

# UNOFFICIAL COPY

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## TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT is made as of this 14th day of March, 1993, by and between LASALLE NATIONAL TRUST, N.A., not personally but solely as Trustee under Trust Agreement dated February 20, 1984 and known as Trust No. 107664 (hereinafter "Developer"), and WAL-MART STORES, INC., a Delaware corporation (hereinafter "Wal-Mart").

DEPT-01 RECORDING #31.50  
T43333 TRAN 0478 03/15/93 14:43:00  
40626 \* -93-193396  
COOK COUNTY RECORDER

W I T N E S S E T H :

WHEREAS, Developer and Highland Superstores, Inc. ("Highland") entered into that certain Construction, Operation, Maintenance and Reciprocal Easement Agreement dated as of November 14, 1985 and recorded in Cook County, Illinois on November 22, 1985 as Document Number 85294055 (the "REA"), with respect to the development and continuing operation of Main Street Commons Shopping Center, Evanston, Illinois (the "Shopping Center"), which property is legally described on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, as of the date hereof, Developer and Wal-Mart collectively own all of the "Highland Parcel" and the "Developer Parcel" (as defined in the REA); and

WHEREAS, Developer and Wal-Mart wish to redevelop the Shopping Center, and in connection therewith Developer and Wal-Mart desire to terminate the REA;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto do hereby agree to terminate the REA for all purposes and release the Developer Parcel and the Highland Parcel from any further obligations or restrictions contained therein, effective as of the date on which this Agreement is recorded with the Cook County Recorder of Deeds.

This Agreement is executed by LaSalle National Trust, N.A., not personally or individually, but solely as Trustee under the terms of that certain Trust Agreement dated February 20, 1984 and known as Trust No. 107664, solely in the exercise of its powers as such Trustee (and the undersigned hereby warrants that it possesses full power and authority to execute this instrument), and it is expressly understood and agreed that nothing herein contained shall be construed as creating any undertaking, agreement, obligation, duty or liability on the part of LaSalle National Trust, N.A. personally or its beneficiary.

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11/15/2010

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11/15/2010

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

LASALLE NATIONAL TRUST, N.A., as  
Trustee aforesaid And not personally

By: *Ronny Collins*  
Its: Assistant Vice President

ATTEST:

By: *Susan [Signature]*  
Its: Assistant Secretary

WAL-MART STORES, INC., a  
Delaware corporation

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

ATTEST:

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

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STATE OF ILLINOIS  
COUNTY OF COOK

IN SENATE  
JANUARY 10, 1900



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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

LASALLE NATIONAL TRUST, N.A., as  
Trustee aforesaid

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

ATTEST:

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

WAL-MART STORES, INC., a  
Delaware corporation

By: *Patrick E. Peery*  
Its: PATRICK E. PEERY  
ASS'T VICE PRESIDENT

ATTEST:

By: *Carl Danby*  
Its: ASST. SECRETARY

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STATE OF Arkansas )  
COUNTY OF Benton ) SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Patrick E. Leamy, personally known to me to be the Asst Vice President of Wal-Mart Stores, Inc., and Carl Deonby, personally known to me to be the Asst 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 acknowledged that as such Asst Vice President and Asst Secretary they signed and delivered the said instrument and caused the corporate seal to 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 official seal, this 11<sup>th</sup> day of March, 1993.

Lueta L. Johnson  
Notary Public

My commission expires:

My Commission Expires July 10, 1993

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IN SENATE  
JANUARY 10, 1900

REPORT  
OF THE  
COMMISSIONERS OF THE LAND OFFICE  
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE  
MAY 15, 1899

ALBANY, N. Y.:  
J. B. WHITTAKER, STATE PRINTER,  
1899.

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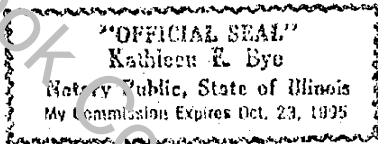
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that <sup>ROSEMARY COLLINS</sup>~~ROSEMARY COLLINS~~, personally known to me to be the ~~ASST. Mgr~~ President of LaSalle National Trust, N.A., as Trustee under the Trust Agreement dated February 20, 1984 and known as Trust No. 107664, and <sup>SUSAN M. LOGAN</sup>~~SUSAN M. LOGAN~~, personally known to me to be the ~~ASST. Mgr~~ Secretary of said bank, 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 acknowledged that as such <sup>ASST. Mgr</sup>~~ASST. Mgr~~ President and <sup>ASST. Mgr</sup>~~ASST. Mgr~~ Secretary they signed and delivered the said instrument and caused the seal of said bank 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 official seal, this <sup>4th</sup> day of ~~March~~, 1991.

*Kathleen E. Bye*  
\_\_\_\_\_  
Notary Public

My commission expires: 11/23/95



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## EXHIBIT A


LOTS 1, 2 AND 3 IN MAIN STREET COMMONS SUBDIVISION BEING A  
SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41  
NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO  
THE PLAT OF SAID MAIN STREET COMMONS SUBDIVISION RECORDED  
MARCH 15, 1992 AS DOCUMENT NUMBER 93193382 IN COOK COUNTY, ILLINOIS.

PIN:

10-24-300-028

Address:

2450 Main Street  
Evanston, Ill

Prepared by   
Mail TO:

Peter Mamis  
Hollub & Coff  
55 E. Monroe  
#4100  
Chicago, Ill 60603

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& FORMER

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at Chicago, Illinois, this 1st day of January, 1993.

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