

# UNOFFICIAL COPY 93654474

**PREPARED BY:**  
MICHAEL I. FREEMAN, P.C.  
2 North LaSalle Street - #1400  
Chicago, IL 60602  
312/346-5692

~~PREPARED BY:~~  
~~MICHAEL I. FREEMAN, P.C.~~  
~~2 North LaSalle Street - #1400~~  
~~Chicago, IL 60602~~  
~~312/346-5692~~

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#92-14 5/12/93 5/24/93 6/1/93

9214XXI.304

## RELEASE OF EASEMENT

This RELEASE OF EASEMENT is entered into by, between and among the VILLAGE OF NORTHBROOK whose post office address is 1225 Cedar Lane, Northbrook, Illinois 60662 (the "Village"), AMERICAN COLLEGE OF CHEST PHYSICIANS, an Illinois not-for-profit organization, whose post office address 3300 Dundee Road, Northbrook, Illinois 60062, PHOENIX HOME LIFE MUTUAL INSURANCE COMPANY, a New York corporation, formerly known as Phoenix Mutual Life Insurance Company, whose post office address is One American Row, Hartford, Connecticut 06115, METROPOLITAN LIFE INSURANCE COMPANY, an New York corporation, whose post office address is One Lincoln Center, Oakbrook Terrace, Illinois 60181 and COUNTRY LIFE INSURANCE COMPANY, an Illinois corporation, whose post office address is 808 IAA Drive, Bloomington, Illinois 61701.

## WITNESSETH:

WHEREAS, the parties hereto, other than the Village, hold title to certain parcels of real estate or are mortgagees under mortgages which encumber certain parcels of real estate, which parcels of real estate are described in Exhibit A and which parcels of real estate may be benefitted or burdened by the easement (the "Easement") created under Paragraph 2 of that certain Easement Agreement dated August 16, 1988 and recorded in the Office of the Recorder of Deeds, Cook County, Illinois as Document No. 88379543; and

WHEREAS, the parties hereto, other than the Village, are willing to cancel and vacate all of their right or interest in and to the Easement; and

WHEREAS, the Village of Northbrook is willing to consent to the cancellation and vacation of the Easement as referred to in the preceding paragraph hereof.

NOW, THEREFORE, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the parties hereto hereby agree as follows:

1. The parties hereto, other than the Village, hereby agree that the Easement shall be and is hereby canceled and vacated.
2. The Village of Northbrook hereby consents to the cancellation and vacation of the Easement as set forth in the preceding paragraph.

04-05-304-024

7210 DUNDEE ROAD  
WHEELING ILL.

COOK COUNTY, ILLINOIS  
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3. This Release of Easement may be executed and acknowledged in any number of counterparts and all such counterparts, taken together, shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

VILLAGE OF NORTHBROOK

By: Mark W. Dammond

Its: Village President

ATTEST:

By: Lona M. Lewis

Its: Village Clerk

AMERICAN COLLEGE OF CHEST  
PHYSICIANS, an Illinois not-for-  
profit organization

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

Its: \_\_\_\_\_ President

ATTEST:

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

Its: (Assistant) Secretary

PHOENIX HOME LIFE MUTUAL INSURANCE  
COMPANY, a Connecticut corporation

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

Its: \_\_\_\_\_ President

ATTEST:

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

Its: (Assistant) Secretary

METROPOLITAN LIFE INSURANCE COMPANY,  
a New York corporation

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

Its: \_\_\_\_\_ President

ATTEST:

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

Its: (Assistant) Secretary

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3. This Release of Easement may be executed and acknowledged in any number of counterparts and all such counterparts, taken together, shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

VILLAGE OF NORTHBROOK

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

ATTEST:

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

AMERICAN COLLEGE OF CHEST  
PHYSICIANS, an Illinois not-for-  
profit organization

By: \_\_\_\_\_  
Its: Executive Director President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

PHOENIX HOME LIFE MUTUAL INSURANCE  
COMPANY, a Connecticut corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_ President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

METROPOLITAN LIFE INSURANCE COMPANY,  
a New York corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_ President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

COOK COUNTY ILLINOIS  
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3. This Release of Easement may be executed and acknowledged in any number of counterparts and all such counterparts, taken together, shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 9<sup>th</sup> day of JUNE, 1993.

VILLAGE OF NORTHBROOK

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

ATTEST:

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

AMERICAN COLLEGE OF CHEST  
PHYSICIANS, an Illinois not-for-profit organization

By: \_\_\_\_\_  
Its: \_\_\_\_\_ President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

PHOENIX HOME LIFE MUTUAL INSURANCE  
COMPANY, a <sup>del 1993</sup> corporation, formerly  
known as Phoenix Mutual Life Insurance Company

By: [Signature]  
Its: \_\_\_\_\_ Vice President

ATTEST:

By: [Signature]  
Its: (Assistant) Secretary  
Laurence P. Fleming

METROPOLITAN LIFE INSURANCE COMPANY,  
a New York corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_ President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

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3. This Release of Easement may be executed and acknowledged in any number of counterparts and all such counterparts, taken together, shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

## VILLAGE OF NORTHBROOK

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

ATTEST:

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

AMERICAN COLLEGE OF CHEST  
PHYSICIANS, an Illinois not-for-  
profit organization

By: \_\_\_\_\_  
Its: \_\_\_\_\_ President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

PHOENIX HOME LIFE MUTUAL INSURANCE  
COMPANY, a Connecticut corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_ President

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

METROPOLITAN LIFE INSURANCE COMPANY,  
a New York corporation

By: Jeffery S. Jae  
Its: Assistant Vice President CB

ATTEST:

By: \_\_\_\_\_  
Its: (Assistant) Secretary

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COUNTRY LIFE INSURANCE COMPANY, an Illinois corporation

By: Richard T. Scott  
Its: Assistant Treasurer

ATTEST:

By: Louisa Fauce  
Its: Secretary

MAIL 70'  
STEVEN  
MR. BLUMENTHAL  
ROSENTHAL & SCHWARTZ  
55 E. MONROE ST.  
4675 FLR.  
CHICAGO, ILL. 60603

(BY 333)

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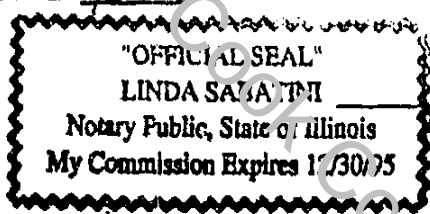
STATE OF Illinois

COUNTY OF Cook

SS.

I, LINDA SABATINI, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Mark W. Damisch personally known to me to be the Village President of VILLAGE OF NORTHBROOK, a municipal corporation and Lana N. Lewis personally known to me to be the Village Clerk of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such Village President and Village Clerk, they signed and delivered the said Instrument of writing as President and (Assistant) Secretary of said Corporation and caused the corporate seal of said Corporation to be thereunto affixed, 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 14th day of July, A.D. 1993



Linda Sabatini  
Notary Public

My Commission expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

SS.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1993 by \_\_\_\_\_, President and \_\_\_\_\_, Secretary of the AMERICAN COLLEGE OF CHEST PHYSICIANS.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

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COOK COUNTY CLERK  
111 SOUTH WASHINGTON STREET  
CHICAGO, ILLINOIS 60604

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STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of VILLAGE OF NORTHBROOK, a \_\_\_\_\_, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such \_\_\_\_\_ and \_\_\_\_\_, they signed and delivered the said Instrument of writing as \_\_\_\_\_ President and (Assistant) Secretary of said Corporation and caused the corporate seal of said Corporation to be thereunto affixed, 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 \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

STATE OF Illinois )  
COUNTY OF Cook ) SS.

The foregoing instrument was acknowledged before me this 12 day of July, 1993 by Alvin Hever, President and Alvin Hever Secretary of the AMERICAN COLLEGE OF CHEST PHYSICIANS. *Director*

GIVEN under my hand and Notarial Seal this 12 day of July, A.D. 1993.

My Commission expires: \_\_\_\_\_

Harry A. Young, Jr.  
Notary Public  
Harry A. Young, Jr.  
Notary Public, State of Illinois  
My Commission Expires 5/11/96

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STATE OF CONNECTICUT )  
 ) SS.  
COUNTY OF HARTFORD )

I, Josephine A. Melusky, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Keith D. Robbins, personally known to me to be the Vice-President of PHOENIX HOME LIFE MUTUAL INSURANCE COMPANY, a New York corporation, and Laurence P. Fleming, personally known to me to be the (Assistant) Secretary of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such Vice President and (Assistant) Secretary, they signed and delivered the said Instrument of writing as Vice President and (Assistant) Secretary of said Corporation and caused the corporate seal of said Corporation to be thereunto affixed, 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 9th day of June, A.D. 1993.

Josephine A. Melusky  
Notary Public

My Commission expires: March 31, 1995

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_, President of METROPOLITAN LIFE INSURANCE COMPANY, a New York corporation, and \_\_\_\_\_, personally known to me to be the (Assistant) Secretary of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such \_\_\_\_\_ President and (Assistant) Secretary they signed and delivered the said Instrument of writing as \_\_\_\_\_ President and (Assistant) Secretary of said Corporation and caused the corporate seal of said Corporation to be thereunto affixed, 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 \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

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STATE OF \_\_\_\_\_ )

9 3 6 5 4 4 7 4

SS.

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the President of PHOENIX HOME LIFE MUTUAL INSURANCE COMPANY, a Connecticut corporation, and \_\_\_\_\_, personally known to me to be the (Assistant) Secretary of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such \_\_\_\_\_ President and (Assistant) Secretary, they signed and delivered the said Instrument of writing as \_\_\_\_\_ President and (Assistant) Secretary of said Corporation and caused the corporate seal of said Corporation to be thereunto affixed, 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 \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

STATE OF Illinois )

SS.

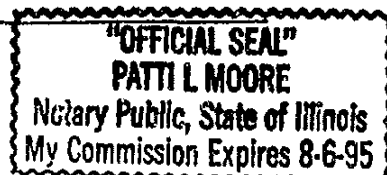
COUNTY OF Du Page )

I, Patti L. Moore, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jeffrey S. Moe, personally known to me to be the Assistant Vice President of METROPOLITAN LIFE INSURANCE COMPANY, a New York corporation, and \_\_\_\_\_, ~~personally known to me to be the (Assistant) Secretary of said Corporation,~~ whose name is subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such Assistant Vice President and ~~(Assistant) Secretary,~~ he signed and delivered the said Instrument of writing as Assistant Vice President and ~~(Assistant) Secretary~~ of said Corporation and ~~caused the corporate seal of said Corporation to be thereunto affixed,~~ as his 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 17th day of August, A.D. 1993.

Patti L. Moore  
Notary Public

My Commission expires: 8-6-95



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COOK COUNTY CLERK'S OFFICE  
100 N. LAUREL ST. CHICAGO, IL 60602  
TEL: (773) 399-3000 FAX: (773) 399-3001  
WWW.COOKCOUNTYCLERK.COM

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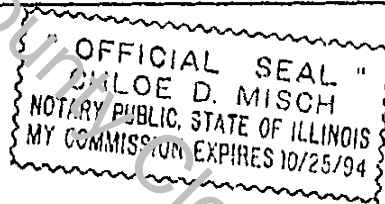
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF MCLEAN )

I, Chloe D. Misch, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Richard L. Scott, personally known to me to be the Assistant Treasurer of COUNTRY LIFE INSURANCE COMPANY, a n Illinois corporation and Linda Faull, personally known to me to be the Secretary of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such Assistant Treasurer and Secretary, they signed and delivered the said Instrument of writing as Assistant Treasurer and Secretary of said Corporation and caused the corporate seal of said Corporation to be thereunto affixed, 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 10th day of June, A.D. 1993.

Chloe D. Misch  
Notary Public

My Commission expires: 10/25/94



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## EXHIBIT A

I. 3230-3260 DUNDEE

THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 659 FEET AND THE EAST 425.65 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

II. 3330-3340 DUNDEE

PARCEL 1

THE WEST 2 ACRES (EXCEPT THE SOUTH 50.0' THEREOF) OF THE EAST 4 ACRES OF THE WEST 10 ACRES OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2

THE EAST 2 ACRES OF THE WEST 6 ACRES OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 50 FEET THEREOF TAKEN IN CASE NO. 70 L 1934 BY THE COUNTY OF COOK) IN COOK COUNTY, ILLINOIS.

III. 3400 DUNDEE

PARCEL A

THE WEST 4 ACRES (EXCEPT THEREFROM THE NORTH 1 ACRE OF THE WEST 2 ACRES THEREOF) AND (EXCEPT THEREFROM THE WEST 16 FEET OF THE SOUTH 1 ACRE OF THE WEST 2 ACRES THEREOF) OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPT THE SOUTH 50.00 FEET THEREOF USED FOR DUNDEE ROAD).

PARCEL B

THE NORTH 1 ACRE OF THE WEST 2 ACRES OF THE WEST 4 ACRES OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

THE WEST 16 FEET OF THE SOUTH 1 ACRE OF THE WEST 2 ACRES OF THE WEST 4 ACRES (EXCEPT THE SOUTH 50 FEET OF THE WEST 16 FEET) OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE

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SOUTH WEST 1/4 OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 12,  
EAST OF THE 3RD PRINCIPAL MERIDIAN, IN COOK COUNTY,  
ILLINOIS.

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RESOLUTION NO. 93-R-75

Solomon Schechter Day Schools, an Illinois not-for-profit corporation (the "Applicant"), is the contract purchaser of the property commonly known as 3210 Dundee Road, Northbrook, Illinois (the "Subject Property").

In 1987, certain Restrictive Covenants and an Ingress/Egress Access Easement were recorded against the Subject Property for the benefit of, among others, the Village of Northbrook (the "Village"). The President and Board of Trustees of the Village, after due and careful consideration, believe that it would be in the Village's best interest to release the Restrictive Covenants and Access Easement in their entirety in order to allow the Applicant to use the Subject Property in accordance with the Development Agreement approved concurrent with this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois, THAT:

Section 1. Release of Restrictive Covenant.

The Village Attorney is hereby authorized to take all necessary action to cause those certain Restrictive Covenants, recorded against the Property in the office of the Cook County Recorder of Deeds as Document Nos. 88007496 and 88007497, to be terminated and released.

Section 2. Release of Access Easement.

The Village President is hereby authorized and directed to execute the Release of Easement attached hereto as Exhibit A, and by this reference incorporated herein and made a part hereof.

Section 3. Effective Date.

This Resolution shall be in effect upon, but not before, the receipt by the Village Clerk of evidence that the title to the Subject Property has been transferred to the Applicant (in its own name or in a land trust of which it is the sole beneficiary).

In the event that evidence of such acquisition of title is not presented to the Village Clerk on or before July 30, 1993, the Village shall have the right, in its sole and absolute discretion, to be exercised at any time after July 30, 1993, to repeal this Resolution.

PASSED: This 22nd day of June, 1993

AYES: (5)

NAYS: (0)

/s/ Mark W. Damisch

Village President

ATTEST:

/s/ Lona N. Louis

Village Clerk

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