

UNOFFICIAL COPY

95143250

AGREEMENT TO TERMINATE

THE PUBLIC RIGHT-OF-WAY VACATION AGREEMENT (BLUM PROPERTY)

BY, BETWEEN, AND AMONG

THE VILLAGE OF NORTHBROOK. DEPT-01 RECORDING \$31.00

AND

COLE TAYLOR BANK, AS SUCCESSOR TO COOK COUNTY RECORDER

HARRIS TRUST AND SAVINGS BANK, U/T/A NO. 32559

DATED AS OF JANUARY 10, 1995

Property of Cook County Clerk's Office

7527395

Prepared by:

Burke, Weaver & Prell
Xerox Centre-Suite 800
55 West Monroe Street
Chicago, Illinois 60603
(312) 263-3600

After recording, return to:

Recorder's Box 337

95143250

31.00

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

AGREEMENT TO TERMINATE PUBLIC RIGHT-OF-WAY VACATION AGREEMENT (BLUM PROPERTY)

THIS AGREEMENT is dated as of the 10th day of January, 1995, and is by, between, and among the **VILLAGE OF NORTHBROOK**, an Illinois home rule municipal corporation (the "Village"), and **COLE TAYLOR BANK, AS SUCCESSOR TO HARRIS TRUST AND SAVINGS BANK**, as Trustee under Trust Agreement dated November 18, 1966 and known as Trust No. 32559 (the "Owner").

IN CONSIDERATION OF the recitals and the mutual covenants and agreements set forth herein and pursuant to the Village's home rule powers and all other applicable laws, specifically including, but with limitation 65 ILCS 5/11-74.3-1 *et seq.*, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Owner is the record title owner of that certain tract of property consisting of approximately 1.3 acres and generally located on the east side of Skokie Boulevard south of Lake-Cook Road (the "Subject Property").

B. The Village and the Owner have previously entered into that certain Public Right-of-Way Vacation Agreement dated as of December 22, 1992 and recorded on January 28, 1993 as Document No. 93072576 (the "Public Right-of-Way Vacation Agreement"). The Public Right-of-Way Vacation Agreement, among other things, imposed certain development requirements related to the Subject Property and surrounding tracts of land.

C. Pursuant to Resolution No. 95-R-3, the Village approved a Development and Property Maintenance Agreement (the "Development Agreement") pursuant to which ORIX TMK Northbrook Venture II ("TMK II") has agreed, among other things, to develop the Subject Property and surrounding land pursuant to the terms and provisions of the Development Agreement. TMK II is the contract purchaser of the Subject Property.

95143250

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

D. In light of TMK II's pending acquisition of the Subject Property and the proposed development of the Subject Property pursuant to the Development Agreement, the Owner and the Village have agreed to enter into this Agreement to terminate the Public Right-of-Way Vacation Agreement.

SECTION 2. TERMINATION OF VACATION AGREEMENT.

The parties do hereby terminate the Public Right-of-Way Vacation Agreement in its entirety.

SECTION 3. COMPLETE AGREEMENT; SUPERSEDEANCE.

This Agreement is the complete agreement between the parties regarding the Subject Property and supersedes and nullifies all prior drafts and agreements, including specifically, but without limitation, the Public Right-of-Way Vacation Agreement.

SECTION 4. EFFECTIVE DATE.

This Agreement shall be effective upon, but not before, the date on which it has been fully executed by all parties hereto.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals on the date first above written, the same being done after public hearing, notice, and statutory requirements having been fulfilled.

VILLAGE OF NORTHBROOK

By: Mark W. Damm

Village President

ATTEST:

Lona G. Lewis
Village Clerk

35143250

UNOFFICIAL COPY

Property of Cook County Clerk's Office

11/11/2011 10:11:11 AM

UNOFFICIAL COPY

COLE TAYLOR BANK, AS SUCCESSOR TO
HARRIS TRUST AND SAVINGS BANK,
as Trustee under Trust Agreement
dated November 18, 1966 and known
as Trust No. 32559

By: _____

Its: _____

ATTEST:)

By: _____

Its: _____

This agreement is signed by COLE TAYLOR BANK not individually but solely as Trustee under a certain Trust Agreement known as Trust No. 32559 and that the agreement is hereby made a part of the public records of Cook County, Illinois, for the purpose of recording the same and that the same shall not be subject to any lien or claim of any person or entity other than the parties hereto and their respective successors and assigns.

951A3250

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

LOTS 59, 60 AND 81 AND THAT PART OF LOTS 61, 62, 63, 79, 80, AND 82 LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT OF WAY LINE OF SKOKIE VALLEY ROAD IN MANUS NORTH SHORE TERRACE A SUBDIVISION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF VACATED ATLANTIC AND NEW JERSEY AVENUES IN MANUS NORTH SHORE TERRACE AFORESAID LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 59 IN MANUS NORTH SHORE TERRACE AFORESAID AND NORTHEASTERLY OF THE NORTHEASTERLY RIGHT OF WAY LINE (AND SAID LINE EXTENDED) OF SKOKIE HIGHWAY (SKOKIE VALLEY ROAD) IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTH 1/2 OF NEW HAMPSHIRE AVENUE TOGETHER WITH THAT PART OF ATLANTIC AVENUE IN MANUS NORTH SHORE TERRACE, BEING A SUBDIVISION IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE EAST LINE OF ATLANTIC AVENUE IN SAID MANUS NORTH SHORE TERRACE, AND LYING 30 FEET NORTHEASTERLY OF AND CONCENTRIC WITH A CURVED LINE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 8135.16 FEET SAID CURVED LINE BEING DRAWN FROM A POINT 202.86 FEET WEST OF THE NORTHEAST CORNER OF LOT 59 IN MANUS NORTH SHORE TERRACE AFORESAID TO A POINT 236.70 FEET WEST OF THE SOUTHEAST CORNER OF LOT 58 IN SAID MANUS NORTH SHORE TERRACE, IN COOK COUNTY, ILLINOIS.

P.I.N. Nos. 04-02-106-001-000; 04-02-106-002-000;
04-02-107-009-000

Address of Property: 131-175 Skokie Boulevard
Sylvia Court Shopping Center
Northbrook, Illinois.

951A3250

UNOFFICIAL COPY

Property of Cook County Clerk's Office