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PARTIAL RELEASE

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THIS INDENTURE made this 28TH day of April, 1975, by and among FIRST NATIONAL CITY BANK (successor by merger to The First National Bank of the City of New York), a national banking association incorporated and existing under the laws of the United States of America, as Trustee, MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a corporation organized under the laws of the State of New York, and BURLINGTON NORTHERN INC., a corporation organized under the laws of the State of Delaware, WITNESSETH:

WHEREAS, the property or real estate described in Exhibit A, attached hereto, is subject to the lien of the following described mortgages:

1. First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, dated February 1, 1921, to First National City Bank (successor by merger to The First National Bank of the City of New York) and Jacob M. Ford II (by succession to Frazier L. Ford), Trustees.

2. General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1921, to First National City Bank (successor by merger to The First National Bank of the City of New York), Trustee, as supplemented.

3. Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1970, to Morgan Guaranty Trust Company of New York and Jacob M. Ford II, Trustees.

WHEREAS, said mortgages were filed for record in the office of the Recorder of Deeds, _____ County of Cook, State of Illinois, as follows:

<u>Mortgage</u>	<u>Book</u>	<u>Page</u>
First and Refunding Mortgage, February 1, 1921	17482	172
General Gold Bond Mortgage, January 1, 1921	Document #21164811	
Consolidated Mortgage, March 2, 1970	Document #21164810	

WHEREAS, by virtue of and as a result of an agreement of merger which became effective March 2, 1970, Chicago, Burlington & Quincy Railroad Company, the mortgagor named in said First and Refunding Mortgage, and Great Northern Railway Company, the mortgagor named in said General Gold Bond Mortgage, were merged into and with Great Northern Pacific & Burlington Lines, Inc., the name of which company was changed to Burlington Northern Inc., on March 2, 1970, and

WHEREAS, by Supplemental Indenture, dated March 2, 1970, to said First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, and by Supplemental Indenture (No. 11), dated as of March 2, 1970, to said Great Northern Railway Company General Gold Bond Mortgage, Burlington Northern Inc. has assumed

BOX 333-CTI

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COOK COUNTY RECORDER

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and agreed to be bound by all the covenants and conditions of said mortgages therein agreed to be kept and performed by Chicago, Burlington & Quincy Railroad Company and Great Northern Railway Company, respectively, and has succeeded to and been substituted for Chicago, Burlington & Quincy Railroad Company and Great Northern Railway Company, respectively, in said mortgages, and

WHEREAS, by Supplemental Indenture (No. 12), dated as of March 2, 1970, to said Great Northern Railway Company General Gold Bond Mortgage, the lands, property and real estate of the former Chicago, Burlington & Quincy Railroad Company were subjected to the lien of said General Gold Bond Mortgage, and

WHEREAS, by Supplemental Indenture, dated as of March 2, 1970, to said Consolidated Mortgage, the lands, property and real estate of the former Chicago, Burlington & Quincy Railroad Company were subjected to the lien of said Consolidated Mortgage, subordinate to the prior liens of said First and Refunding Mortgage and said General Gold Bond Mortgage, and

WHEREAS, Burlington Northern Inc., duly and in accordance with the provision of said three mortgages, has made application to the trustees thereof for the release of said property from the lien thereof;

NOW, THEREFORE, THIS INDENTURE WITNESSETH that First National City Bank, as Trustee of said First and Refunding Mortgage, and said General Gold Bond Mortgage, and Morgan Guaranty Trust Company of New York, as Trustee of said Consolidated Mortgage, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby forever release and discharge from the lien of said mortgages and all supplements thereto, respectively, and remise, release and quitclaim unto Burlington Northern Inc., a corporation organized and existing under the laws of the State of Delaware, all of their respective rights, title, interest, claim or demand whatsoever said First National City Bank and Morgan Guaranty Trust Company of New York may have acquired in, through, or by said Trust Mortgages, as such Trustees, in and to the property situate in Chicago County of Cook, and State of Illinois, more fully described in said Exhibit A, hereto attached.

TO HAVE AND TO HOLD said property or real estate unto said Burlington Northern Inc., its successors and assigns, free and clear and discharged of and from all liens and claims under said mortgages.

The recitals made herein are to be taken only as recitals made by Burlington Northern Inc. and not by any of the mortgage trustees. The reservations and exceptions, if

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any, set forth in said Exhibit A are intended to be for the benefit of the mortgage trustees as well as Burlington Northern Inc. and the liens of the aforesaid mortgages on the rights and interests so reserved and excepted, if any, are not released, and nothing herein contained shall in anywise affect, alter or diminish the liens or encumbrances of the aforesaid mortgages on any of the properties covered by them respectively which are not hereby specifically released.

This release is made and accepted by said mortgage trustees without covenants or warranties, either expressed or implied in law or in equity, and shall be without recourse against such trustees or any of them in any event or in any contingency.

IN WITNESS WHEREOF, said corporate mortgage trustees have caused this indenture to be signed and acknowledged or approved by one of their respective trust officers, and have caused their respective corporate seals to be hereunto affixed, and the same to be attested by the signatures of one of their respective assistant cashiers or assistant secretaries, all as of the day and year first above written.

Signed, sealed and delivered on behalf of First National City Bank, as Trustee, in presence of:

FIRST NATIONAL CITY BANK, as Trustee under First and Refunding Mortgage of Chicago, Burlington & Quincy Railroad Company, dated February 1, 1921

T. F. Minori
T. F. MINORI
John J. Neubauer
John J. Neubauer

By *R. E. Johnson*
Trust Officer
RALPH E. JOHNSON

ATTEST:
George Gregor
Assistant Cashier
GEORGE GREGOR

Signed, sealed and delivered on behalf of First National City Bank, as Trustee, in presence of:

FIRST NATIONAL CITY BANK, as Trustee under General Gold Bond Mortgage of Great Northern Railway Company, dated January 1, 1921

T. F. Minori
T. F. MINORI
John J. Neubauer
John J. Neubauer

By *R. E. Johnson*
Trust Officer
RALPH E. JOHNSON

ATTEST:
George Gregor
Assistant Cashier
GEORGE GREGOR

Signed, sealed and delivered on behalf of Morgan Guaranty Trust Company of New York, as Trustee, in presence of:

MORGAN GUARANTY TRUST COMPANY OF NEW YORK, as Trustee under Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1970

E. Parets
E. Parets
S. Russa
S. Russa

By *D. G. Hope*
D. G. HOPE Trust Officer

ATTEST:
Henry J. Christy
Assistant Secretary
Henry J. Christy

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STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.
CITY OF NEW YORK)

On this *28th* day of *APRIL*, in the year 1975, before me, *ENZO L. CARBOCCI*, a notary public, personally appeared *RALPH E. JOHNSON*, to me known to be a Trust Officer of the First National City Bank, one of the corporations which executed the foregoing instrument, and who being duly sworn did say that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal this *28th* day of *APRIL*, 1975.

Enzo L. Carbocci
Notary Public, City, County and State of New York. My commission expires:

ENZO L. CARBOCCI
Notary Public, State of New York
No. 43-5685595
Qualified in Richmond County
Cert. filed in New York County
Term Expires March 30, 1978

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.
CITY OF NEW YORK)

On this *30th* day of *April*, in the year 1975, before me, *FAITH GAUSMAN*, a notary public, personally appeared *D. G. HOPE*, to me known to be a Trust Officer of Morgan Guaranty Trust Company of New York, one of the corporations which executed the foregoing instrument, and who being duly sworn did say that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said *D. G. HOPE* acknowledged said instrument to be the free act and deed of said corporation.

Given under my hand and official seal this *30th* day of *April*, 1975.

Faith Gausman
Notary Public, City, County and State of New York. My commission expires:

FAITH GAUSMAN
NOTARY PUBLIC, STATE OF NEW YORK
No. 31-4511940
Qualified in New York County
Commission Expires March 30, 1977

PREPARED BY:
FIRST NATIONAL CITY BANK
NEW YORK, NEW YORK

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Chicago, Illinois. Sale of former CB&Q land to Champion Screw Company.

Exhibit "A"

All that part of Lots 58, 59, 60, 61, 62, 63, 64, 65, 66 and 67, the vacated East and West alley between the Southerly prolongation of the East line of Lots 55 and 51, and the vacated North and South alley between the Easterly prolongation of the North line of Lot 58 and the Northerly property line of Burlington Northern Inc. all located in and adjacent to the Sub-division of S. J. Walker's Subdivision of the North-east Quarter (NE $\frac{1}{4}$) of Section 25, Township 39 North, Range 13 East of the Third Principal Meridian, Cook County, Illinois, described as follows:

Beginning at the intersection of the center lines of the vacated East and West alley and the vacated North and South alley in said subdivision of S. J. Walker's Subdivision; thence Southerly along said North and South alley center line to the Northerly property line of Burlington Northern Inc.; thence Northwesterly along a straight line a distance of 30 feet to a point 14 feet radially distant, Northeasterly from the center line of Burlington Northern Inc.'s Track No. D-454; thence Northerly along a line parallel with said Burlington Northern Inc.'s Track No. D-454 center line to the said vacated East and West alley center line; thence Easterly along said center line to the point of beginning.

16-25-223-603

2429 W. 25th STREET
CHICAGO IL

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MAIL TO: CAREY FILTER WHITE & BOLAND
ATTN: DAN HARPEL
33 W. JACKSON BLDG.
CHICAGO IL 60604

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