

UNOFFICIAL COPY

94269509

94269509

RELEASE OF FIRST AMENDMENT OF LEASE

THIS RELEASE OF FIRST AMENDMENT OF LEASE is made and entered into as of the 31st day of January, 1994, by and between COLE TAYLOR BANK, not personally but as Trustee under Trust Agreement dated October 27, 1993, and known as Trust No. 934188 ("Landlord"), and BED BATH & BEYOND OF LINCOLN PARK INC., an Illinois corporation ("Tenant").

DEPT-01 RECORDING 929.50
 134886 TRAM 4073 03/24/94 15115100
 \$1236 + RE # - 94 - 262509
 COOK COUNTY RECORDER

W I T N E S S E T H

WHEREAS, Landlord and Tenant entered into a certain Lease Agreement dated December 13, 1993, as amended by a First Amendment of Lease (the "First Amendment") dated January 31, 1994; and

WHEREAS, due to a clerical error, the First Amendment was recorded on March 8, 1994 with the Recorder of Deeds of Cook County, Illinois, as Document No. 94212987; and

WHEREAS, Landlord and Tenant desire to release from record the First Amendment;

NOW, THEREFORE, in consideration of the mutual promises and agreements hereinafter contained, the parties hereby agree as follows:

1. The recital clauses set forth above are incorporated herein by reference as though set forth verbatim and at length herein.
2. The First Amendment is hereby released of record.

IN WITNESS WHEREOF, the parties have executed this Release of First Amendment of Lease as of the day and year first above written.

COLE TAYLOR BANK, not personally but as Trustee under Trust Agreement dated October 27, 1993 and known as Trust No. 934188

ATTEST:

Mark B. Harris
 Name: _____ (TRUST OFFICER)

[Signature]
 BY: _____ (ASSISTANT VICE PRESIDENT)

94269509

The agreement is signed by COLE TAYLOR BANK not individually but solely as Trustee under a certain Trust Agreement known as Trust No. 934188. Each Trust Agreement is hereby made a part hereof and any claims against said Trustee which may result from the copying of this agreement shall be payable only out of any trust property which may be held thereunder and said Trustee shall not be personally liable for the performance of any of the terms and conditions of this agreement or for the validity or execution of the same and property or for any agreement with respect thereto. Any and all personal liability of COLE TAYLOR BANK is hereby expressly waived by the parties hereto and their respective successors and assigns.

Mark & Harris
 212 E. Ohio
 Ste. 500
 Chicago, IL 60611



2950

UNOFFICIAL COPY

10-

Property of Cook County Clerk's Office

UNOFFICIAL COPY

ATTEST:

BED BATH & BEYOND OF
LINCOLN PARK, INC., an Illinois
corporation

[Signature]
Name: Seena Tomura

By: [Signature]
Warren Eisenberg, President

We hereby agree to the provisions of the foregoing Release of
First Amendment of Lease.

CMR LIMITED PARTNERSHIP

BED BATH & BEYOND INC.

By: [Signature]
CMR Development
Corporation, Ltd.

By: [Signature]
Warren Eisenberg
Chief Executive Officer

By: [Signature]
Charles R. Malk

Property of Cook County Clerk's Office

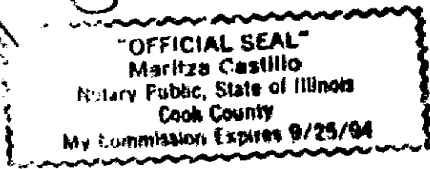
STATE OF ILLINOIS)
) ss
COUNTY OF COOK)
MARITZA CASTILLO

I, Maritza Castillo, 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 BRANCH OFFICER and ASSISTANT VICE PRESIDENT of COLE TAYLOR BANK, whose names are subscribed to the within instrument, appeared before me this day in person and acknowledged that as such BRANCH OFFICER and ASSISTANT VICE PRESIDENT of such bank, they signed and delivered the said instrument as their free and voluntary act and as the free and voluntary act of said bank, for the uses and purposes therein set forth and pursuant to such bank's authority.

GIVEN under my hand and Notarial Seal this 22nd day of April, 1994.

Maritza Castillo
Notary Public

My Commission expires: 9-25, 1994



STATE OF New Jersey)
) ss
COUNTY OF Union)

I, Arlene Wagner, 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 President and Assistant Secretary of BEYOND & BEYOND OF LINCOLN PARK, INC., an Illinois corporation, whose names are subscribed to the within instrument, appeared before me this day in person and acknowledged that as such President and Assistant Secretary of such corporation, they signed and delivered the said instrument as their free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth and pursuant to such corporation's authority.

GIVEN under my hand and Notarial Seal this 11 day of March, 1994.

Arlene Wagner
Notary Public

My Commission expires: June 10, 1995

ARLENE WAGNER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires June 10, 1995

UNOFFICIAL COPY

Property of Cook County Clerk's Office

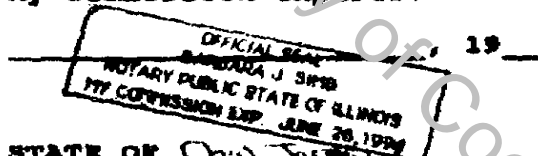
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, BARBARA J. SIMS, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that CHARLES R. MALK, personally known to me to be the President of CMR DEVELOPMENT CORPORATION, LTD., an Illinois limited partnership, which is the general partner of CMR LIMITED PARTNERSHIP, an Illinois limited partnership, whose name is subscribed to the within instrument, appeared before me this day in person and acknowledged that as such President of such corporation, he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said corporation on behalf of said limited partnership, for the uses and purposes therein set forth and pursuant to such corporation's authority.

GIVEN under my hand and Notarial Seal this 23rd day of March, 1994.

Barbara J Sims
Notary Public

My Commission expires:



STATE OF Illinois)
) SS
COUNTY OF Cook)

I, Arlene Wagner, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that WARREN EISENBERG, personally known to me to be the Chief Executive Officer of BED BATH & BEYOND INC, whose name is subscribed to the within instrument, appeared before me this day in person and acknowledged that as such Chief Executive Officer of such corporation, he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth and pursuant to such corporation's authority.

GIVEN under my hand and Notarial Seal this 11 day of March, 1994.

Arlene Wagner
Notary Public
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires June 10, 1995

My Commission expires:

June 10, 1995, 19__

94269509

UNOFFICIAL COPY

Property of Cook County Clerk's Office

FROM MALA & HARRIS TO 12014891555 P008/008

UNOFFICIAL COPY

EXHIBIT A

Legal Description

PARCEL 1:

LOTS 1 TO 6 AND 21 TO 26, ALL INCLUSIVE, IN BLOCK 6 IN THE SUBDIVISION OF LOTS 1 AND 2 OF BLOCK 8 IN SHEFFIELD'S ADDITION TO CHICAGO, SITUATED IN THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 4, 5, 6, 7, 8, 9 AND THAT PART OF LOT 3 LYING NORTH AND NORTHWESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF SHEFFIELD AVENUE, 244.47 FEET SOUTH OF THE INTERSECTION OF SAID WEST LINE OF SHEFFIELD AVENUE WITH THE SOUTHWESTERLY LINE OF CLYBOURN AVENUE QUENCE WEST AT RIGHT ANGLES TO SAID WEST LINE OF SHEFFIELD AVENUE 81.58 FEET MORE OR LESS TO ITS INTERSECTION WITH A LINE DRAWN PARALLEL TO AND 164.47 FEET SOUTHEASTERLY OF THE SOUTHWESTERLY LINE OF WILLOW STREET AS NOW OCCUPIED; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE 91.71 FEET MORE OR LESS TO ITS INTERSECTION WITH THE NORTHEASTERLY LINE OF MARCEY STREET, ALL IN BLOCK 9 IN THE SUBDIVISION OF LOTS 1 AND 2 IN BLOCK 8 IN SHEFFIELD'S ADDITION TO CHICAGO IN THE SOUTH 1/2 SECTION 32, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Address of Property: 1800 North Clybourn Avenue, Chicago, Illinois

Permanent Tax Index Numbers: 14-32-418-002
14-32-418-004
14-32-420-001
14-32-420-003
14-32-420-004

14-32-418

Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office