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2001-10-25 15:35:38

Cook County Recorder

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Prepared By and
Upon Recording Return To:

Dean E. Parker, Esq.
Hinshaw & Culbertson
222 N. LaSalle, Suite 300
Chicago, Illinois 60601



0011000937

ASSIGNMENT OF GROUND LEASE

KNOW ALL MEN BY THESE PRESENTS, THIS ASSIGNMENT OF GROUND LEASE (this "Assignment") is made and entered into to be effective as of the 9th day of October, 2001, from COLE TAYLOR BANK, as Trustee under that certain Trust Agreement dated on or about October 31, 1997, and known as Trust No. 97-7641 (the "Assignor"), to CITY PLACE INTERNATIONAL, INC., a Delaware corporation, whose address is c/o Bank One, N.A., Managed Assets Department, Bank One Plaza, 17th Floor, Mail-Code IL1-0631, Chicago, Illinois 60670 (the "Assignee").

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor, being the current owner and holder of all of the lessee's interest under the Lease (hereinafter defined) with full power and authority to execute and deliver this Assignment without joinder, further action or consent by any party, does by these presents hereby grant, bargain, convey, sell, assign, transfer and set over unto the said Assignee, its successors, transferees, and assigns forever, and Assignee does, by its acceptance hereof, assume and accept, with respect to all periods of time after the date hereof, except as otherwise provided pursuant to the Sale Order entered by Judge Schmetterer on September 25, 2001, all of the right, title and interest of said Assignor under, in and to the Lease and any amendments and related documentation described on Attachment 1 attached hereto and made a part hereof (collectively, the "Lease"), said Lease pertaining to the real property located on the land described on Exhibit "A" attached hereto and made a part hereof.

Permanent Index Number: 16-14-417-006-0000 (PIQ & OP)

Property Address: 3301 West Arthington Street, Chicago, Illinois 60624

It is expressly understood and agreed by and between the parties hereto, anything herein 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

1ST AMERICAN TITLE Order #

10/19/03

[Handwritten signature]

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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 Land Trustee on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implies, all such personal liability, if any, being expressly waived and released.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the date set forth in the notary acknowledgment below, to be effective as of the date first set forth above.

COLE TAYLOR BANK
not personally but as Trustee under
Trust Agreement dated October 31, 1997,
and known as Trust No. 97-7641

ATTEST:

[Signature]
ST. TRUST OFFICER

By: [Signature]
Name: MARIO V. GOTANCO
Title: Vice President
"Assignor"

STATE OF ILLINOIS §
§
COUNTY OF COOK §

I, Sherry Smith, a Notary Public in and for said County, in the State aforesaid, do hereby certify that MARIO V. GOTANCO and MARITZA CASTILLO, personally known to me to be the Vice President and ST. TRUST OFFICER, respectively, of Cole Taylor Bank, as Trustee aforesaid and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledges that as such Vice President and ST. TRUST OFFICER, they signed and delivered the said instrument as their free and voluntary act and as the free and voluntary act and deed of said trustee, for the uses and purposes therein set forth.

Given under my hand and official seal this 9th day of October, 2001.



[Signature]
Notary Public

Commission expires _____

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ATTACHMENT 1
to
Assignment of Ground Lease

Description of Lease

Ground Lease by and between the Homan-Arthington Foundation, as Lessor and Cole Taylor Bank, not personally but as Trustee under Trust Agreement dated October 31, 1997, and known as Trust No. 97-7641, as lessee for the premises commonly known as 3301 West Arthington Street, Chicago, Illinois dated November 17, 1997 a memorandum was recorded as document number 97863333 as amended by the Agreement and Amendment Regarding Ground Lease Cures made as of October 9, 2001 (the closing date) between Lessor and City Place International, Inc. and Bank One, N.A.

Property of Cook County Clerk's Office

EXHIBIT A
to
Assignment of Ground Lease

Legal Description of Land

This legal description of the land which is the subject of the Lease is as follows:

(MERCHANDISE AND LAB BUILDING PARCEL)

THAT PART OF LOTS 7, 8 AND 9 IN BLOCK 1 IN HENRY E. VANCE'S RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 1904, AS DOCUMENT NUMBER 3635041, IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 1, ALSO BEING THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SOUTH HOMAN AVENUE AND THE SOUTH RIGHT OF WAY LINE OF WEST ARTHINGTON STREET; THENCE SOUTH 89 DEGREES 14 MINUTES 04 SECONDS EAST ALONG THE NORTH LINE OF BLOCK 1, ALSO BEING SAID SOUTH RIGHT OF WAY OF WEST ARTHINGTON STREET, A DISTANCE OF 489.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 04 SECONDS EAST ALONG SAID NORTH LINE OF BLOCK 1, ALSO BEING SAID SOUTH RIGHT OF WAY OF WEST ARTHINGTON STREET, A DISTANCE OF 108.77 FEET TO THE NORTHEAST CORNER OF LOT 7, ALSO BEING THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE OF WEST ARTHINGTON STREET AND THE WEST RIGHT OF LINE OF VACATED SOUTH SPAULDING AVENUE; THENCE SOUTH 00 DEGREES 26 MINUTES 04 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 7, ALSO BEING SAID WEST RIGHT OF WAY LINE OF VACATED SOUTH SPAULDING AVENUE, A DISTANCE OF 337.67 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7 ALSO BEING THE NORTH LINE OF THE B & O C.T. RAILROAD (FORMERLY THE CHICAGO AND GREAT WESTERN RAILROAD); THENCE NORTH 89 DEGREES 13 MINUTES 55 SECONDS WEST ALONG SAID SOUTH LINE OF BLOCK 1, ALSO BEING SAID NORTH RIGHT OF WAY LINE OF THE B & O C.T. RAILROAD, A DISTANCE OF 289.32 FEET; THENCE NORTH 00 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 157.20 FEET TO A POINT ON THE SOUTHERLY FACE OF A ONE STORY BRICK BUILDING AS SAID BRICK BUILDING EXISTED ON SEPTEMBER 16, 1997 THENCE SOUTH 89 DEGREES 40 MINUTES 38 SECONDS EAST ALONG SAID SOUTHERLY BUILDING FACE AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 179.12 FEET ; THENCE NORTH 00 DEGREES, 40 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.02 FEET TO SAID POINT OF BEGINNING; ALL IN COOK COUNTY ILLINOIS.

Commonly Known As: 3301 W. Arthington, Chicago, Illinois
Property Index No.: 16-14-417-006 (affects PIQ & OP)