

# UNOFFICIAL COPY

RELEASE DEED NO. 85511 Authorization No. P-1496  
88099890

THE GRANTOR, CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, whose principal office is located at 165 North Canal Street, Chicago, Illinois, for the consideration of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,500.00), conveys and quitclaims to FREDERIC C. WERTYMER of 9435 Drake Avenue, Evanston, Illinois, GRANTEE, all interest in the following described real estate situated in the City of Evanston, County of Cook, and the State of Illinois, to wit:

Lot 1 in Ensrec Subdivision of part of the Northwest Quarter of the Northwest Quarter of Section 18, Township 41 North, Range 14 East of the Third Principal Meridian, and part of the Northeast Quarter of the Northeast Quarter of Section 13, Township 41 North, Range 13 East of the Third Principal Meridian, in the City of Evanston, in Cook County, Illinois.

11-18-106-028 0000  
CBI

The purpose of this deed is to release the above described real estate from the following reservation and restriction as contained in that certain deed dated September 18, 1959, bearing Deed No. 68667 from Chicago and North Western Railway Company (Chicago and North Western Transportation Company, successor in interest) to Arthur E. Friedman (Frederic C. Wertymer, successor in interest) recorded in Cook County, Illinois on November 6, 1959, as Document No. 17705942:

- (1) Excepting and reserving, however, unto the party of the first part, its successors and assigns forever, the ownership of all the coal, oil, gas, casinghead gas, and all minerals of every kind and nature, in, on or under the surface of the land hereinabove described, together with the full right and license, at any and all times, to remove same without interference to the surface of the land or the buildings thereon;
- (2) By the acceptance of this conveyance the party of the second part, for himself, his heirs and assigns, hereby agrees that the Easterly five (5) feet of the land hereinabove conveyed shall be left free from all buildings, structures, shrubbery, etc., and also agrees that the party of the first part, its successors and assigns may enter upon said five (5) foot strip at any time for inspection, repair, maintenance and renewal of its retaining wall adjoining the Easterly line of the land hereinabove conveyed;

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By the acceptance of this instrument, Grantee, for himself, his heirs, transferees and assigns, hereby:

- (1) agrees to and does henceforth indemnify and save harmless, Grantor, its successors and assigns, from and against any and all losses, claims, demands, suits, or liabilities arising by reason of the injury to or death

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of any person whomsoever, while on or about the aforesaid premises, and for any and all losses, claims, demands, suits or liabilities arising by reason of the loss or damage to the property of any person whomsoever, while on or about the aforesaid premises, even though Grantor, its successors and assigns, may, by the operation of Grantor's railway company or facilities, have caused or contributed thereto.

- (2) agrees to reimburse Grantor, its successors and assigns for all cost and expense in connection with the reasonable maintenance or renewal of Grantor's above described retaining wall adjoining the above described real estate and further agrees to advance to Grantor, Grantor's estimate of the cost and expense of such reasonable maintenance or renewal work when such work is in Grantor's judgment necessary with adjustment to be made upon completion of any such work.

Except as herein modified, said deed dated September 18, 1959 is hereby ratified and confirmed. \_\_\_\_\_

DATED this 25th day of November, 1987.

Signed, Sealed and Delivered in Presence of:

Gerthelia Bryant

Penny Menchey

CHICAGO AND NORTH WESTERN  
TRANSPORTATION COMPANY

By Robert W. Mickey  
Robert W. Mickey, Vice President

Attest J. J. Stourae  
J. J. Stourae, Assistant Secretary

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STATE OF ILLINOIS)  
COUNTY OF COOK } SS

I, RICHARD S. KENNERLEY, a Notary Public duly commissioned and qualified in and for the County and State aforesaid, DO HEREBY CERTIFY that ROBERT W. MICKEY and J. J. STOURAC, to me personally known and known to me to be, respectively, Vice President and Assistant Secretary of CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, and the identical persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and being first duly sworn by me, severally acknowledged to me that they are, respectively, Vice President and Assistant Secretary of said corporation; that as such officers they signed, sealed and delivered said instrument in behalf of said corporation by authority and order of its Board of Directors, as the free and voluntary act and deed of said corporation, and as their own free and voluntary act; that the seal affixed to said instrument is the seal of said corporation; and that said corporation executed said instrument for the purposes therein set forth.

RECORDED  
TWILLI TRAN 4444 03/09/88 11:38:00  
#9178 # 2 \*--23-097590  
COOK COUNTY RECORDER

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as such Notary Public, at Chicago, Illinois, this 25th day of November, 1987.

*Richard S. Kennerley*  
Notary Public, in and for the County of Cook, in the State of Illinois  
RICHARD S. KENNERLEY

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My Commission Expires: November 8, 1988

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
DEPT. OF REVENUE  
00.75

This instrument was prepared by Chicago and North Western Transportation Company, 165 North Canal Street, Chicago, Illinois 60606.

L-30-1

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13<sup>00</sup> MAIL

OVER  
For MAILING

MAIL TO: **UNOFFICIAL COPY**

FRED WERTYMER  
9435 DRAKE AVE  
EVANSTON, IL  
60203

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