

UNOFFICIAL COPY

ORIGINAL
(Cook County)

88601506

RECONVEYANCE DEED

\$20.00

(1D)

THIS RECONVEYANCE DEED made as of the 31st day of OCTOBER, ¹⁹⁸⁸~~1987~~, by Soo Line Railroad Company, a Minnesota corporation ("Soo"), in favor of CMC Real Estate Corporation, a Wisconsin railroad corporation ("CMC Real Estate"),

WITNESSETH

WHEREAS, Richard B. Ogilvie, not personally, but solely as Trustee of the property of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company ("Trustee"), by a Quitclaim Deed (the "Original Deed") dated February 19, 1985, recorded in the Office of the Recorder for DuPage County, Illinois, as Document Number R86-11632, and in the Office of the Recorder for Cook County, Illinois, as Document Number 85330849, a copy of which is annexed hereto and incorporated herein by reference, conveyed the property described therein (the "Property") to SLRCO, Inc., a Minnesota corporation ("SLRCO"), pursuant to the terms of an Asset Purchase Agreement dated April 6, 1984 as amended and modified by a letter agreement dated February 19, 1985 between Trustee, Soo, and SLRCO.

WHEREAS, the Original Deed contained certain inaccuracies as to the property to be conveyed to Soo.

WHEREAS, on February 27, 1985, the name of SLRCO was changed to The Milwaukee Road Inc. ("TMRI"), and on December 31, 1985, TMRI (formerly known as SLRCO) was merged into Soo.

Re. Deed #61 (Cook & DuPage)
8/18/87
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WHEREAS, CMC Real Estate was formerly known as Chicago, Milwaukee, St. Paul and Pacific Railroad Company, a Wisconsin railroad corporation.

WHEREAS, CMC Real Estate is the successor in interest to the Trustee pursuant to Order Number 866 entered in In the Matter of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Case No. 77 B 8999, pending in the United States District Court for the Northern District of Illinois, Eastern Division (the "Reorganization Court").

WHEREAS, CMC Real Estate and Soo Line Corporation, a Minnesota corporation ("Soo Line"), the parent corporation of Soo, have entered into an agreement whereby Soo Line has agreed to cause Soo to reconvey the Property and certain other property to CMC Real Estate whereupon CMC Real Estate will execute and deliver corrective deeds to Soo correcting the Original Deed and certain other deeds.

WHEREAS, the said agreement was approved by the Reorganization Court by Order Number 917.

NOW, THEREFORE, in consideration of the premises, the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Soo hereby conveys and quitclaims to CMC Real Estate without any covenants or warranties of title whatsoever, and without recourse to Soo, all of Soo's right, title and interest, legal and equitable, in and to the Property, including, without limitation for lack of specific

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enumeration, all estates, roadbeds, right-of-way, station grounds, railroad yards, lines of railroad, and fixtures thereon and all appurtenances thereto, which will not include rolling stock, locomotives and equipment, to have and to hold unto CMC Real Estate, its successors and assigns forever. It is Soo's intention that this Reconveyance Deed shall reconvey to CMC Real Estate all right, title, and interest acquired by Soo under the Original Deed.

TOGETHER WITH, and including without limitation for lack of specific enumeration, all of Soo's interest, if any, in and to the following:

- (a) Adjoining streets, alleys, roads and highways, whether heretofore or hereafter vacated;
- (b) Reversions, remainders and future estates, rights and interests;
- (c) Rights in coal, oil and gas and minerals, of whatsoever kind or nature now known to exist, or hereafter discovered, in or on the Property; and
- (d) All structures, fixtures and improvements located thereon, including, without limitation, all trackage, industrial sidings, buildings, bridges, trestles, culverts, viaducts, right-of-way fences, signal and communication facilities, electrical facilities and equipment, and all appurtenances of and to the foregoing, of whatsoever kind and description, irrespective of how classified or affixed.

Further, Soo reconveys to CMC Real Estate, and hereby extinguishes, the easements acquired by Soo (or its predecessors in title) pursuant to the Original Deed.

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This Reconveyance Deed is executed and delivered by Soo pursuant to a duly adopted resolution of the Board of Directors of Soo and pursuant to Order Number 917 of the Reorganization Court.

IN WITNESS WHEREOF, Soo has caused its corporate seal to be affixed, and has caused its name to be signed to these presents by its Chairman and Chief Executive Officer and attested to by its Secretary as of the day and year first above written.

SOO LINE RAILROAD COMPANY
a Minnesota corporation

By: 

Dennis M. Cavanaugh

Its: Chairman and Chief Executive Officer

ATTEST:

By: 

Fern B. Albers

Its: Secretary

Drafted by:

Glenn Olander-Quamme
Soo Line Railroad Company
P.O. Box 530
Minneapolis, MN 55440

After recording return to:

Please return to: Tom Gray/JO
Ticor Title Insurance Co.
203 N. LaSalle St., Suite 1400
Chicago, IL 60601
Re: A-4927-14

1988 DEC 31 PM 1:04

COOK COUNTY CLERK'S OFFICE

28691506

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ACKNOWLEDGEMENT OF RECONVEYANCE DEED

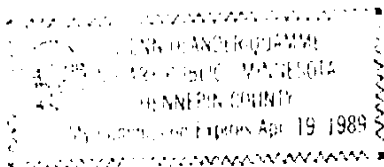
STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN)

I, GLENN CLANDER QUAMME, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Dennis M. Cavanaugh, personally known to me to be the Chairman and Chief Executive Officer of Soo Line Railroad Company, a Minnesota corporation, and Fern B. Albers, 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 they signed and delivered the said instrument as Chairman and Chief Executive Officer 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 20th day of December, ~~1987~~ 1988.

[Signature]
Notary Public

My Commission Expires:
4/19/89



Hennepin County Clerk's Office

GOQ.009

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85330819

QUIT CLAIM DEED

853308

QUIT CLAIM DEED made this 19th day of February, 1985, between:

1985, between:

RICHARD B. OGILVIE, the duly appointed, confirmed, qualified and acting Trustee of the Property of the CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, Debtor, acting not as an individual but solely as said Trustee under the authority of the Court in certain proceedings for the Reorganization of a Railroad under amended Section 77 of the Federal Bankruptcy Act in the United States District Court for the Northern District of Illinois, Eastern Division ("Court") entitled "In the Matter of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor," Case No. 77-B-8999; the GRANTOR

and

SLRCO, Inc., a corporation organized and existing under the laws of the State of Minnesota, whose address is Soo Line Building, Fifth and Marquette, Minneapolis, Minnesota 55440; the GRANTEE

W I T N E S S E T H:

Pursuant to Order No. 809 entered February 19, 1985 by the Court in said Case No. 77-B-8999, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration to GRANTOR in hand paid by the GRANTEE, the receipt and sufficiency whereof is hereby acknowledged by the GRANTOR, the GRANTOR hereby CONVEYS AND QUIT CLAIMS unto GRANTEE, its successors and assigns, free from all liens, security interests and encumbrances, except as provided in said Order, without any covenants or warranties of title whatsoever, and without recourse to the GRANTOR, all of the GRANTOR's right, title and interest, legal and equitable, whatsoever, in and to the real property, estates, roadbed, right-of-way, station grounds, railroad yards, lines of railroad, fixtures and all appurtenances thereto, including those easements granted hereunder, all as described in Schedule A attached hereto and by reference made a part hereof, situated in the County of Cook in the State of Illinois.

Property of Cook County Clerk's Office

Preempt. under Real Estate Transfer Tax Act, Sec. 9-104 Par. (1) of Cook County Ord. 95104 Par. (1)

Date 12-11-85 Sign. [Signature]

1986 FEB -5 AM 10:30

1186 - 11632

RECORDER OF DEEDS COOK COUNTY

[Signature]

85330819

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Please return to: Tom Gray/JO
Ticor Title Insurance Co.
203 N. LaSalle St., Suite 1400
Chicago, IL 60601
Re: A-4927-14

Together with, and including without limitation for lack of specific enumeration, all of the GRANTOR's interest, if any, which the GRANTOR may have in and to the following:

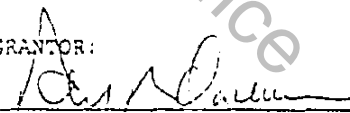
- (1) As to Property Conveyed to GRANTEE, but not including Property Excepted (as the same are described in Schedule A):
 - (a) Adjoining streets, alleys, roads and highways, whether heretofore or hereafter vacated;
 - (b) Reversions, remainders and future estates, rights and interests; and
 - (c) Rights in coal, oil and gas and minerals, of whatsoever kind or nature now known to exist, or hereafter discovered, in or on the said Property Conveyed to Grantee.
- (2) As to Property Conveyed to GRANTEE and including Easements Granted to GRANTEE (as the same are described in Schedule A):

All structures, fixtures and improvements located thereon, including, without limitation, all trackage, industrial sidings, buildings, bridges, trestles, culverts, viaducts, right-of-way fences, signal and communication facilities, electrical facilities and equipment, and all appurtenances of and to the foregoing, of whatsoever kind and description, irrespective of how classified or affixed.

All of the rights and obligations created hereunder shall inure to, and be enforceable by, the respective grantees and successors and assigns of the GRANTOR and GRANTEE.

IN WITNESS WHEREOF, this instrument is executed by the GRANTOR, RICHARD B. OGILVIE, not as an individual but solely in his capacity as Trustee of the Property of the CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, Debtor; ~~and by the GRANTEE~~ the day and year first above written.

GRANTOR:


RICHARD B. OGILVIE, not as an individual but solely as Trustee of the Property of the CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, Debtor

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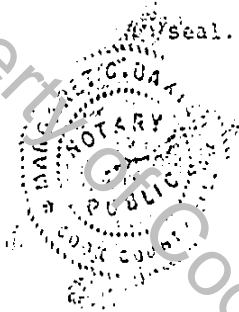
0085330849

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

On this 19th day of February, 1985, before me, the undersigned, a Notary Public in and for said County and State aforesaid, personally appeared RICHARD B. OGILVIE, not as an individual but solely as Trustee of the Property of the CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, Debtor, to me known to be the identical person named in, and who executed, the foregoing Quit Claim Deed, dated February 19, 1985, and acknowledged that he executed the same as his voluntary act and deed as Trustee as aforesaid, pursuant to the authority granted to him as Trustee in said Order No. 909.

IN WITNESS WHEREOF, I have set my hand and official

Seal.



Margaret C. Baxter
Margaret C. Baxter

Notary Public, Cook County, Illinois

My Commission expires July 23, 1988.

Grantor's PIN is 36-6000639

This instrument was prepared by:

Margaret C. Baxter
Isham, Lincoln & Beale
Three First National Plaza
Chicago, Illinois 60602

Property of Cook County Clerk's Office

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SCHEDULE OF PROPERTY
BETWEEN FRANKLIN PARK AND BENSENVILLE, ILLINOIS
VALUATION SECTION ILLINOIS 6

All that part of the Grantor's real property in the NW¹/₄SW¹/₄ and westerly 450 feet of the NE¹/₄SW¹/₄ of Section 27; the NE¹/₄NE¹/₄ of Section 28; the S¹/₄SE¹/₄, SE¹/₄SW¹/₄ and N¹/₄SW¹/₄ of Section 21; the N¹/₄SE¹/₄, S¹/₄NE¹/₄, E¹/₄SW¹/₄, NW¹/₄SW¹/₄, and the NW¹/₄ of Section 20; the NE¹/₄SE¹/₄, W¹/₄SE¹/₄, and the NE¹/₄ of Fractional Section 19; the S¹/₄SE¹/₄ and the S¹/₄SW¹/₄ of Fractional Section 18; all in Township 40 North, Range 12 East of the 3rd Principal Meridian in Cook County, Illinois lying southerly of a line parallel to and distant 8.5 feet southerly of as measured perpendicular to the centerline of the Grantor's number two (2) main track.

ALSO

All that part of the Grantor's real property in the NE¹/₄SE¹/₄, NE¹/₄, SE¹/₄SW¹/₄ and the N¹/₄SW¹/₄ of Section 20; the NE¹/₄NE¹/₄ of Fractional Section 19; the S¹/₄SE¹/₄ and S¹/₄SW¹/₄ of Fractional Section 18; all in Township 40 North, Range 12 East of the Third Principal Meridian in Cook County, Illinois, lying northerly of a line parallel to and distant 50 feet northerly of as measured perpendicular to the centerline of the Grantor's number two (2) main track.

ALSO

All that part of the Grantor's real property in the SE¹/₄, E¹/₄SW¹/₄ and the E¹/₄NW¹/₄SW¹/₄ of Section 13, Township 40 North, Range 11 East of the 3rd Principal Meridian in DuPage County, Illinois, lying southerly of a line parallel to and distant 8.5 feet southerly of as measured perpendicular to the centerline of the Grantor's number two (2) main track.

All of which is more particularly described on right of way and track map V.ILL.6/2, and on station maps V.ILL.6/S-1d and S-1e (Franklin Park); V.ILL.6/S-2, S-2b and S-2c (Bensenville Yard), all of which are included herein and made a part hereof by reference.

PROPERTY EXCEPTED - SUBJECT TO EASEMENTS GRANTED TO GRANTEE

EXCEPTING, HOWEVER, all that part of the Grantor's real property in the NW¹/₄NW¹/₄ of Section 27; the NE¹/₄NE¹/₄ of Section 28; the W¹/₄SE¹/₄SE¹/₄ and E¹/₄SE¹/₄SE¹/₄ of Section 21, all in Township 40 North, Range 12 East of the 3rd Principal Meridian lying southerly of a line parallel to and distant 50 feet southerly of as measured perpendicular to the centerline of the Grantor's number two (2) main track. SUBJECT, HOWEVER, to the following easement: GRANTOR hereby grants to GRANTEE an easement of sufficient width required for the continued use, repair, maintenance, operation, reconstruction and replacement of the track and facilities and appurtenances thereto presently located thereon which are utilized or held for use in the conduct of the Railroad; upon cessation of use for the period of twelve (12) consecutive months, or prior removal or relocation thereof, this easement shall be extinguished without further action of the parties, and GRANTEE, at GRANTEE's expense, shall promptly remove the same; failing which, GRANTOR may give GRANTEE written notice to remove same, and, except for occurrences of force majeure, if not removed within one hundred twenty (120) days from and after the date of GRANTEE's receipt of said notice, such shall be deemed abandoned and shall become the property of the GRANTOR in place. Following such abandonment, removal or relocation, upon written notice by GRANTOR to GRANTEE, GRANTEE agrees to execute such document or documents as may be furnished by GRANTOR to remove the foregoing easement as an exception to GRANTOR's title and to deliver such document or documents to GRANTOR at, or prior to, the expiration of the aforesaid one hundred twenty (120) day period.

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SCHEDULE B

Permanent Index Nos - (Cook County)

12-18-501-001; 12-18-300-029; 12-18-300-029; 12-18-300-016;
12-18-400-003; 12-18-400-007; 12-18-400-010; 12-18-400-009;
12-19-100-001; 12-19-200-002; 12-19-501-001; 12-19-201-010;
12-20-100-001; 12-20-500-001; 12-20-500-001; 12-20-101-014;
12-20-101-001; 12-20-400-003; 12-20-400-007; 12-20-400-005;
12-20-400-020; 12-20-400-021; 12-20-400-022; 12-20-400-023;
12-21-500-003; 12-23-500-001; 12-27-500-001.

Location:

Railrad Yard north of Franklin Avenue between County Line Road and Lombard Avenue in Franklin Park, Illinois.

Permanent Index Nos: (DuPage County)

03-01-504-002; 0301-504-003;
03-01-504-004;

Location:

Railroad yard north of Green Street between County Line Road and York Road in Bensenville, Illinois.

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Property of Cook County Clerk's Office

Please return to: Tom Gray/JO
Ticor Title Insurance Co.
203 N. LaSalle St., Suite 1400
Chicago, IL 60601
Re: A-4927-14

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