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This Instrument was prepared by and after recording should be returned to:

Andrew D. Small, Esq.  
Katten Muchin Zavis  
525 West Monroe Street  
Suite 1600  
Chicago, Illinois 60661

(The Above Space for Recorder's Use Only)

**NOTICE OF TERMINATION OF MEMORANDUM OF LEASE**

(Chicago Avenue Sublease)

This Notice of Termination of Memorandum of Lease is made this 19 day of December, 2000 by and between 730 NORTH MICHIGAN AVENUE, L.L.C., an Illinois limited liability company ("Landlord") and PENINSULA CHICAGO LLC, a Delaware limited liability company ("Tenant").

**WHEREAS:**

A. Under the terms of that certain Agreement to Lease dated January 1, 1996 ("Ground Lease") by and between LaSalle Bank National Association, as successor trustee to American National Bank and Trust Company of Chicago, not personally but solely as Trustee under Trust Agreement dated as of December 19, 1979 and known as Trust No. 78662-08 ("Ground Landlord") and LaSalle Bank National Association, as successor trustee to American National Bank and Trust Company of Chicago, not personally but solely as Trustee under Trust Agreement dated April 20, 1994 and known as Trust No. 118199-01 ("Original Landlord"), Ground Landlord leased to Original Landlord the land and other property as more particularly described in the Ground Lease (the "Ground Leased Premises").

B. Under the terms of that certain Agreement to Lease dated as of June 29, 1999 (the "Lease") by and between Original Landlord and Tenant, Original Landlord leased to Tenant a portion of the Ground Leased Premises, which property is described on Exhibit A attached hereto (the "Leased Premises");

C. Original Landlord and Tenant are parties to that certain Memorandum of Agreement to Lease entered into on June 11, 1999 and recorded in the Cook County Recorder's Office on July 1, 1999 as Document No. 99632463 (the "Memorandum");

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D. Original Landlord has assigned all of its rights, title and interest in the Ground Lease and the Lease to Landlord;

E. Pursuant to the terms of the Ground Lease, Landlord has caused Ground Landlord to convey fee title to the Ground Leased Premises to Tenant (such conveyance, the "Transfer");

F. Pursuant to Subsection 18(b) of the Lease, as a result of the Transfer, the Lease has thereby terminated; and

G. Landlord and Tenant desire to enter into this Notice of Termination of Memorandum of Lease as of the date and year above stated in order to provide record notice of the termination of the Lease and discharge of the Memorandum.

**NOW, THEREFORE**, intending to be legally bound and in consideration of the mutual promises and conditions hereinafter set forth the parties hereto agree as follows:

1. The recitals set forth above are hereby incorporated herein by reference as if same are fully set forth herein.
2. Pursuant to Subsection 18(b) of the Lease, and as a result of the transfers described in the recitals above, the parties acknowledge that the Lease has terminated.
3. The Memorandum is hereby discharged pursuant to this Notice of Termination of Memorandum of Lease.
4. This Notice of Termination of Memorandum of Lease may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereby have executed this instrument the date and year first above set forth.

TENANT:

LANDLORD:

PENINSULA CHICAGO LLC, a Delaware limited liability company

730 NORTH MICHIGAN AVENUE, L.L.C., an Illinois limited liability company

By: HSH, Chicago, Inc., a Delaware corporation, its member

By: 730 North Michigan Avenue Venture, an Illinois general partnership, its managing member

By: [Signature]  
Name: Pierre R. Boppe  
Its: Director

By: TKM L.L.C., an Illinois limited liability company, its partner

By: [Signature]  
Name: Steven R. Boppe  
Its: Duly Authorized Representative

By: McGolden Mile Corporation, a Delaware corporation, its partner

By: [Signature]  
Name: CHRISTINA PLESZKO  
Its: VICE PRESIDENT



STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that \_\_\_\_\_ of HSH Chicago, Inc., a Delaware corporation (the "Corporation"), the member of Peninsula Chicago LLC, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such \_\_\_\_\_, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

Property of Cook County Clerk's Office

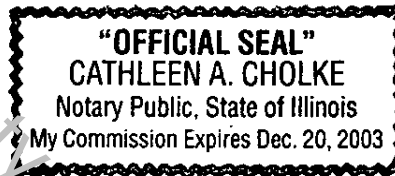
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF WILL )

I, CATHLEEN A. CHOLKE, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that \_\_\_\_\_, duly authorized representative of TKM L.L.C., an Illinois limited liability company (the "**Limited Liability Company**"), the partner of 730 North Michigan Avenue Venture, an Illinois general partnership, the managing member of 730 North Michigan Avenue, L.L.C., an Illinois limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such duly authorized representative, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Limited Liability Company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21<sup>st</sup> day of December, 2000.

Cathleen A. Cholke  
Notary Public

My commission expires 12/20/03.



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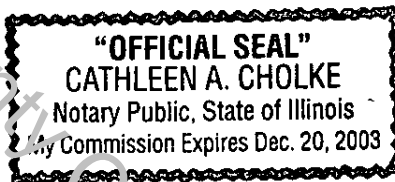
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF WILL )

I, CATHLEEN A CHOLKE a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that \_\_\_\_\_, \_\_\_\_\_ of McGolden Mile Corporation, a Delaware corporation (the "Corporation"), the partner of 730 North Michigan Avenue Venture, an Illinois general partnership, the managing member of 730 North Michigan Avenue, L.L.C., an Illinois limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such \_\_\_\_\_, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said corporation on behalf of the Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 2<sup>nd</sup> day of DECEMBER 2000.

Cathleen A. Cholke  
Notary Public

My commission expires 12/20/03



# UNOFFICIAL COPY

## EXHIBIT A

### LEGAL DESCRIPTION OF LEASED PROPERTY

Lot 7 in 730 N. Michigan Avenue Subdivision being a subdivision in the North Fractional ½ of Section 10, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois recorded June 30, 1999 as document number 99631468.

Address of Property: 730 North Michigan Avenue, Chicago, IL

Permanent Index Number: 17-10-102-014-0000

Property of Cook County Clerk's Office