

ABROGATION AGREEMENT

This Abrogation Agreement (hereinafter, "Agreement") is entered into, executed and made by FIRST NATIONAL BANK OF EVERGREEN PARK, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 22, 1992 AND KNOWN AS TRUST NO. 12848, (hereinafter, "FIRST NATIONAL"), FAZLEABBAS E. KAPASI and FIZE F. KAPASI (hereinafter, "KAPASI"), STANDARD BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 3291, (hereinafter, "STANDARD BANK"), ROBERT HARRIS (hereinafter, "HARRIS") and FALCO INDUSTRIES, INC. (hereinafter, "FALCO").

I. RECITALS

A. FIRST NATIONAL is the owner of the real property commonly known as Lots 29, 30, 36, 50 and 51 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415. (See Exhibit "A" for legal description.)

B. KAPASI is the owner of the real property commonly known as Lots 25 and 26 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415. (See Exhibit "B" for legal description.)

C. STANDARD BANK is the owner of the real property commonly known as Lot 27 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415. (See Exhibit "C" for legal description.)

D. HARRIS is the owner of the real property commonly known as Lot 28 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415. (See Exhibit "D" for legal description.)

E. FALCO is the owner of the real property commonly known as Lots 52 and 53 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415. (See Exhibit "E" for legal description.)

F. A Declaration of Easement (hereinafter, "Declaration") with respect to the above-referenced lots (collectively, "Subject-Property") and dated April 29, 1987, was recorded April 30, 1987 in the Office of the Recorder of Cook County as Document No. 87229973.

This document was prepared by:

FIRST NATIONAL BANK OF  
EVERGREEN PARK  
9400 South Cicero Avenue  
Oak Lawn, Illinois 60453

After recordation, please  
return to:

Box 223  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

75-24-899L  
(oc)

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G. FIRST NATIONAL, KAPASI, STANDARD BANK and HARRIS are the sole beneficiaries of the perpetual access easement(s) created by the Declaration over and upon the West Easement Parcel, as defined in the Declaration.

H. FIRST NATIONAL and FALCO are the sole beneficiaries of the perpetual access easement(s) created by the Declaration over and upon the East Easement Parcel, as defined in the Declaration.

I. Having reached an agreement, FIRST NATIONAL, KAPASI, STANDARD BANK, HARRIS and FALCO wish to abrogate, and to release/be released from the benefits and burdens of, the perpetual access easements created by the Declaration (hereinafter, "Easements") over and upon the East and West Easement Parcels.

## II. AGREEMENTS

A. For valuable consideration, the receipt and sufficiency of which is hereby acknowledged each to the other, FIRST NATIONAL, KAPASI, STANDARD BANK, HARRIS and FALCO hereby abrogate, abandon, relinquish and forfeit any rights and benefits they, as owners of the Subject-Property, each may have, jointly and/or individually, as a result of the Easements over and upon the East and West Easement Parcels; further, it is agreed that the Subject-Property is hereby released from the burdens and encroachments of the Easements over and upon the East and West Easement Parcels.

B. It is agreed and acknowledged that this agreement is being executed as a free and voluntary act of the undersigned and shall be binding upon and inure to the benefit of the respective successors, heirs and/or assigns of FIRST NATIONAL, KAPASI, STANDARD BANK, HARRIS and FALCO.

C. This Agreement is executed by First National Bank of Evergreen Park, not personally, but as Trustee under Trust Agreement Dated December 22, 1992 and Known as Trust No. 12848; and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings and agreements herein are made and intended not as personal covenants, undertakings and agreements of First National Bank of Evergreen Park for the purpose of binding it personally; rather, this instrument is executed and delivered by First National Bank of Evergreen Park solely in the exercise of the powers conferred upon it as Trustee under the above-referenced trust, and no personal liability or personal responsibility is assumed by, nor shall at anytime be asserted or enforced against First National Bank of Evergreen Park, its agents or employees, on account hereof, or on any covenants, undertakings or agreements herein or in said Agreement not contained, either expressed or implied, all such personal

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liability, if any, being hereby expressly waived and released by the undersigned, and by all persons claiming by, through or under said parties, and by every person now or hereafter claiming any right(s) hereunder.

D. It is further agreed and acknowledged that (i) this Agreement shall be signed in counterparts, (ii) shall be binding as of the date the last party executes the Agreement, and (iii) all such counterparts shall be construed as a single instrument and shall constitute the full and final Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Abrogation Agreement on the 20th day of October, 1994.

FAZLEABBAS E. KAPASI,  
Individually

FIZE F. KAPASI,  
Individually

STANDARD BANK AND TRUST COMPANY,  
AS TRUSTEE UNDER TRUST NO. 3291

ROBERT HARRIS,  
Individually

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

*Robert E. Harris*  
\_\_\_\_\_

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

FALCO INDUSTRIES, INC.,  
an Illinois Corporation

FIRST NATIONAL BANK OF  
EVERGREEN PARK, AS TRUSTEE  
UNDER TRUST AGREEMENT DATED  
DECEMBER 22, 1992 AND KNOWN  
AS TRUST NO. 11841

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

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

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

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

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Ezleabbaa E. Kapaai and Fizo F. Kapaai, 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 severally acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

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

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of Standard Bank and Trust Company, a/an \_\_\_\_\_, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ 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 severally acknowledged that as the \_\_\_\_\_ and \_\_\_\_\_, respectively, they signed and delivered the said instrument and caused the corporate seal of said Bank to be affixed thereto, pursuant to authority given by the Board of Directors of said Bank, as their free and voluntary act and as the free and voluntary act and deed of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

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

94907809

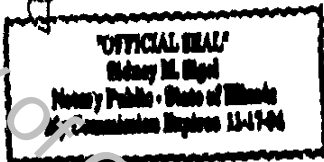
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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Robert Harris, 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 he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 20<sup>th</sup> day of OCTOBER, 1994.

[Signature]  
Notary Public



STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of Falco Industries, Inc., an Illinois Corporation, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ 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 severally acknowledged that as the \_\_\_\_\_ and \_\_\_\_\_, respectively, they signed and delivered the said instrument and caused the corporate seal of 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 \_\_\_\_\_ day of \_\_\_\_\_, 1994.

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

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STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK    )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of First National Bank of Evergreen Park, a National Banking Association, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ 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 severally acknowledged that as the \_\_\_\_\_ and \_\_\_\_\_ respectively, they signed and delivered the said instrument and caused the corporate seal of said Bank to be affixed thereto, pursuant to authority given by the Board of Directors of said Bank, as their free and voluntary act and as the free and voluntary act and deed of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

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

Notary Public of Cook County Clerk's Office







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## MORTGAGEE'S CONSENT

The undersigned, being the holder of a certain trust deed, along with any extensions and/or modifications thereof, encumbering the real property described in Exhibit "C" of the foregoing Abrogation Agreement, does hereby consent to said Agreement as of this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

HERITAGE BANK OF OAK LAWN

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

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

## ACKNOWLEDGEMENT

STATE OF ILLINOIS    )  
                                  ) SS.  
COUNTY OF COOK     )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of Heritage Bank of Oak Lawn, a/an \_\_\_\_\_, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ 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 severally acknowledged that as the \_\_\_\_\_ and \_\_\_\_\_, respectively, they signed and delivered the said instrument and caused the corporate seal of said Bank to be affixed thereto, pursuant to authority given by the Board of Directors of said Bank, as their free and voluntary act and as the free and voluntary act and deed of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

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

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## MORTGAGEE'S CONSENT

The undersigned, being the holder of a certain mortgage and/or mortgages, along with any extensions and/or modifications thereof, encumbering the real property described in Exhibit "D" of the foregoing Abrogation Agreement, does hereby consent to said Agreement as of this 3rd day of October, 1994.

FIRST ILLINOIS BANK OF LA GRANGE  
n/k/a Bank One, Chicago, NA

By: [Signature]  
Its: Asst. Vice President

Attest: [Signature]  
Its: Asst. Vice President

## ACKNOWLEDGEMENT

STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK )

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that John J. Masterson, personally known to me to be the Assistant Vice President of First Illinois Bank of La Grange, a National Banking Association, and David W. Russo, personally known to me to be the Assistant Vice President 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 severally acknowledged that as the Assistant Vice President and Assistant Vice President, respectively, they signed and delivered the said instrument and caused the corporate seal of said Bank to be affixed thereto, pursuant to authority given by the Board of Directors of said Bank, as their free and voluntary act and as the free and voluntary act and deed of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 3rd day of October, 1994.

Martha Russo  
Notary Public



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## EXHIBIT "A"

LOTS 29, 30, AND 36 IN THE PARK AT CHICAGO RIDGE BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

LOTS 50 and 51 IN THE PARK AT CHICAGO RIDGE, RESUBDIVISION NO. 1, A RESUBDIVISION OF CERTAIN LOTS IN THE PARK AT CHICAGO RIDGE, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ALL IN COOK COUNTY, ILLINOIS

### Permanent Index Numbers:

Lot 29	24-07-410-005-0000
Lot 30	24-07-410-006-0000
Lot 36	24-07-410-010-0000
Lot 50	24-07-410-013-0000
Lot 51	24-07-410-014-0000

Common Address: Lots 29, 30, 36, 50 and 51 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415

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## EXHIBIT "B"

LOTS 25 and 26 IN THE PARK AT CHICAGO RIDGE BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

### Permanent Index Numbers:

Lot 25	24-07-410-001-0000
Lot 26	24-07-410-002-0000

Common Address: Lots 25 and 26 in The Park at Chicago Ridge, Chicago Ridge, Illinois 60415



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## EXHIBIT "E"

LOTS 52 AND 53 IN THE PARK AT CHICAGO RIDGE, RESUBDIVISION NO. 1,  
A RESUBDIVISION OF CERTAIN LOTS IN THE PARK AT CHICAGO RIDGE,  
BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 37 NORTH,  
RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ALL IN COOK COUNTY,  
ILLINOIS

### Permanent Index Numbers:

Lot 52                    24-07-410-015-0000  
Lot 53                    24-07-410-016-0000

Common Address:    Lots 52 and 53 in The Park at Chicago Ridge,  
Chicago Ridge, Illinois 60415

Property of Cook County Clerk's Office