

# UNOFFICIAL COPY

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## MUTUAL GENERAL RELEASE

DEPT-01 RECORDING \$29.50  
 T41111 TRAN 0536 06/25/92 14:47:00  
 #8152 + @ \*-92-462788  
 COOK COUNTY RECORDER

KNOW ALL MEN BY THESE PRESENTS, that TED BAK, d/b/a T.C. BAK AND ASSOCIATES, of Barrington, Illinois, for and in consideration of the sum of NINETY-THREE THOUSAND ONE HUNDRED EIGHTY DOLLARS AND 38/100ths (\$93,180.38), SIXTY-FOUR THOUSAND ONE HUNDRED EIGHTY DOLLARS AND 38/100ths (\$64,180.38) having been previously paid to TED BAK, d/b/a T.C. BAK AND ASSOCIATES, by FISCHBACH PROPERTIES, INC., and TWENTY-NINE THOUSAND DOLLARS (\$29,000.00) to be paid after the execution of this Mutual Release by all parties hereto; and FISCHBACH PROPERTIES, INC., of New York, New York, CHICAGO TITLE AND TRUST COMPANY, as Trustee of a Deed of Trust and Security Agreement for the benefit of BAI BANKING CORPORATION, said Deed of Trust, having been recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 87379006, and each of them, for and in consideration of release of a Mechanics Lien Claim recorded as Document No. 89-402865 in Cook County, Illinois, and dismissal of a case entitled TED BAK, d/b/a T.C. BAK AND ASSOCIATES v. FISCHBACH PROPERTIES, INC., et al., pending in the Circuit Court of Cook County, Illinois as Case No. 89 CH 10351 (the "Proceeding"), the parties, in further consideration of this Mutual Release, and the covenants contained herein, do hereby REMISE, RELEASE and FOREVER DISCHARGE, by these presents, for their heirs, executors, administrators, successors, and assigns; remise, release and forever discharge the other party,

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and that party's heirs, executors, administrators, successors, and assigns, including, but not limited to FISCHBACH & MOORE ELECTRICAL CONTRACTING, INC., of and from all manner of actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialities, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands, whatsoever, in law and in equity, which they now have against the other, or ever had; or which their heirs, executors, administrators, successors and assignees hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever, from the beginning of the World to the day or the date of these presents, whether now known or hereafter discovered, and without limiting the generality of the foregoing, specifically including, but not limited to, any and all of the foregoing arising from a construction contract by and between TED BAK, d/b/a T.C. BAK AND ASSOCIATES and FISCHBACH & MOORE ELECTRICAL CONTRACTING, INC. for the premises commonly known as 1211 Tower Road, Schaumburg, Illinois a/k/a:

LOT 15 IN SCHAUMBURG INDUSTRIAL PARK UNIT NUMBER 3, A SUBDIVISION OF PART OF THE WEST ONE-HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, LYING EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS;

P.I.N. 07-12-300-011

and all matters and claims which were raised in, or could have been raised in the Proceeding by complaint, answer, counter-claim, cross claim, third-party complaint or the like.

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The undersigned hereby acknowledge:

(a) That no party to this instrument, by the execution and acceptance of this instrument, acknowledges or admits liability and/or guilt or acknowledges and/or admits the aforesaid cause or claim is well-founded in the law;

(b) That this Mutual Release constitutes a full and complete discharge and satisfaction of all claims whether liquidated or unliquidated and of every nature and kind whatsoever;

(c) That by executing this Mutual Release, the parties do not admit any liability to any other party but expressly deny such liability; and,

(d) That upon execution hereof, TED BAK d/b/a T.C. BAK and ASSOCIATES shall complete, execute and deliver to FISCHBACH PROPERTIES, INC. a Release and Waiver of Mechanic's Lien in the forms attached hereto, suitable for recording, which releases shall be recorded with the Recorder of Deeds of Cook County, Illinois by FISCHBACH PROPERTIES, INC.

The parties executing this Mutual Release covenant and warrant to the other parties that they are under no legal disability, and that if the same are executed in a represen-

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tative capacity, or by a corporation or by a partnership, that they have the full right and authority to execute the same, and that this Release is a release by and for the principal, corporation or partnership.

This Mutual Release may be executed in several counterparts, the sum of which shall constitute the whole.

IN WITNESS WHEREOF, the parties have executed this Mutual Release as a memorial of the releases which they have given on February 5, 1990. TED BAK, d/b/a T.C. BAK and ASSOCIATES further warrants by the execution of this Mutual Release that all subcontractors have been paid and all other obligations due and owing by TED BAK d/b/a T.C. BAK and ASSOCIATES for the aforescribed premises have been paid.

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Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

TED BAK, d/b/a T.C. BAK AND ASSOCIATES

FISCHBACH PROPERTIES, INC.

By: T.C. Bak and Associates

By: [Signature]

Attest: [Signature]

Attest: [Signature]

Date: February 5, 1990

Date: July 10, 1990

CHICAGO TITLE AND TRUST COMPANY

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

BANK OF AMERICA CORPORATION

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared by Fischbach Properties, Inc.  
Mail to: 7 Hannover Square  
New York, NY 10004  
Steven Gerber

