Cook County Clerk's Office

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BN 7911	Chicago	Cook	Illinois	Release of Mortgage covering sale of land to Chicago Perforating Company
File	Station	County	State	Remarks
MAPS	Property Management		Engineering	V. S.
				Purchase No.

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Property of Cook County Clerk's Office