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97153346



THIS DOCUMENT  
PREPARED BY AND  
AFTER RECORDING  
RETURN TO:

Douglas M. Ellis, Esq.  
Neal, Gerber & Eisenberg  
Two North LaSalle Street  
Suite 2200  
Chicago, Illinois 60602

RECORDING

651.50

03/06/97 14:07:00

97-153346

COURT COUNTY RECORDER

## TERMINATION OF GROUND LEASE AGREEMENT

THIS TERMINATION OF GROUND LEASE AGREEMENT (this "Agreement") is made and entered into as of the 1st day of February, 1997, by and between CHICAGO TITLE AND TRUST COMPANY, as Trustee under Indenture of Trust No. 47711, having an office at 171 N. Clark St., Chicago, Illinois 60601 ("Lessor"), and HYATT EQUITIES, L.L.C., a Delaware limited liability company, having an office at 200 West Madison, 41st Floor, Chicago, Illinois 60606 ("Hyatt Equities").

### RECITALS:

A. Lessor and Hyatt Equities (through assignment of the interest of Rockwood & Co., as lessee) are parties to the "Ground Lease" (as hereinafter defined).

B. Lessor and Hyatt Equities now desire to terminate the Ground Lease, effective as of the date hereof, on the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Ground Lease. As used herein, the term "Ground Lease" shall mean that certain Ground Lease dated January 1, 1969 by and between Chicago Title and Trust Company, as Trustee under Indenture of Trust No. 47711, and Rockwood and Co., as the same has been heretofore amended by that certain Amendment to Ground Lease dated March 19, 1979, with respect to that certain real property commonly known as Hyatt Regency O'Hare, 9300 West Bryn Mawr, River

312

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Road and Kennedy Expressway, Rosemont, Illinois 60015 and legally described on Exhibit A attached hereto (the "Property").

2. Lessor and Hyatt Equities hereby terminate the Ground Lease effective as of the date hereof.

3. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which, when taken together, shall be deemed to be one Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and delivered as of the date first above written.

**LESSOR:**

CHICAGO TITLE AND TRUST COMPANY, as  
Trustee under Indenture of Trust  
No. 47711, dated January 1, 1969

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

**LESSEE:**

HYATT EQUITIES, a Delaware limited  
liability company

By: Harold S. HANFELSMAN  
Name: HAROLD S. HANFELSMAN  
Title: VP

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EXCULPATORY CLAUSE FOR THE CHICAGO TRUST COMPANY, AS TRUSTEE UNDER  
TRUST 47711 ATTACHED TO TERMINATION  
DATED 3/1/97 TO HYATT EQUITIES, L.L.C.

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against The Chicago Trust Company, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Date:

MAR 04 1997

The Chicago Trust Company, as Trustee:

By:

*[Signature]*  
Assistant Vice President

Attest:

By:

*[Signature]*  
Assistant Secretary



State of Illinois  
County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President and Assistant Secretary of THE CHICAGO TRUST COMPANY, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth, and the said Assistant Secretary then and there acknowledged that the said Assistant Secretary, as custodian of the corporate seal of said Company, caused the corporate seal of said Company to be affixed to said instrument as said Assistant Secretary's own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this

MAR 04 1997

OFFICIAL SEAL  
Martha Lopez  
Notary Public, State of Illinois  
Commission Expires 3/31/98

*[Signature]*

NOTARY PUBLIC

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify, that the above named Assistant Vice President and Assistant Secretary of CHICAGO TITLE AND TRUST COMPANY, Grantor, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that the said Assistant Secretary, as custodian of the corporate seal of said Company, caused the corporate seal of said Company to be affixed to said instrument as said Assistant Secretary's own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this \_\_\_\_ day of February.

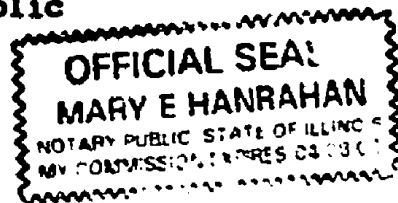
NOTARY PUBLIC

STATE OF ILLINOIS )  
 ) SS. L.L.C.  
COUNTY OF COOK )

I, Mary E Hanrahan, a notary public in and for, and residing in the said County, in the State aforesaid, DO HEREBY CERTIFY, that Harold S. Handelsman, the Vice President of HYATT EQUITIES, a Delaware limited liability company, 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, sealed 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.

GIVEN under my hand and notarial seal, this 1st day of February, 1997.

Mary E Hanrahan  
Notary Public



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corner thereof and running thence South Westerly to a point in the South line of Lot 2 in Henry Hachmeister's Division in said North West 1/4, which is 1589.10 feet East of the West line of said North West 1/4;

Thence South 45 degrees -01' West on said line, 370 feet to a point.

Thence North 44 degrees - 59' West, 11.55 feet to the South Easterly corner of a one story brick building;

Thence Due North on the East face of said building 287.60 feet to the said North line of North West 1/4;

Thence Due East on said line, 269.70 feet to the place of beginning.

Also, the South 33 feet of Section 3, Township 40 North, Range 12 East of the Third Principal Meridian lying between the West and East line of the above parcel extended North.

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