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98-06764

2019801

RELEASE OF ASSIGNMENT OF LEASE AND AGREEMENT

STATE OF INDIANA )
COUNTY OF MARION ) KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 15th day of July, 1983, Acorn Property Partners I Limited Partnership did execute one certain note described as follows: In the original principal amount of \$3,888,524 payable to the order of RIBIT II, Inc. as therein provided; which said note is secured by and set out and described in a certain Indenture of Mortgage dated July 1, 1983, executed by the said Acorn Property Partners I Limited Partnership and Acorn Associates as Mortgagors to RIBIT II, Inc. as Mortgagee, and recorded as Instrument No. 26709766 in mortgage records of Cook County, Illinois, said lien transferred to American United Life Insurance Company, by instrument dated July 1, 1983 and recorded as Instrument No. 26709768 in mortgage records of Cook County, Illinois, said note was further secured by an Assignment of Lease and Agreement dated July 1, 1983 executed by Acorn Property Partners I Limited Partnership to RIBIT II, Inc. and recorded as Instrument No. 26709767 and which Assignment of Lease and Agreement was reassigned by document entitled Reassignment of Lease and Agreement dated July 1, 1983 from RIBIT II, Inc. to American United Life Insurance Company which document was recorded as Instrument No. 26709769 in the official records of Cook County, Illinois, to-wit:

See Attached Schedule "A"

PIN #s: 19-33-312-010 19-33-312-011 6802 - 87th Street, Burbank, IL
24-24-116-022 24-24-116-023 24-24-116-024 Division & Harlem, Merrionette Park, IL
15-01-403-012 Kedzie & 61st Streets, River Forest, IL
19-13-308-022 19-13-308-023 19-13-308-043 61st & Kedzie Streets, Chicago, IL

WHEREAS, said note has been paid in full, and said Assignment of Lease and Agreement is hereby released.

IN WITNESS WHEREOF, the said Corporation has caused these presents to be signed by its duly authorized officers and to be sealed with the Seal of the Corporation at Indianapolis, Indiana this 30th day of July, 1998.

AMERICAN UNITED LIFE INSURANCE COMPANY

By: [Signature]
Steven T. Holland, Vice President

Lawyers Title Insurance Corporation

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ATTEST:

Dorothy J. Bowman  
Dorothy J. Bowman, Asst. Secretary

This instrument was acknowledged before me on the 30th day of July, 1998, by Steven T. Holland and Dorothy J. Bowman, the Vice President and Asst. Secretary, respectively of American United Life Insurance Company, an Indiana corporation, on behalf of said corporation.

Connie E. Herrington  
Connie E. Herrington, Notary Public

My Commission Expires: 9/12/01  
Resident of Hendricks County, Indiana

This instrument prepared by Robert E. Ferguson, Attorney at Law, American United Life Insurance Company, P.O. Box 368, Indianapolis, IN 46206

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SCHEDULE A

98730908

## PARCEL 1 - BURBANK

Lots 10 and 11 in J. Herbert Cline's Central Manor, a Subdivision of the West 1/2 of the South West 1/4 of the South West 1/4 of the South West 1/4 of Section 33, Township 38 North, Range 13 East of the Third Principal Meridian, according to the Plat thereof recorded August 24, 1945 as Document Number 13581854, in Cook County, Illinois.

## PARCEL 2 - MERIONETTE PARK

That part of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 37 North, Range 13 East of the Third Principal Meridian, lying South of line 135 feet North of and parallel to the Northerly line of 115th Street and West of a line 140 feet East of and parallel to Easterly line of Kedzie Avenue in Cook County, Illinois,

Also

The West 17 feet of Lots 5 and 6 in Finitzo's Shelley Lane Subdivision of the Southwest 1/4 of Southwest 1/4 of Southwest 1/4 of Northwest 1/4 of Section 24, Township 37 North, Range 13 East of the Third Principal Meridian (except that part thereof lying South of a line 135 feet North of and parallel to the Northerly line of 115th Street and West of a line 140 feet East and parallel to the Easterly line of Kedzie Avenue in Cook County, Illinois; All of the above-described property being that property conveyed by Deed dated June 2, 1981 recorded September 16, 1981 as Document Number 26000534 from Shell Oil Company, a Delaware corporation, to The Southland Corporation, a Texas corporation;

Excepting from the above-described property that part thereof described below conveyed by Deed dated February 16, 1983 recorded April 26, 1983 as Document Number 26582696 from The Southland Corporation, a Texas corporation, to the People of the State of Illinois Department of Transportation, described as follows:

That portion of that part of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 24, Township 37 North, Range 13 East of the Third Principal Meridian, lying South of a line 135 feet North of and parallel to the Northerly line of 115th Street and West of a line 140 feet East of and parallel to the Easterly line of Kedzie Avenue, in Cook County, Illinois, bounded and described as follows:

Beginning at the Southwest corner of the above described property; thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds West 20 feet along the Easterly line of Kedzie Avenue; thence South 44 degrees 45 minutes 24 seconds East 28.40 feet to a point in the Northerly line of 115th Street; thence North 89 degrees 30 minutes 49 seconds West 20.00 feet along the said Northerly line of 115th Street to the point of beginning.

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PARCEL 3 - RIVER FOREST

Lot 1 in Grey and Braese's Resubdivision of Block 1 in the subdivision of Blocks 1, 8 to 11, 14 to 16, in Bogue's Addition to Oak Park, being a subdivision of the East half (1/2) of the Southeast quarter (1/4) and the East third (1/3) of the West half (1/2) of the Southeast quarter (1/4) of Section 1, Township 39 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 4 - CHICAGO

Lots 21, 22, 23 and the South 5 feet of Lot 24 in Block 5 in Cobe and McKinnon's 63rd Street and Kedzie Avenue subdivision of the West half of the Southwest quarter of Section 13, Township 38 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

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SCHEDULE A

All of Lots Eleven (11) and Twelve (12) and the West Twenty-seven (27) feet of Lot Thirteen (13), all in PINKNEY'S SUBDIVISION of Block Six (6) of William Russell's Addition to the City of Peoria being a subdivision of part of the Southeast Quarter (SE1/4) of Section Five (5) of Peoria Township, Township eight North, Range eight East of the Fourth Principal Meridian, Peoria County, Illinois, being more particularly described as follows:

Commencing at an iron pipe marking the Southwest (SW) corner of said Lot Eleven (11), said corner being at the point of intersection of the Northerly line of West Main Street and the Easterly line of North Underhill Street as the place of beginning of the tract to be described;

Thence North (bearings assumed) along the Easterly line of North Underhill Street One Hundred Fifty (150.00) feet to the Southerly line of a twelve (12) foot wide alley; thence South  $89^{\circ} 11' 30''$  East along said Southerly alley line One hundred twenty-six and Ninety-four hundredths (126.94) feet to a point on a line parallel with and twenty-seven (27.00) feet normal distant Easterly of the West line of said Lot Thirteen (13); thence South  $00^{\circ} 07' 49''$  West along said parallel line one hundred fifty (150.00) feet to the Northerly line of West Main Street; thence North  $89^{\circ} 11' 30''$  West along said Northerly line One hundred twenty-six and Sixty hundredths (126.60) feet to the Place of Beginning, containing 0.436 Acres, and subject to the terms and conditions of a Sethack Encroachment Agreement dated September 24, 1981 and recorded as Document Number 81-16871; all situate lying and being in the City of Peoria, County of Peoria and State of Illinois as shown by Plat prepared by Associated Engineers III, Inc. dated May 26, 1983.

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# UNOFFICIAL COPY 78130908

## SCHEDULE A

FIELD NOTES for a part of Lot 1A, Block 22, Chimney Hills Estates, 2nd Replat, a subdivision in the City of Killeen, Bell County, Texas, a plat of said subdivision being of record in Cabinet A, Slide 28-C, Plat Records of Bell County, Texas.

BEGINNING at a chiseled "X" in concrete in the intersection of the south margin of Lake Road with the east margin of W.S. Young Drive at the northwest corner of the said Lot 1A for the northwest corner of this.

THENCE S.  $40^{\circ} 17' 04''$  W. 15.97 feet, an iron pipe and S.  $19^{\circ} 00' 35''$  W. 104.25 feet with the said east margin to a chiseled "X" at the edge of a concrete curb at the southwest corner of the said Lot 1A for the southwest corner of this.

THENCE S.  $70^{\circ} 25' 03''$  E. 156.38 feet with the south line of the said Lot 1A to a concrete nail set at the base of a post for the southeast corner of this.

THENCE N.  $19^{\circ} 34' 57''$  E. 120.00 feet to an iron pipe in the south margin of the aforementioned Lake Road for the northeast corner of this.

THENCE N.  $70^{\circ} 24' 57''$  W. 140.00 feet to the place of BEGINNING containing 0.378 acres of land.

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98730908

## SCHEDULE A

FIELD NOTES for a tract of land in Bell County, Texas, out of and a part of the U.S. Wilder Survey, Abstract No. 912, and the land herein described being Lot 1, Block 1, Highway Addition to the City of Killeen, Texas, a plat of said addition being of record in Cabinet A, Slide 84-A, Plat Records of Bell County, Texas.

BEGINNING at an iron rod found in the south margin of F.M. Highway #439 at the northwest curve of the said Lot 1 for the northwest corner of this.

THENCE S.  $01^{\circ} 33' 15''$  W. 150.09 feet with the west line of the said Lot 1 to an iron rod found for the southwest corner of this.

THENCE S.  $88^{\circ} 26' 53''$  E. 150.05 feet with the south line of the said Lot 1 to an iron rod found at the southeast corner thereof, same being in the west margin of Twin Creek Drive for the southeast corner of this.

THENCE with the said west margin, N.  $01^{\circ} 33' 27''$  E., passing a concrete monument at 99.25 feet and at 100.00 feet in all to an iron rod found at a cutback for the most easterly northeast corner of this.

THENCE N.  $61^{\circ} 50' 46''$  W. 111.90 feet with the said cutback to an iron rod found in the south margin of the said F.M. Highway #439 for the most northerly northeast corner of this; a leaning concrete highway monument bears northerly 1.80 feet.

THENCE N.  $88^{\circ} 28' 05''$  W. 50.00 feet to the place of BEGINNING containing 0.460 acres of land and being the same 0.459 acre tract described in a Deed to The Southland Corporation of record in Volume 1806, Page 740, Plat Records of Bell County, Texas.

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## SCHEDULE A

Being 0.283 acre of land out of all of Lots 1 and 2 and the south 10.00 feet of Lot 3, all of Lots 21 and 22 and a portion of property in Block A, County Block 5700, Olmos Park Estates, in the City of Olmos Park, Bexar County, Texas recorded in Volume 980, page 75, Deed and Plat Records of Bexar County, Texas, said 0.283 acre of land being more particularly described as follows:

BEGINNING at an iron pin found on the intersection of the easterly right-of-way line of McCullough Avenue and the northwesterly right-of-way line of El Prado Drive, said iron pin being the southerly corner of Lot 1, Block A, County Block 5700, Olmos Park Estates recorded in Volume 980, page 75, Deed and Plat Records of Bexar County, Texas and POINT OF BEGINNING of the herein described tract;

THENCE, N.00°18'06"E. for a distance of 163.50 feet along the said east right-of-way line of McCullough Avenue to an iron pin found in the south 10' feet of Lot 3 for the northwesterly corner of the herein described tract;

THENCE, S.89°41'54"E. for a distance of 60.70 feet through Lot 3 to an iron pin found for corner of the herein described tract;

THENCE, N.12°42'33"E. for a distance of 0.21 foot to an iron pin found for corner of the herein described tract;

THENCE, S.89°51'41"E. for a distance of 21.75 feet to a nail found for corner of the herein described tract;

THENCE, N.28°22'06"E. for a distance of 11.02 feet to a nail found for the most northerly corner of the herein described tract, said nail being also the most northerly corner of said Lot 21, Block A, County Block 5700, Olmos Park Estates;

THENCE, S.44°55'57"E. for a distance of 60.00 along the northeast property line of said Lot 21 to an iron pin found for the easterly corner of the herein described tract located at the northwesterly right-of-way line of El Prado Drive;

THENCE, S.45°04'03"W. for a distance of 185.00 feet along said northwesterly right-of-way line to the POINT OF BEGINNING and containing 0.283 acre of land, more or less.

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Being a 0.24 acre tract or parcel of land, lying and being situated in the J. E. Scott Survey, Abstract No. 50, Brazos County, Texas, and being part of the tract described in the deed from W. C. Boyett and wife, Lillie Boyett, to Guy F. Boyett, recorded in Volume 77, Page 185, of the Deed Records of Brazos County, Texas, said tract also being a part of Lot 13, Block 1, Boyett Subdivision, according to the plat recorded in Volume 38, Page 615, of the Deed Records of Brazos County, Texas, and being more particularly described as follows:

BEGINNING at the 1/4" lead plug set in brick planter at the intersection of the northeast right-of-way line of Boyett Street with the northwest line of an 11' strip of land described in the State of Texas vs. Guy F. Boyett Estate, Volume 6, Page 706, Court Records, Brazos County, Texas, said 1/4" lead plug bears N 40° 42' 52" W 11.00 feet from the south corner of the beforementioned Lot 13, Block 1;

THENCE N 40° 42' 52" W along the northeast right-of-way line of the beforementioned Boyett Street for a distance of 76.44 feet to a 1/2" iron rod found marking the west corner of the beforementioned Guy F. Boyett tract, said 1/2" iron rod also being the south corner of a tract of land conveyed from W. C. Boyett and wife, Lillie Boyett to Mrs. Ima Boyett Higgins, recorded in Volume 78, Page 14, of the Deed Records of Brazos County, Texas;

THENCE N 45° 00' 00" E along the common line between the beforementioned Guy F. Boyett tract and the beforementioned Mrs. Ima Boyett Higgins tract for a distance of 135.85 feet to a 1/2" iron rod found marking the north corner of the said Guy F. Boyett tract, same being the east corner of the said Mrs. Ima Boyett Higgins tract, said 1/2" iron rod is partially under the concrete footing of a brick wall;

THENCE S 40° 42' 52" E along the northeast line of the beforementioned Guy F. Boyett tract, same being the southwest line of a tract described in the deed from W. C. Boyett and wife, Lillie Boyett, to N. K. Boyett and A. P. Boyett, recorded in Volume 72, Page 211, of the Deed Records of Brazos County, Texas, for a distance of 76.44 feet to a 1/2" iron rod set at the north corner of the beforementioned 11' strip of land;

THENCE S 45° 00' 00" W along the northwest line of the beforementioned 11' strip of land, same being the northwest right-of-way line of Farm-to-Market Road No. 60, for a distance of 135.85 feet to the PLACE OF BEGINNING, containing 0.24 acres of land, more or less.

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## SCHEDULE A

BEING a tract of land situated in the City of Lewisville, Denton County, Texas, being out of the ROBERT OWENS SURVEY, ABST. NO. 982, Denton County, Texas, and being Lot 3 of Block A in the OLD ORCHARD VILLAGE, an addition to the Plat of same record in Volume 10, Page 19, of the Deed Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument, said monument being the Northwest right-of-way (R.O.W.) line of Old Orchard Lane (70' R.O.W.) and southwest R.O.W. line of West Main Street (100' R.O.W.) (also known as F. M. 1171), said line being a corner clip, said point being 35 feet from center line of Old Orchard Lane and 85.29 feet from center line of West Main Street;

THENCE South 0 degrees 21 minutes East along the Northwest R.O.W. line of Old Orchard Lane a distance of one hundred and forty-four hundredths (100.44) feet to a point of corner, said point being an "X" found in the gutter of a curb and gutter radius;

THENCE South 89 degrees 52 minutes West a distance of one hundred thirty-eight and eight-tenths (138.8) feet to a corner, said point being an iron rod found;

THENCE North 0 degrees 08 minutes West a distance of one hundred thirty-five and seventy-three hundredths (135.73) feet to a corner in the Southwest R.O.W. line of West Main Street, said point being an iron rod set;

THENCE North 89 degrees 52 minutes East along the Southwest R.O.W. line of West Main Street a distance of one hundred two and ninety-eight hundredths (102.98) feet to point of corner, said point being an iron rod found;

THENCE South 45 degrees 14 minutes 30 seconds East along the corner clip line a distance of fifty (50) feet to the PLACE OF BEGINNING, and

CONTAINING 18,179.27 square feet or 0.42 acre, more or less.

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## SCHEDULE A

TRACT ONE: An Estate in fee simple as to the following described land:

Being all of Lot 1, Block 1, PURVIS ADDITION to the City of Fort Worth, Tarrant County, Texas, as recorded in Volume 388-114, Pg. 503, Tarrant County Plat Records, being the same tract of land conveyed to The Southland Corporation by deed recorded in Vol. 7305, Pg. 581, Tarrant County Deed Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a "Y" in concrete at the southeast corner of said Southland Corp. tract, said point being in the north R. O. W. line of East Rosedale Street;

THENCE West, along the north line of said East Rosedale Street, 70.00 feet to a "Y" in concrete at the beginning of a curve to the right whose radius point bears North, 30.00 feet

THENCE along said curve, in a westerly and northerly direction, through a central angle of  $90^{\circ} 00' 00''$ , 47.12 feet to a "Y" in concrete at the end of said curve, said point being in the east R.O.W. line of Miller Street;

THENCE North, along the east line of said Miller Street, 95.00 feet to a 1/2" iron at the northwest corner of said Southland Corp. tract;

THENCE along the north and east lines of said Southland Corp. tract as follows:

East, 100.00 feet to a 1/2" iron;

South, 125.00 feet at the POINT OF BEGINNING.

TRACT TWO: An Easement Estate as to the following described land:

Being an 813 square foot access esm't conveyed to American Petrofina Co. of Texas by deed recorded in Vol. 3300, Pg. 400, Tarrant County Deed Records and being more particularly described as follows:

BEGINNING at a nail at the southeast corner of a tract of land conveyed to American Petro Marketing, Inc. by deed recorded in Vol. 6908, Pg. 574, Tarrant County Deed Records, said point being in the north R.O.W. line of East Rosedale Street;

THENCE North, along the east line of said American Petrofina Marketing, Inc. tract, 65.0

THENCE S  $21^{\circ} 02' 15''$  E, 69.64 feet to point in the North R.O.W. line of said East Rosedale Street;

THENCE West, along said North R.O.W. line, 25.0 feet to the POINT OF BEGINNING.

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## SCHEDULE A

BEING 0.407 acres of land out of the Original Farm Lot 26, and being all of Lot 13 and part of Lots 14 & 15, Block C of the J.W. Mann Addition to the City of Waco, McLennan County, Texas. BEGINNING at an "X" placed in concrete for the most Westerly corner of Lot 15, Block C of the J.W. Mann Addition; said point being at the intersection of the Northeast right-of-way line of South 11th Street (65' ROW) and the Southeast Right-of-way line of Clay Avenue (75' ROW).

THENCE: N 45° 00' E, with the said Southeast right-of-way line of Clay Avenue., a distance of 115 feet to an iron stake set at the most Northerly corner of the herein described tract.

THENCE: S 44° 40' E with the Northeasterly line of the herein described tract, a distance of 100 feet to an iron stake set for inside ell corner.

THENCE: N 45° 00' E, with the Northwesterly line of Lot 13, Block C, a distance of 50 feet to an iron stake set for the most Northerly corner of the said Lot 13; said point being in the Southwesterly line of a 20 foot alley.

THENCE: S 44° 40' E, with said line of the 20 foot alley, and with the Northeasterly line of the said Lot 13, a distance of 38 feet to an iron stake found for the most Easterly corner of the said Lot 13 and the most Northerly corner of Lot 12, Block C.

THENCE: S 45° 00' W, with the common line of Lot 12 with Lot 13, a distance of 165 feet to an iron stake found for the most Southerly corner of the herein described tract, the most Southerly corner of said Lot 13, and the most Westerly corner of the said Lot 12; said point being in the aforementioned Northeasterly line of South 11th Street.

THENCE: N 44° 40' W, with said line of South 11th Street, a distance of 138 feet to the place of beginning;

which above described property has been resubdivided and is now known as Lot 16, Block C, J. W. Mann Addition, an addition to the City of Waco, McLennan County, Texas, according to plat thereof recorded in Volume 1414, Page 677, of the Deed Records of McLennan County, Texas.

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Handwritten notes and signatures, including the name 'GUY W. BARKER' and other illegible text.

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