

AMENDMENT TO EASEMENT AGREEMENT

This Amendment is made and entered into as of ^{JUNE 18} April _____, 1998 between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, w/t/a dated February 1, 1997 a/k/a Trust No. 122569-0-5 ("New Parcel A Owner"), owner of the real estate located at the commonly known addresses of 400 North Ashland Avenue, 410-420 North Ashland Avenue (legally described in Exhibit A attached hereto) and 1640 West Kinzie (legally described in Exhibit B attached hereto), all of which are located in the City of Chicago, Illinois, (formerly owned by LaSALLE NATIONAL TRUST N.A., as Trustee under Trust Agreement dated April 10, 1980 and known as Trust No. 10-36708-09—"Parcel A Owner") and RUBEN N. CASTILLO and CARMEN CASTILLO, husband and wife, who own property at 1619 West Hubbard Street, Chicago and legally described on Exhibit C attached hereto (sometimes RUBEN N. CASTILLO and CARMEN CASTILLO are either referred to as the "Castillos" or as "Parcel B Owner"), at Chicago, Illinois.

WITNESETH

WHEREAS, the Parcel A Owner and the Parcel B Owner entered into a certain Easement Agreement dated November 5, 1996 ("Easement Agreement"); and,

WHEREAS, the New Parcel A Owner and Parcel B Owner desire to amend that Easement Agreement as hereinafter provided; and,

WHEREAS, in order to induce the Castillos (1) to execute a new form of Consent to Vacation, which Consent will be a part of the New Parcel A Owner's Resubmitted Application for a Street Vacation of the Marshfield Property, and (2) to extend the termination date of the Easement Agreement, the Parcel B Owner continues to be desirous of receiving and the New Parcel A Owner is willing to renew the promise to create and grant a non-exclusive Easement for ingress, egress and parking over and across the Easement Property for the benefit of Parcel B; and,

UNOFFICIAL COPY

Property of Cook County Clerk's Office

WHEREAS, the terms and provisions of the Easement Agreement, including the definition of terms used therein, are incorporated and made a part of this Amendment, except to the extent that provisions of the Easement Agreement are changed by this Amendment.

THEREFORE, in consideration of Ten and no/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

1. Recitals. The foregoing Recitals are incorporated herein and made a part hereof.
2. Grant of Easement by New Parcel A Owner. The New Parcel A Owner, their successors and/or assigns assumes the obligations of the Parcel A Owner under the Easement Agreement and the New Parcel A Owner does hereby grant to Parcel B Owner a non-exclusive Easement appurtenant to and for the benefit of Parcel B for the creation and maintenance of ingress, egress and parking for vehicular and pedestrian traffic over and across the Easement Property, which consists of a portion of vacated Marshfield Street, for the benefit of Parcel B Owner.
3. Amendment to Termination Date. The Easement Agreement presently provides as follows:

“If the City of Chicago has not taken all the necessary steps and the Parcel A Owner has not received all necessary approvals to consummate the vacation of the Marshfield Property by August 1, 1997, then this Agreement shall have no force or effect.”

The parties agree hereto to amend the foregoing provision as follows:

“If the City of Chicago has not taken all the necessary steps and the Parcel A Owner has not received all necessary approvals to consummate the vacation of the Marshfield Property by *December 31, 1998*, then this Agreement shall have no force or effect.”

UNOFFICIAL COPY

Property of Cook County Clerk's Office

4, Easement Agreement. Except as revised by this Amendment, the terms and provisions of the Easement Agreement shall remain the same.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the day and date first above written.

AMERICAN NATIONAL BANK
AND TRUST COMPANY OF CHICAGO
as Trustee of said

By: [Signature]
Its: TRUST OFFICER

[Signature]
RUBEN N. CASTILLO

[Signature]
CARMEN CASTILLO

ATTEST:

[Signature]
Its: _____ Secretary

400 N. ASHLAND BUILDING
PARTNERSHIP, an Illinois General
Partnership

By: [Signature]
MARVIN KLEIN,
a General Partner

By: [Signature]
WARREN B. WEISBERG,
a General Partner

I, the undersigned, being the duly qualified Trustee of the American National Bank and Trust Company of Chicago, do hereby certify that the foregoing is a true and correct copy of the original instrument as the same appears in the records of said Bank and Trust Company. My commission expires on the _____ day of _____, 19____.

PREPARED BY:

Henry Waller
120 N. LaSalle Street
Suite 2900
Chicago, Illinois 60602

OFFICE OF COOK COUNTY CLERK'S OFFICE

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

98528876

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

The undersigned, a Notary Public in and for said county, hereby states that RUBEN N. CASTILLO, personally known to me, appeared before me and executed the above and foregoing Amendment voluntarily and of his own free will this 21st day of May, 1998.



Laurie T. Fieldsteel
Notary Public

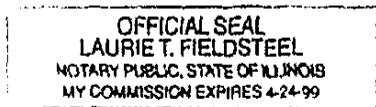
My Commission Expires 4/24/99.

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

The undersigned, a Notary Public in and for said county, hereby states that CARMEN. CASTILLO, personally known to me, appeared before me and executed the above and foregoing Amendment voluntarily and of her own free will this 21st day of May, 1998.



Laurie T. Fieldsteel
Notary Public

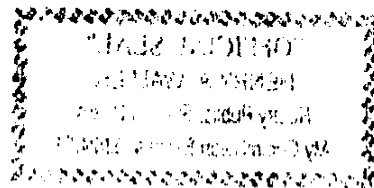
My Commission Expires 4/24/99.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office



LIST OF EXHIBITS

EXHIBIT "A" LEGAL DESCRIPTION OF 400 AND 400-410 NORTH ASHLAND, CHICAGO

EXHIBIT "B" LEGAL DESCRIPTION OF 1640 WEST KINZIE, CHICAGO

EXHIBIT "C" LEGAL DESCRIPTION OF 1619 WEST HUBBARD STREET, CHICAGO

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

98528876

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

PARCEL 1: LOTS 9 AND 10 IN BLOCK 5 IN J. W. COCHRAN'S SUBDIVISION OF OUT-LOT OR BLOCK 32 IN CANAL TRUSTEES' SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: LOT 11, LOT 12 (EXCEPT THE SOUTH 1 1/4 INCHES), LOTS 14, 15, 16, 17 AND THE NORTH 11 FEET OF LOT 18 (EXCEPT THAT PART OF LOTS 14, TO 18 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL TO EAST LINE OF SECTION 7) IN SUB-BLOCK 5 IN STEELE AND COCHRAN'S SUBDIVISION OF BLOCK 32 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 410-420 N. Ashland Avenue, Chicago, IL

P.I.N. 17-07-241-006; 17-07-241-007; and 17-07-241-020

PARCEL 2:

PARCEL 1: THE SOUTH 1 1/4 INCHES OF LOT 12 AND ALL OF LOTS 13, 18 (EXCEPT THE NORTH 11 FEET OF LOT 18) 19, 20, 21, 22, 23, 24, 25 AND 26 IN SUB-BLOCK 5 IN J. W. COCHRAN'S SUBDIVISION OF BLOCK 32 IN CANAL TRUSTEES' SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART OF LOTS 18 AND 19 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 7) ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: LOT 1 (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 7) AND ALL OF LOTS 2, 3 AND 4 IN SUBDIVISION OF BLOCK 5 IN BLOCK 32 IN CANAL TRUSTEES' SUBDIVISION IN SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3: LOT 5 IN BLOCK 5 IN COCHRAN'S SUBDIVISION OF BLOCK 32 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 400 N. Ashland Avenue, Chicago, Illinois

P.I.N. 17-07-241-019; 17-07-241-005; and 17-07-241-004

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT B

98528876

LOT 1, EAST 1 FOOT OF LOT 2-1/2, LOT 3, 4, AND THE EAST 12-1/2 FEET OF LOT 5, LOTS 9, 10, 11 EXCEPT THE WEST 15 FEET OF THE SOUTH 45 FEET OF LOTS 10 AND 11; LOT 12, LOTS 14 THROUGH 18, 18-1/2 AND LOTS 19 THROUGH 22 IN BLOCK 4 OF COCHRAN'S SUBDIVISION OF BLOCK 32 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS: 1640 W. KINZIE ST., CHICAGO, IL

P.I.N.: 17-07-240-009
17-07-240-012
17-07-240-018
17-07-240-019
17-07-240-032
17-07-240-034

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY 98528876

EXHIBIT C

LOT EIGHT (8) IN SUB BLOCK FIVE (5) IN GEORGE STEELE'S & JAMES W. COCHRAN'S SUBDIVISION OF BLOCK THIRTY-TWO (32) IN CANAL TRUSTEES SUBDIVISION OF SECTION SEVEN (7), TOWNSHIP THIRTY-NINE (39) NORTH, RANGE FOURTEEN (14) EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS: 1519 W. HUBBARD ST., CHICAGO, IL

P.I.N.: 17-07-241-001

Property of Cook County Clerk's Office

Mail File
HAW

MANDEL, LIPTON & STEVENSON LIMITED
120 NORTH LaSALLE ST., SUITE 2900
CHICAGO, ILLINOIS 60602
(312) 236-7080

31012012

UNOFFICIAL COPY

Property of Cook County Clerk's Office

MANDEL, LIPTON & STEVENSON LIMITED
120 NORTH LaSALLE ST., SUITE 2900
CHICAGO, ILLINOIS 60602
(312) 236-7080