

THIS DOCUMENT WAS  
PREPARED BY AND AFTER  
RECORDING RETURN TO:

Jones, Day, Reavis & Pogue  
77 West Wacker Drive  
Chicago, Illinois 60601  
Attn: Susan Elliott, Esq.



ASSIGNMENT, ASSUMPTION, CONSENT AND RELEASE

THIS ASSIGNMENT, ASSUMPTION, CONSENT AND RELEASE ("Assignment"), is made and entered into as of the 2<sup>nd</sup> day of October, 2000, by and among THE CHICAGO APARTMENTS, L.P., a Delaware limited partnership, and NYAPTS LAND COMPANY, L.L.C., a Delaware limited liability company, each having offices at c/o Apollo Real Estate Advisors, L.P. 1301 Avenue of the Americas, New York, New York 10019 (collectively, the "Apollo Entities"), NEW YORK RESIDENTIAL, LLC, an Illinois limited liability company, having offices at 505 N. Lakeshore Drive, Suite 214, Chicago, Illinois 60611 ("Residential"), 3660 LAKE SHORE PHASE II, LLC, an Illinois limited liability company, having offices at 505 N. Lakeshore Drive, Suite 214, Chicago, Illinois 60611 ("Phase II"), 3660 LAKE SHORE PHASE III, LLC, an Illinois limited liability company having offices at 505 N. Lakeshore Drive, Suite 214, Chicago, Illinois 60611 ("Phase III") and CORUS BANK, N.A., having offices at 3959 North Lincoln Avenue, Chicago, Illinois 60613, and its successors and assigns ("Corus"):

WITNESSETH:

WHEREAS, the Apollo Entities are the owners the parcels of real estate located in Chicago, Illinois, legally described on Exhibits A-1 (referred to as the "Residential Parcel"), A-2 (referred to as the "Phase II Parcel") and A-3 (referred to as the "Phase III Parcel") attached hereto and made a part of this Assignment, together with all of the improvements located thereon (collectively, the "Property"); and

WHEREAS, on September 22, 2000, Corus made a loan ("Loan") to the Apollo Entities in the amount of \$62,600,000.00, evidenced by that certain Promissory Note (the "Note") dated September 22, 2000, secured by a mortgage on the Property and evidenced by the following loan documents (together with the Note, the "Loan Documents"): Mortgage, Security Agreement and Assignment of Leases and Rents ("Mortgage"); Assignment of Accounts; Subordination of Management Agreement; Assignment of Leases and Rents; and Environmental Remediation and Indemnification Agreement; all of which Loan Documents were dated September 22, 2000 and all of which were between the Apollo Entities and Corus; and

Property Clerk's Office

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WHEREAS, on October 2, 2000, the Apollo Entities conveyed to Residential, Phase II, and Phase III, the Property which is secured by the Mortgage, subject to the Loan. Specifically, the Apollo Entities conveyed the Residential Parcel to Residential; the Phase II Parcel to Phase II; and the Phase III Parcel to Phase III; and

WHEREAS, the Apollo Entities desire to assign to Residential, Phase II and Phase III all of the Apollo Entities' rights and obligations pursuant to the Loan Documents upon the terms stated herein and Residential, Phase II and Phase III desire to accept such assignment and to assume all of the Apollo Entities' liabilities and obligations under the Loan Documents; and

WHEREAS, Corus will consent to the Assignment and Assumption of the Loan Documents upon the terms stated herein and will release the Apollo Entities from all liabilities and obligations under the Loan Documents.

NOW, THEREFORE, in consideration of the mutual agreements herein contained and other good and value consideration, the receipt and sufficiency of which are hereby acknowledged, the Apollo Entities, Residential, Phase II, Phase III and Corus agree as follows:

1. The foregoing recitals are hereby incorporated by this reference as if fully set forth.
2. The Apollo Entities hereby grant, transfer, assign, convey and otherwise transfer to Residential, Phase II and Phase III all of the Apollo Entities' rights and obligations under the Loan Documents.
3. Residential, Phase II and Phase III hereby assume and agree to observe, perform and be bound by all of the liabilities and obligations of the Apollo Entities set forth in the Loan Documents, including but not limited to any and all obligations to make payments thereunder.
4. Corus hereby consents to the assignment and assumption described herein.
5. Corus hereby releases the Apollo Entities from any and all liabilities and obligations set forth in the Loan Documents which accrue on or after the date hereof and the Apollo Entities agree they shall discharge all of the liabilities and obligations set forth in the Loan Documents attributable to the period of time prior to the date hereof.
6. This Assignment shall be binding in all respects and inure to the benefit of the parties hereto and their respective successors and assigns.
7. This Assignment shall be governed by and construed in accordance with the laws of the State of Illinois.

[SIGNATURE PAGES FOLLOW.]

IN WITNESS WHEREOF, the parties hereto have executed this Assignment, Assumption, Consent and Release as of the day and year first above written.

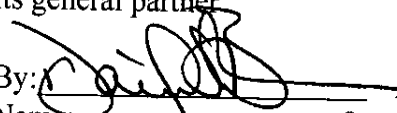
Apollo Entities:

**THE CHICAGO APARTMENTS, L.P.,**  
a Delaware limited partnership

By: Bailey-Apollo Apartments I, L.P.,  
a Delaware limited partnership,  
its general partner

By: AP-NYGP, L.P., a Delaware  
limited partnership, its  
general partner

By: AP-NYGP Corp., Inc.,  
a Delaware corporation,  
its general partner

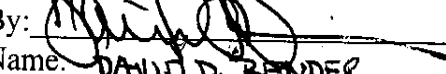
By:   
Name: DAVID D. BENDER  
Its: V.P.

and

**NYAPTS LAND COMPANY, L.L.C.,**  
a Delaware limited liability company

By: AP-NYGP, L.P., a Delaware limited  
partnership, its \_\_\_\_\_

By: AP-NYGP CORP., INC., a  
Delaware corporation, its general  
partner

By:   
Name: DAVID D. BENDER  
Title: V.P.

[SIGNATURE PAGES CONTINUE.]

Residential:

**NEW YORK RESIDENTIAL, LLC,**  
an Illinois limited liability company

By: New York Consultants, Inc., an  
Illinois corporation, its Manager

By: Anthony R. Di Benedetto  
Name: Anthony R. Di Benedetto  
Its: Secretary

Phase II:

**3660 LAKE SHORE PHASE II, LLC,**  
an Illinois limited liability company

By: New York Consultants, Inc., an Illinois  
corporation, its Manager

By: Anthony R. Di Benedetto  
Name: Anthony R. Di Benedetto  
Its: Secretary

Phase III:

**3660 LAKE SHORE PHASE III, LLC,** an  
Illinois limited liability company

By: New York Consultants, Inc., an Illinois  
corporation, its Manager

By: Anthony R. Di Benedetto  
Name: Anthony R. Di Benedetto  
Its: Secretary

[SIGNATURE PAGES CONTINUE.]

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Corus:

**CORUS BANK, N.A.**

By: John R. Markowicz  
Name: John R. Markowicz  
Its: FIRST VICE PRESIDENT

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Property of Cook County Clerk's Office

# UNOFFICIAL COPY

STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF COOK                    )

I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that David D. Bender, the Vice President of AP-NYGP Corp., Inc., the general partner of AP-NYGP, L.P. of NYAPTS Land Company L.L.C., Inc., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President of such corporation, appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary acts of said David D. Bender as the Vice President of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal this 22<sup>nd</sup> day of September, 2000.



A handwritten signature in cursive script, appearing to read "Teri L. Hill", written over a horizontal line.

Notary Public

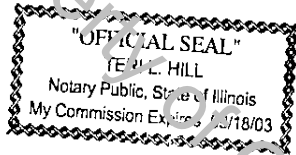
My commission expires: 9/18/03

Property of Cook County Clerk's Office

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 Anthony R. DiBenedetto, personally known to me to be the Secretary of New York Consultants, Inc., the sole member of New York Residential, LLC, an Illinois limited liability company, who appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as his/her free and voluntary act and deed as the secretary of said corporation as the sole member of said limited liability company for the uses and purposes therein set forth.

Given under my hand and official seal, this 22<sup>nd</sup> day of September, 2000.



[Signature]  
Notary Public

(Notary Seal)

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

00781713

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 Anthony R. DiMaddio, personally known to me to be the Secretary of New York Consultants, Inc., the sole member of 3660 Lake Shore Phase II, LLC, an Illinois limited liability company, who appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as his/her free and voluntary act and deed as the \_\_\_\_\_ of said corporation as the sole member of said limited liability company for the uses and purposes therein set forth.

Given under my hand and official seal, this 22<sup>nd</sup> day of September, 2000.



[Signature]  
Notary Public

(Notary Seal)

Property of Cook County Clerk's Office



UNOFFICIAL COPY

00781713

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 Anthony R. DiBenedetto, personally known to me to be the Secretary of New York Consultants, Inc., the sole member of 3660 Lake Shore Phase III, LLC, an Illinois limited liability company, who appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as his/her free and voluntary act and deed as the Secretary of said corporation as the sole member of said limited liability company for the uses and purposes therein set forth.

Given under my hand and official seal, this 22 day of September, 2000.

Paul L. Hill  
Notary Public



(Notary Seal)

Property of Cook County Clerk's Office

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00781713

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that John R. Markowitz the First Vice President of Corvus Bank, N.A., the ~~owner~~ of \_\_\_\_\_, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such First Vice President of such \_\_\_\_\_, appeared before me this day in person and acknowledged that s/he signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary acts of said John R. Markowitz as the First Vice President of said Corvus Bank, N.A. for the uses and purposes therein set forth.

Given under my hand and notarial seal this 22<sup>nd</sup> day of September, 2000.



Teri L. Hill  
Notary Public

My commission expires: 9/18/03

PROPERTY OF Cook County Clerk's Office

LEGAL DESCRIPTION  
of  
PHASE I PROPERTY

PARCEL 1:

THAT PART OF LOTS 1 AND 2 IN EDWARD J. LEHMANN'S SUBDIVISION OF THE EASTERLY 50 FEET OF LOTS 1 AND 2 IN BLOCK 7 OF HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE AND LOTS 33 TO 37, INCLUSIVE IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE 100 FEET EAST OF AND ADJOINING SAID LOTS 1 AND 2 IN BLOCK 7 OF SAID HUNDLEY'S SUBDIVISION AND WEST OF SHERIDAN ROAD, TOGETHER WITH THAT PART OF LOTS 1, 2, 3, 4, 12, 13 AND 14 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID, TOGETHER WITH THE LAND LYING EAST OF AND ADJOINING SAID LOTS 3 AND 4 IN BLOCK 7 AFORESAID AND LYING WEST OF THE WEST LINE OF SHERIDAN ROAD DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF LOT 2 IN EDWARD J. LEHMANN'S SUBDIVISION AFORESAID, 115.58 FEET SOUTHEASTERLY OF THE NORTHEAST CORNER OF LOT 1 IN SAID SUBDIVISION; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOTS 1 AND 2 FOR A DISTANCE OF 60.58 FEET; THENCE SOUTHWESTERLY 21.22 FEET TO A LINE 70.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 201.50 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE NORTHEASTERLY LINE OF LOTS 1 AND 2 IN LEHMANN'S SUBDIVISION AFORESAID, 70.00 FEET TO THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF LOT 1 AND THE NORTHWESTERLY LINE OF LOT 14 IN SAID BLOCK 7 FOR A DISTANCE OF 333.81 FEET TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINES OF LOTS 12, 13 AND 14 IN SAID BLOCK 7 FOR A DISTANCE OF 210.48 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHERLY 50.00 FEET OF LOT 12; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 150.20 FEET TO THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 75.00 FEET OF LOT 12 AFORESAID; THENCE SOUTHEASTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 50.07 FEET TO THE SOUTHEASTERLY LINE OF LOT 12 AFORESAID; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE OF LOT 12 FOR A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF LOT 4 FOR A DISTANCE OF 20.00 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.00 FEET OF SAID LOT 4; THENCE NORTHEASTERLY ALONG THE LAST DESCRIBED LINE AND ITS NORTHEASTERLY EXTENSION FOR A DISTANCE OF 325.20 FEET TO THE SOUTHWESTERLY LINE OF SHERIDAN ROAD; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE FOR A DISTANCE OF 5.00 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 15.00 FEET OF LOT 4 AND ITS NORTHEASTERLY EXTENSION; THENCE SOUTHWESTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 174.33 FEET TO A LINE 174.33 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SHERIDAN ROAD; THENCE NORTHWESTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 160.18 FEET TO A LINE 115.58 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN LEHMANN'S SUBDIVISION AFORESAID AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE FOR A DISTANCE OF 174.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS;

## PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AFORESAID AS SET FORTH IN DECLARATION OF RECIPROCAL EASEMENTS DATED NOVEMBER 1, 1985 AND RECORDED DECEMBER 4, 1985 AS DOCUMENT NO. 85308876, MADE BY MIDWEST BANK AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 27, 1983 AND KNOWN AS TRUST NUMBER 82124010 AND AS CREATED BY DEED TO MIDWEST BANK AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 19, 1985 AND KNOWN AS TRUST NUMBER 85-024625 DATED NOVEMBER 1, 1985 AND RECORDED DECEMBER 4, 1985 AS DOCUMENT 85308877 FOR THE PURPOSE OF CONSTRUCTING UNDERGROUND FOUNDATIONS TO SUPPORT IMPROVEMENTS TO BE CONSTRUCTED ON PARCEL 1 AFORESAID OVER THE FOLLOWING DESCRIBED LAND:

A STRIP OF LAND 10.00 FEET IN WIDTH, THE WESTERLY LINE BEING DESCRIBED AS THAT PART OF LOTS 2, 3 AND 4 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE, AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE, IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

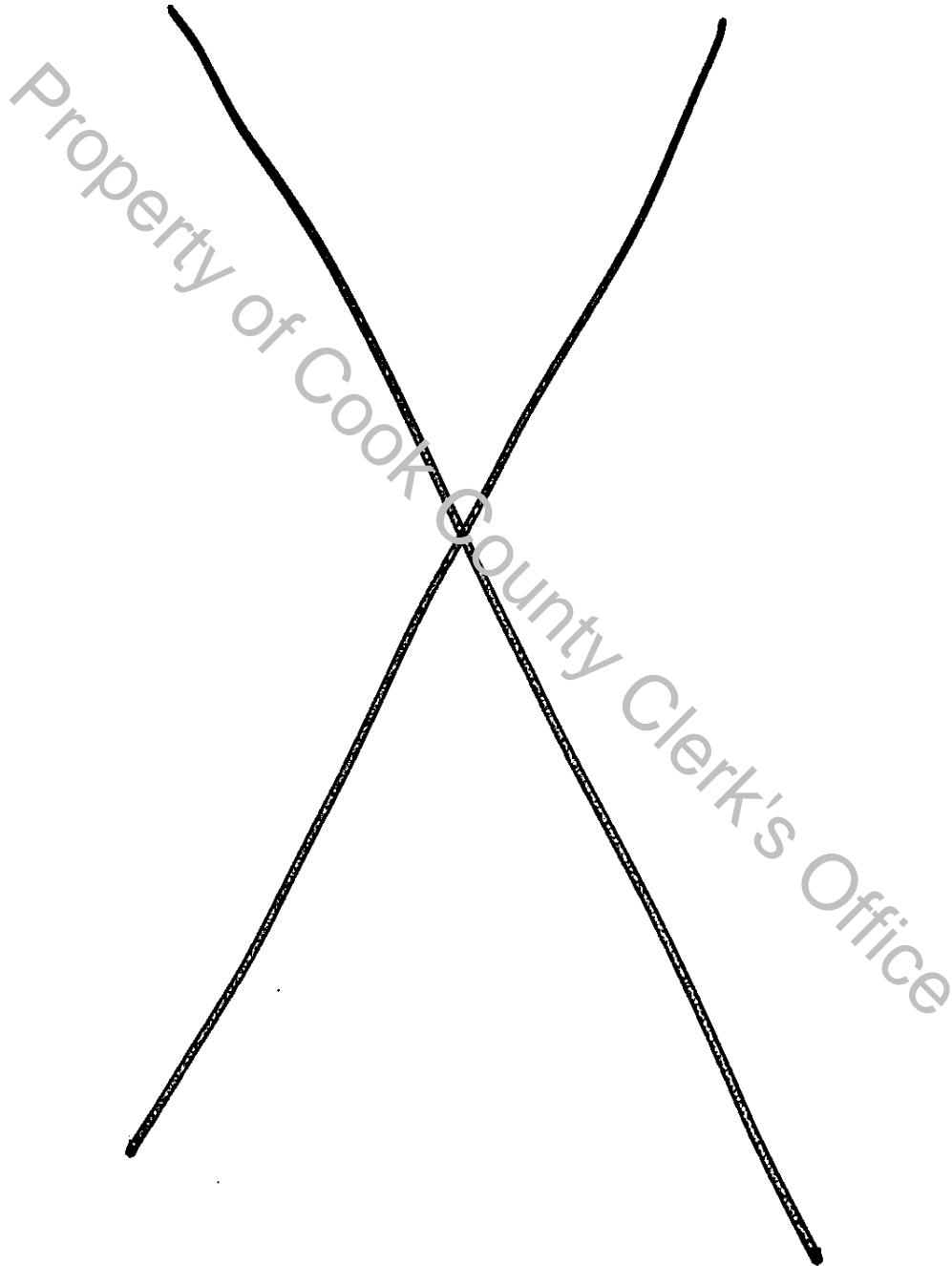
BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.00 FEET OF LOT 4, AFORESAID 150.87 FEET NORTH 59 DEGREES, 56 MINUTES, 51 SECONDS EAST OF THE SOUTHWESTERLY LINE OF SAID LOT 4; THENCE NORTH 30 DEGREES, 01 MINUTES, 31 SECONDS WEST 165.18 FEET TO THE TERMINUS OF SAID CENTER LINE, (EXCEPT THEREFROM THE SOUTHEASTERLY 5.00 FEET THEREOF), IN COOK COUNTY, ILLINOIS

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EXHIBIT A-1

Residential Parcel

Legal Description

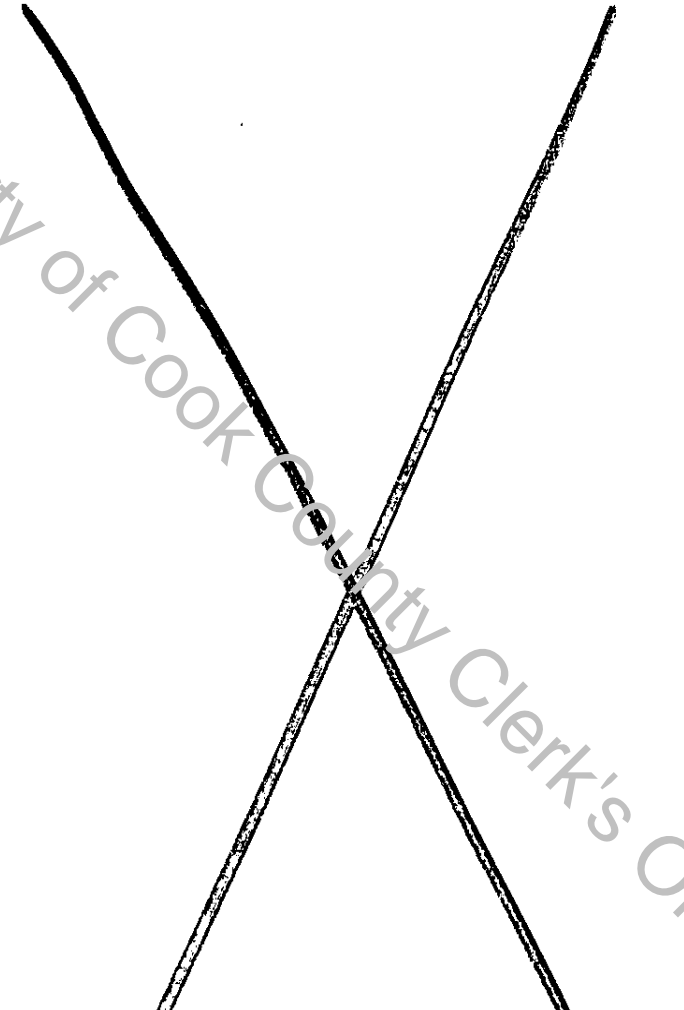


**EXHIBIT A-2**

**Phase II Parcel**

**Legal Description**

Property of Cook County Clerk's Office



LEGAL DESCRIPTION  
of  
PHASE II PROPERTY

PARCEL 1:

THAT PART OF LOT 2 IN EDWARD J. LEHMANN'S SUBDIVISION OF THE EASTERLY 50 FEET OF LOTS 1 AND 2 IN BLOCK 7 OF HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE, AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF THE 100 FEET EAST OF AND ADJOINING SAID LOTS 1 AND 2 IN BLOCK 7 OF SAID HUNDLEY'S SUBDIVISION AND WEST OF SHERIDAN ROAD, TOGETHER WITH THAT PART OF LOTS 2, 3 AND 4 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID TOGETHER WITH THAT LAND LYING EAST OF AND ADJOINING SAID LOTS 3 AND 4 IN BLOCK 7 AFORESAID, AND LYING WEST OF THE WEST LINE OF SHERIDAN ROAD, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF LOT 2 IN LEHMANN'S SUBDIVISION AFORESAID 115.58 FEET SOUTHEASTERLY OF THE NORTHEAST CORNER OF LOT 1 IN SAID LEHMANN'S SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF LOT 2 IN LEHMANN'S SUBDIVISION AND ALONG THE SOUTHWESTERLY LINE OF SHERIDAN ROAD FOR A DISTANCE OF 160.28 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 15.0 FEET OF LOT 4 AND ITS NORTHEASTERLY EXTENSION; THENCE SOUTHWESTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 174.33 FEET TO A LINE 174.33 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SHERIDAN ROAD; THENCE NORTHWESTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 160.18 FEET TO A LINE 115.58 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN LEHMANN'S SUBDIVISION AFORESAID AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE FOR A DISTANCE OF 174.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF GRANT OF RECIPROCAL EASEMENTS RECORDED DECEMBER 4, 1985 AS DOCUMENT NUMBER 85308876 OVER THE FOLLOWING DESCRIBED LAND:

PARCEL 2A:

THAT PART OF LOT 4 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE, AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT LAND LYING EAST OF AND ADJOINING SAID LOT 4 IN BLOCK 7 AFORESAID AND LYING WEST OF THE WEST LINE OF SHERIDAN ROAD, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.0 FEET OF LOT 4 AFORESAID 150.87 FEET NORTH 59 DEGREES 56 MINUTES 51 SECONDS EAST OF THE SOUTHWESTERLY LINE OF SAID LOT 4, THENCE NORTH 59 DEGREES 56 MINUTES 51 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.0 FEET OF LOT 4 AFORESAID 174.33 FEET TO THE SOUTHWESTERLY LINE OF SHERIDAN ROAD; THENCE NORTH 30 DEGREES 01 MINUTES 31 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE 5.0 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 15.0 FEET OF LOT 4 AND ITS NORTHEASTERLY EXTENSION; THENCE SOUTH 59 DEGREES 56 MINUTES 51 SECONDS WEST ALONG THE

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SOUTHEASTERLY LINE OF SAID NORTHWESTERLY 15.0 FEET OF LOT 4 AFORESAID AND ITS NORTHEASTERLY EXTENSION FOR A DISTANCE OF 174.33 FEET; THENCE SOUTH 30 DEGREES 01 MINUTES 31 SECONDS EAST 5.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS,

AND

PARCEL 2B:

A STRIP OF LAND 10.0 FEET IN WIDTH, THE EASTERLY LINE BEING DESCRIBED AS THAT PART OF LOTS 2, 3 AND 4 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE, AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.0 FEET OF LOT 4 AFORESAID 150.87 FEET NORTH 59 DEGREES 56 MINUTES 51 SECONDS EAST OF THE SOUTHWESTERLY LINE OF SAID LOT 4; THENCE NORTH 30 DEGREES 01 MINUTES 31 SECONDS WEST 165.18 FEET TO THE TERMINUS OF SAID CENTER LINE, (EXCEPT THEREFROM THE SOUTHEASTERLY 5.0 FEET THEREOF) IN COOK COUNTY, ILLINOIS.



EXHIBIT A-3

Phase III Parcel

Legal Description

Property of Cook County Clerk's Office

LEGAL DESCRIPTION  
of  
PHASE III PROPERTY

PARCEL 3:

THAT PART OF LOTS 1 AND 2 IN EDWARD J. LEHMANN'S SUBDIVISION OF THE EASTERLY 50 FEET OF LOTS 1 AND 2 IN BLOCK 7 OF HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE, AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF THE 100 FEET EAST OF AND ADJOINING SAID LOTS 1 AND 2 IN BLOCK 7 OF SAID HUNDLEY'S SUBDIVISION AND WEST OF SHERIDAN ROAD, TOGETHER WITH THAT PART OF LOTS 1 AND 2 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AFORESAID IN LEHMANN'S SUBDIVISION AFORESAID; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF LOTS 1 AND 2 AFORESAID FOR A DISTANCE OF 55.0 FEET; THENCE SOUTHWESTERLY 21.22 FEET TO A LINE 70.0 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 1 AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE FOR A DISTANCE OF 201.50 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE NORTHEASTERLY LINE OF LOTS 1 AND 2 IN LEHMANN'S SUBDIVISION AFORESAID 70.0 FEET TO THE NORTHWESTERLY LINE OF LOT 1 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE AND THE NORTHWESTERLY LINE OF LOT 1 IN LEHMANN'S SUBDIVISION AFORESAID 216.50 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 3 AS CREATED BY DECLARATION OF GRANT OF RECIPROCALEASEMENTS, RECORDED DECEMBER 4, 1985, AS DOCUMENT NUMBER 85308876 OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF LOT 1 IN EDWARD J. LEHMANN'S SUBDIVISION OF THE EASTERLY 50 FEET OF LOTS 1 AND 2 IN BLOCK 7 OF HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE, AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF THE 100 FEET EAST OF AND ADJOINING SAID LOTS 1 AND 2 IN BLOCK 7 OF SAID HUNDLEY'S SUBDIVISION AND WEST OF SHERIDAN ROAD, TOGETHER WITH THAT PART OF LOTS 1 AND 2 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF LOT 1 IN EDWARD J. LEHMANN'S SUBDIVISION AFORESAID 55.0 FEET SOUTHEASTERLY OF THE NORTHEAST CORNER OF LOT 1 AFORESAID; THENCE SOUTHWESTERLY ALONG A LINE HEREINAFTER REFERRED TO AS LINE "A" FOR A DISTANCE OF 21.22 FEET TO A LINE 70.0 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE HEREINAFTER REFERRED TO AS LINE "B" FOR A DISTANCE OF 201.5 FEET; THENCE NORTHWESTERLY ALONG A LINE HEREINAFTER REFERRED TO AS LINE "C" BEING PARALLEL WITH THE NORTHEASTERLY LINE OF LOT 1 IN EDWARD J. LEHMANN'S SUBDIVISION AFORESAID 70.0 FEET TO THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION FOR A DISTANCE OF 10.0 FEET; THENCE SOUTHEASTERLY ALONG

A LINE 10.0 FEET SOUTHWESTERLY OF AND PARALLEL WITH LINE "C" AFORESAID FOR A DISTANCE OF 78.0 FEET TO A LINE 8.0 FEET SOUTHEASTERLY OF AND PARALLEL WITH LINE "B" AFORESAID; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE 209.16 FEET TO A LINE 4.0 FEET SOUTHEASTERLY OF AND PARALLEL WITH LINE "A" AFORESAID; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE 24.54 FEET TO THE NORTHEASTERLY LINE OF LOT 1 IN EDWARD J. LEHMANN'S SUBDIVISION AFORESAID; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE 5.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCEL 3 AFORESAID AS SET FORTH IN DECLARATION OF RECIPROCAL EASEMENTS DATED NOVEMBER 1, 1985 AND RECORDED DECEMBER 4, 1985 AS DOCUMENT NO. 85308476, MADE BY MIDWEST BANK AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 27, 1983 AND KNOWN AS TRUST NUMBER 82124010 FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING AND REPLACING A PARKING FACILITY OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF LOT 2 IN EDWARD J. LEHMANN'S SUBDIVISION OF THE EASTERLY 50 FEET OF LOT 1 AND 2 IN BLOCK 7 OF HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21, INCLUSIVE AND LOTS 33 TO 37, INCLUSIVE, IN PINE GROVE IN SECTION 21, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF THE 100 FEET EAST OF AND ADJOINING SAID LOTS 1 AND 2 IN BLOCK 7 OF SAID HUNDLEY'S SUBDIVISION AND WEST OF SHERIDAN ROAD, TOGETHER WITH THAT PART OF LOTS 2, 3 AND 4 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF LOT 2 IN LEHMANN'S SUBDIVISION AFORESAID 115.58 FEET SOUTHEASTERLY OF THE NORTHEAST CORNER OF LOT 1 IN SAID LEHMANN'S SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF LOT 2 IN LEHMANN'S SUBDIVISION AND ALONG THE SOUTHWESTERLY LINE OF SHERIDAN ROAD FOR A DISTANCE OF 160.28 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 15.0 FEET OF LOT 4 AND ITS NORTHEASTERLY EXTENSION, THENCE SOUTHWESTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 174.33 FEET TO A LINE 174.33 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SHERIDAN ROAD AND THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 160.18 FEET TO A LINE 115.58 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN LEHMANN'S SUBDIVISION AFORESAID AND PARALLEL WITH THE NORTHWESTERLY LINE OF LOT 1 IN BLOCK 7 IN HUNDLEY'S SUBDIVISION AFORESAID; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE FOR A DISTANCE OF 122.0 FEET; THENCE SOUTH 30 DEGREES 01 MINUTES 31 SECONDS EAST ALONG A LINE DRAWN THROUGH A POINT ON THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.0 FEET OF LOT 4 AFORESAID (SAID POINT BEING 28.87 FEET NORTHEASTERLY OF THE SOUTHWESTERLY LINE OF LOT 4) FOR A DISTANCE OF 165.0 FEET TO THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY 20.0 FEET OF SAID LOT 4; THENCE NORTH 59 DEGREES 56 MINUTES 51 SECONDS EAST ALONG THE LAST DESCRIBED LINE 122.0 FEET; THENCE NORTH 30 DEGREES 01 MINUTES 31 SECONDS WEST 5.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

Address of party: 3660 N. LAKE SHORE DR.

Plots: 14-21-110-040 14-21-110-042  
 14-21-110-041 14-21-110-043  
 14-21-110-044 14-21-110-045  
 14-21-110-046