

COOK COUNTY, ILLINOIS
FILED FOR RECORD

STATE OF ILLINOIS)

COUNTY OF KANE)

1991 JUN 19 PM 12:45

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WAIVER AND RELEASE OF
COVENANTS AND RESTRICTIONS

THIS AGREEMENT, made effective as of the 14TH day of June, 1991, by and between ELOISE J. SCHICK, of Lodi, Wisconsin, hereinafter referred to as "Grantor" and IMMANUEL EVANGELICAL LUTHERAN CHURCH, MISSOURI SYNOD, a religious corporation of Illinois, of Bartlett, Illinois, hereinafter referred to as "Grantee"

WHEREAS, Grantee is now the owner of the following described real property located in Bartlett, Illinois:

Of that part of the Southwest 1/4 of Section 36, Township 41 North, Range 9 East of the Third Principal Meridian described as follows: Beginning at the Southeast corner of the Southwest 1/4 of the Southwest 1/4; thence Westerly along the South line of said Southwest 1/4, a distance of 492.07 feet; thence Northerly parallel with the East line of the Southwest 1/4 of said Southwest 1/4 a distance of 489.03 feet to the Southerly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence Southeasterly along said Southerly right of way line a distance of 498.78 feet to the East line of the Southwest 1/4 of said Southwest 1/4; thence Southerly along said East line a distance of 396.4 feet to the place of beginning, containing 5.000 acres more or less; hereinafter referred to as the "Subject Premises".

1116 DEVON AVE, BARTLETT, ILL 60103 (6-39-310-035

WHEREAS, Grantee has requested that Grantor release the covenants and restrictions contained in the Deed recorded as Document 18913208 conveying the Subject Premises and in a Modification Agreement recorded as Document 21033017; and

WHEREAS, Grantor is the sole legal heir of William R. Leiseberg and Dora A. Leiseberg.

THEREFORE, in consideration of the above recitals, the terms and covenants of this Waiver and Release of Covenants and Restrictions, and other valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Grantor hereby consents and agrees that the covenants and restrictions contained in the Deed recorded as Document 18913208 and in the Modification Agreement recorded as Document 21033017 be and the same hereby are waived and released and the Subject Premises shall forthwith be free of such covenants and

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restrictions (and the reverter provisions for violation thereof) as if such covenants and restrictions had never been made;

2. Grantee agrees to the foregoing waiver and release of the covenant and restrictions contained in said Deed and Modification Agreement; and

3. This agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind proceeding the date of this agreement shall not be binding upon either party, except to the extent incorporated in this agreement.

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed at Elgin, Illinois, on the date indicated below.

GRANTOR:

GRANTEE:

IMMANUEL EVANGELICAL LUTHERAN CHURCH, MISSOURI SYNOD, BARTLETT, ILLINOIS

Eloise J. Schick
ELOISE J. SCHICK

By: Fritz H. Miller
Its: EXECUTIVE DIRECTOR

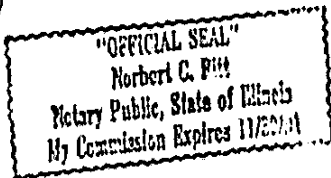
Attest:

Catherine D. Selpien
Secretary (SEAL)

State of Illinois)
) ss:
County of Kane)

I, the undersigned, notary public, appointed in the county and state aforesaid, do hereby certify that Eloise J. Schick, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed and delivered the said instrument as her free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 14th day of June, 1991.



Norbert C. Pitt
Notary Public

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State of Illinois)
County of Cook) SS:

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that Erin Miller Executive Director of Immanuel Evangelical Lutheran Church, Missouri Synod, a religious corporation of Illinois, Bartlett, Illinois, and Catherine Selph Secretary of said corporation, 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 acknowledged that they signed and delivered 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 _____ Secretary then and there acknowledged that he/she, as custodian of the seal of said corporation, did affix the seal to the foregoing instrument as his/her free and voluntary act and the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 30th day of June, 1991.

D. C. BYRD
Notary Public
NOTARIAL SEAL
D. C. BYRD
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 1-13-93

PREPARED BY:

Attorney Norbert C. Ritt
RITT & DALTON, P.C.
1130 North McLean Blvd.
Elgin, IL 60123

MAIL TO:
SUBURBAN BANK OF BARTLETT
335 S. MAIN
BARTLETT, ILL 60103

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