

# UNOFFICIAL COPY

PREPARED BY AND RETURN TO:  
HOWARD L. FRIEDBERG, ESQ.  
KATE, BARRON, SQUITERO, FAUST  
& BERMAN, P.A.  
2699 S. BAYSHORE DRIVE  
SEVENTH FLOOR  
MIAMI, FLORIDA 33133

97102838

DEPT-01 RECORDING \$27.00  
T#0012 TRAN 4021 02/13/97 13:02:00  
\$2299 + CG \*-97-102838  
COOK COUNTY RECORDER

## RELEASE OF AGREEMENT NOT TO ENCUMBER

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, PCOLLO OPERATIONS, INC., a Florida corporation ("Borrower"), did enter into that certain Agreement Not To Encumber dated July 13, 1995, recorded on August 1, 1995 under Document No. 95502095 (the "Agreement Not to Encumber"), in favor of FIRST UNION NATIONAL BANK OF FLORIDA, a national banking association ("Bank"); and

WHEREAS, the Agreement Not to Encumber encumbers certain real property located in Cook County, Illinois, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property"); and

WHEREAS, Borrower has requested that Bank release the Agreement Not To Encumber, and to discharge it as an encumbrance upon the Property.

NOW THEREFORE, KNOW YE, that the Bank, in consideration of the premises and of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does remise, release, quit-claim, exonerate and discharge the Agreement Not To Encumber, in favor of Borrower, and Borrower's heirs and assigns, and hereby discharges it as an encumbrance upon the Property;

PROVIDED HOWEVER, that nothing herein contained shall in anywise impair, alter or diminish the "Loan" or the "Note" as described in the Agreement Not To Encumber, or any of the rights

BOX 333-CT1

97102838

2700

7640374

77-11-372  
1/2

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

and remedies of the holder thereof.

IN WITNESS WHEREOF, the Bank has hereunto set its hand and seal this 5 day of February, 1997.

FIRST UNION NATIONAL BANK  
OF FLORIDA, a national  
banking association

Signed, sealed and delivered  
in the presence of:

*Vivian Mendez*  
Print Name: Vivian Mendez  
*Patricia Brass*  
Print Name: Patricia Brass

By: *Mary A. Morgan*  
Vice President

STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day, an officer duly authorized in the state aforesaid and in the county aforesaid to take acknowledgments, personally appeared *Mary Morgan*, as VP of FIRST UNION NATIONAL BANK OF FLORIDA, a national banking association, to me known to be the person described in ( ) or who presented driver's licenses as proof of identification ( ) and who executed the foregoing instrument and acknowledged before me that they did/did not take an oath.

WITNESS my hand and official seal in the county and state aforesaid, this 5 day of Feb, 1997.  
My Commission Expires:

(NOTARY SEAL)

*Sharon D. Agri*  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE  
*Sharon D. Agri*  
(Print Name of Notary)

h:\library\re\pollo\05240099\sale\release.agr



97102838

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## EXHIBIT A

### Legal Description

#### PARCEL 1:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 WITH THE EAST LINE OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14; THEN RUN WEST ALONG SAID NORTH LINE 50.00 FEET; THEN RUN SOUTH ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, BEING THE WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE 33.00 FEET TO ITS INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET BEING A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 FOR A POINT OF BEGINNING; THEN CONTINUE SOUTH ALONG SAID WEST RIGHT OF WAY LINE 100.00 FEET; THEN RUN WEST 100.00 FEET ALONG A LINE 133.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THEN RUN NORTH 100.00 FEET ALONG A LINE 150.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 TO ITS INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET; THEN RUN EAST 100.00 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT OF EASEMENT DATED MARCH 15, 1983 AND FILED MARCH 25, 1983 AS DOCUMENT NUMBER LR3299769 MADE BY LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 19, 1982 AND KNOWN AS TRUST NUMBER 104632 TO WALGREEN CO. A CORPORATION OF ILLINOIS, AS AMENDED BY FIRST AMENDMENT TO EASEMENT DATED APRIL 10, 1995, FOR INGRESS AND EGRESS FOR VEHICULAR AND PEDESTRIAN PASSAGE AND FOR INGRESS AND EGRESS FOR THE PURPOSE OF CONNECTING EXISTING DRAINAGE AND UTILITY FACILITIES AND CONSTRUCTING NEW UTILITY FACILITIES OVER THE FOLLOWING DESCRIBED LAND:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 WITH THE EAST LINE OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, RUN WEST ALONG SAID NORTH LINE 50.00 FEET; THEN RUN SOUTH ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, BEING THE WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE, 33.00 FEET TO ITS INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET FOR A POINT OF BEGINNING; THEN CONTINUE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE 266.27 FEET TO ITS INTERSECTION WITH THE

# UNOFFICIAL COPY

NORTH LINE OF WEST WELLINGTON STREET; THEN RUN WESTERLY ALONG THE NORTH LINE OF WEST WELLINGTON STREET 577.47 FEET TO ITS INTERSECTION WITH THE EAST LINE OF NORTH PAULINA STREET; THEN RUN NORTHERLY ALONG THE EAST LINE OF NORTH PAULINA STREET 266.36 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF WEST NELSON STREET; THEN RUN EASTERLY ALONG THE SOUTH LINE OF WEST NELSON STREET 577.17 FEET TO ITS INTERSECTION WITH THE WEST LINE OF NORTH ASHLAND AVENUE BEING THE PLACE OF BEGINNING.

EXCEPTING THE FOLLOWING PARCELS THEREFROM:

THE NORTH 100 FEET OF THE EASTERLY 100 FEET, THE SOUTH 100 FEET OF THE EASTERLY 80 FEET, THE WEST 234.20 FEET OF THE EAST 349.05 FEET OF THE SOUTH 70.10 FEET, AND THE WEST 175.00 FEET, ALL IN COOK COUNTY, ILLINOIS.

AND FOR INGRESS AND EGRESS FOR THE PURPOSE OF RELOCATING THE DRIVEWAY RESTRIPPING THE PARKING AREAS AND CONSTRUCTING, ERECTING, INSTALLING, MAINTAINING AND REPAIRING ALL PARKING, LIGHTING, CURBS, ISLANDS, SIDEWALKS, LANDSCAPING AND OTHER IMPROVEMENTS AND OTHER FACILITIES OVER THE FOLLOWING DESCRIBED LAND:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 WITH THE EAST LINE OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, RUN WEST ALONG SAID NORTH LINE 50.00 FEET; THEN RUN SOUTH ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, BEING THE WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE 33.00 FEET TO ITS INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET FOR A POINT OF BEGINNING; THEN CONTINUE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE 166.27 FEET; THEN RUN WESTERLY ALONG A LINE PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET 170.00 FEET; THEN RUN NORTHERLY 166.27 FEET ALONG A LINE PARALLEL WITH THE WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE TO ITS INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET; THEN RUN EASTERLY 170.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF WEST NELSON STREET TO ITS INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF NORTH ASHLAND AVENUE, BEING THE PLACE OF BEGINNING; EXCEPTING THE NORTHERLY 100.00 FEET OF THE EASTERLY 100.00 FEET THEREFROM, ALL IN COOK COUNTY, ILLINOIS AND FOR INGRESS AND EGRESS FOR THE PURPOSE OF INSTALLING, MAINTAINING, OPERATING AND SERVICING THE 3 LIGHT, STANDARDS SHOWN WITHIN THE AREA OUTLINED IN RED ON EXHIBIT C-1 TO SAID GRANT OF EASEMENT.

P.I.N.: 14-30-216-004-0000

Commonly known as: 3020 North Ashland Avenue, Chicago, Illinois

97102838

UNOFFICIAL COPY

Property of Cook County Clerk's Office