COOK COUNTY, ILLINUIS FILED FOR RECERD

1988 NOV -9 PM 1: 33

28518486

Location 1043

#### LEASE TERMINATION AGREEMENT

This Lease Termination Agreement is entered into as of this 12th day of July, 1988, between Harris Trust and Savings Bank, not personally, but solely as Trustee under Trust Agreement dated January 18, 1988 and known as Trust No. 94030 ("Lessor") and Harris Trust and Savings Bank, not personally, but solely as Trustee under Trust Agreement dated January 15, 1980 and known as Trust No. 40174 ("Lessee").



### RECITALS

- A. On December 9, 1980, PAG, Inc. and Lessee entered into a certain Lease Agreement (the "Lease"), which Lease demised the property located at 405 Rand Road, Arlington Heights, Illinois and legally described on Exhibit A attached hereto (the "Property"), and certain other property, from PAG, Inc. to Lessee. A Memorandum of the Lease was recorded with the Cook County Recorder of Deeds as Document 25718100.
- B. PAG, Inc.'s interest as the lessor under the Lease has been subsequently assigned to Lessor.
- B. On April 19, 1988, Lessor and Home Savings of America, a federal savings and loan association ("Buyer"), entered into a certain Real Estate Sale Contract (the "Sale Contract"), under which Sale Contract Lessor agreed to sell the Property to Buyer and Buyer agreed to purchase the Property from Lessor. The Sale Contract also provided that Lessor and Lessee would enter into this Termination.

### AGREEMENTS

NOW, THEREFORE, in consideration of the Recitals, which are hereby incorporated into and made a part of this Termination, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. The Lease is hereby terminated and declared null, void and of no further force and effect, as the Lease relates to the Property legally described on Exhibit A attached hereto.

8851848

Property of Cook County Clerk's Office

### eny liability of Harm Print and Savings Bank, stamped on the re-

verse sale hereof, is hereby expressly made a part hereof.

Lessor and Lessee, for themselves and their beneficiaries, agents, successors and assigns, do hereby release from liability and agree not to make any claim, institute any action, suit in equity or at law or under any statute or otherwise, against each other or any beneficiaries, parents, subsidiaries, agents, employees, legal counsel, successors or assigns of each other, arising out of or related to each other's actions or omissions under or related to the Lease and the Property.

IN WITNESS WHEREOF, this Lease Termination Agreement was executed as of the date first above written.

LESSOR:

HARRIS TRUST AND SAVINGS BANK, not personally, but solely as Trustee under Trust Agreement dated January 18, 1988 and known as Trust No. 94030

LESSEE:

HARRIS TRUST AND SAVINGS BANK, not personally but solely as Trustee under Trust Agreement dated January 15, 1980 and known as Trust No. 40174

By: By: *9)* ATTEST: ATTEST: By: By: Its Little Als . Its: Abul

98rgysap

It is a pressly understood and agreed by and between the parties herets now ming berein to the contrary notwither and that each and ell of the intermediate in indemnation underterings and invest of the feature troops from investigations carried the feature troops from investigations carried to the feature troops from investigations carried to the feature troops from investigations are troops from investigations. namentes copresentations, covenants indemotives undestablings and agreements herein made on the part of the boards frost and No. 195 hank indemnities, undertakings and according to oil said Hatris Trust and Sex ogs Bank are nevertheld and in and every role of them made and ottended act as personal warranties in coloring coverants enternation, indevisings and agreements by the store the country sources flank or for the pary time of with the intention of tracking and items, fourt and Savings front a frontity but are made and intensectly as if a for protected binding that portion of the trust property specifician discovered heroit, and this instrument is critically and delivered by the filterial free Can'd Savings bank not in its imm right, but soley in the exercise of the power earliered upon it by ontak of the land trust agreement, and that no personal liability or personal responsibility is assumed by, nor shall ut any time be excerted or enforce-ble against the flares frust and Seving. Little in elections of this distributed of on account of any warranters, representations, indemnitier, co-coasts, undertakings or agreements in this instrument contained, either expressed or implied; all such personal liability, if any, being expressly was a and released by the other parties to this instrument and by all persons claiming by, through, or under said parties. The parties to this instrument hereby, acknowledge that under the terms of the land trust agreement the Harris Trust and Savings Bank has no obligations or duties in regard to the operation. management and control of the trust premises, nor does it have any possessory interest therein; and that said bank has no right to any of the rents, avails and proceeds from said trust premises. Notwithstanding anything in this instrument contained the Harris Trust and Savings Bank is not the agent for the Beneficiary of its trust and in the event of any conflict between the provisions of this exculpatory paragraph and the body of this instrument, the provisions of this paragraph shall control.

Office

STATE OF ILLINOIS) SS COUNTY OF COOK DAWN M. LESNIAK a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that HERMAN A. KOLE , the Vive President of Harris Trust & Savings Bank, not personally, but solely as Trustes under Trust Agreement dated January 15, 1980, and known as Trust Number 40174 and JAMES J. PERNER ABBIBTANT BEGNETANY of said Bank, as Trustee as aforesaid, porsonally known to me to be the same persons whose names are subscribed to the foregoing instrument as such "Loc Proplant and respectively, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth. GIVEN under my hand and Notarial Seal, this Althay of July, 1988. "OFFICIAL SEAL" Dawn M. Lesniak Notary Public, State of Illinois My Commission Expires 11/13/91 My Commission Expires: SOM CO

88518486

STATE OF ILLINOIS) SS
COUNTY OF COOK )
B.1110.
I, DAWN M. LESNIAK , a Notary Public,
in and for said County, in the State aforesaid, DO HEREBY CERTIFY that HERMAN A. KOLE , the Vice Prostument
of Harris Trust & Savings Bank, not personally, but solely as
Trustee under Trust Agreement dated January 18, 1988, and known as Trust Number 94030 and JAMES J. PERNER , the
Assistant Discretary of said Bank, as Trustee as aforesaid,
personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such
Viue : ros ident and Remember under the respectively,
appeared before he this day in person and acknowledged that they signed and delivered said instrument as their own free and
voluntary act and as the free and voluntary act of said Bank,
as Trustee as aforesail, for the uses and purposes therein set forth.
GIVEN under my hand and Notarial Seal, this 12 day
Given under my name and notarial seal, this live day
of July, 1988.
of July, 1988.
of July, 1988.
"OFFICIAL SEAL" Dawn M. Lesnink  David M. Jesnink
of July, 1988.  "OFFICIAL SEAL"
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, State of Illinois My Commission Expires 11/13/91
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, Statz of Illinois My Commission Expires 11/13/91  My Commission Expires:
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, Statz of Illinois My Commission Expires 11/13/91  My Commission Expires:
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, Statz of Illinois My Commission Expires 11/13/91  My Commission Expires:
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, Statz of Illinois My Commission Expires 11/13/91  My Commission Expires:
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, Statz of Illinois My Commission Expires 11/13/91  My Commission Expires:
"OFFICIAL SEAL" Dawn M. Lesnink Notary Public, State of Illinois My Commission Expires 11/13/91

## UNOFFICIAL, COPY, ,,

#### EXHIBIT A

THAT PART OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SECTION 17 THAT IS 637.6 FEET EAST OF THE SOUTH WEST CORNER OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17 AFORESAID THENCE EAST ON SOUTH LINE OF SECTION 17, 408.64 FEET TO CENTER OF RAND ROAD: THENCE NORTHWESTERLY ALONG CENTER LINE OF RAND ROAD, 500 FEET, THENCE SOUTHWESTERLY IN STRAIGHT LINE 333.10 FEET TO THE PLACE OF BEGINNING (EXCEPT THAT PART OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF 100 FOOT RIGHT OF WAY OF RAND ROAD WITH THE NORTH LINE OF THE SOUTH 33 FEET OF SAID SECTION: THENCE NORTHWESTERLY ON SOUTHWESTERLY LINE AFORESAID 50 FEET: THEY'CE SOUTHWESTERLY TO A POINT ON THE NORTH LINE OF THE SOUTH 33 FEET AFORESAID 50 FEET WEST OF THE PLACE OF BEGINNING: THENCE EAST TO THE PLACE OF BEGINNING), ALL IN County Clarks COOK COUNTY, ILLINOIS.

455 Rand Road, Arlington Heights, Illinois Address:

PIN: 03-17-303-014-0000

This Instrument Prepared by and Return after Recording to:

BOX 333 - GG

Kevin D. Kline Hopkins & Sutter Three First National Plaza Chicago, Illinois 60602