

TRUSTEE'S DEED



0020426064

THIS INDENTURE, Made this 19<sup>th</sup>  
Day of February 2002  
between Lakeside Bank, an Illinois Banking  
Corporation, as Trustee, and not personally,  
under the provisions of a deed or deeds in  
trust duly recorded and delivered to said  
Lakeside Bank, in pursuance of a Trust  
Agreement dated the 15<sup>th</sup> day of

(The Above Space For Recorder's Use Only)

16 ju

April, 2002, and known as Trust Number 10-1841, party of the first part and  
LaSalle Bank National Association, not personally, but as trustee under  
Trust Agreement dated June 6, 2001 and known as Trust No. 127726.

of 145 South LaSalle Street, Chicago, Illinois 60603  
party of the second part.

WITNESSETH, That said party of the first part, in consideration of the sum of Ten and no/100  
(\$10.00) Dollars, and other good and valuable consideration in hand paid, does hereby grant, sell,  
convey and quit claim unto said party of the second part, the following described real estate, situated  
in Cook County, Illinois, to wit:

**PLEASE SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF**

**Subject to: PLEASE SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF**

STAMPS AFFIXED TO DOC. 0020426063  
STAMPS AFFIXED TO DOC. 0020426063

*"This conveyance incorporates and is subject to all of those terms and conditions contained in that Exhibit attached to and made a part of it."*

together with the tenements and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the same unto said party of the second part, and to the proper use and benefit forever said party of the second part.

Property Address: See attached Exhibit A

Permanent Index Number: See attached Exhibit A

**BOX 333-CTI**

7843811, D2, CD 20F 8

# UNOFFICIAL COPY

This deed is executed by party of the first part pursuant to and in the exercise of the power and authority granted to and vested in said Trustee by the terms of said deed or deeds in trust delivered to said Trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of any trust deeds, mortgages, and any other liens, restrictions and covenants of record, if any, in said county.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Vice-President and Trust Officer and attested by its Assistant Secretary, the day and year first above written.

This instrument was prepared by the  
Land Trust Department of Lakeside Bank  
55 W. Wacker Drive  
Chicago, Illinois 60601-1699

Lakeside Bank  
As Trustee aforesaid  
By [Signature]  
Vice-President and Trust Officer  
Attest [Signature]  
Assistant Secretary

State of Illinois

County of Cook

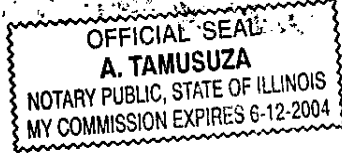
Exempt under  
SS. sub par. 7 and 8

Date 2/19/02 Sign. \_\_\_\_\_  
CS 200/31-45  
4

20426064

I, Agnes Tamusuza, a NOTARY PUBLIC in and for said County in the State aforesaid DO HEREBY CERTIFY that Vincent J. Tolve Vice-President and Trust Officer of Lakeside Bank and Philip Cacciatore Assistant Secretary of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Officers, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth; and the said Assistant Secretary did also then and there acknowledge that he as custodian of the corporate seal of said bank, did affix the said corporate seal of said Bank to said instruments as his own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 19<sup>th</sup> Day of February, 2002



[Signature]  
NOTARY PUBLIC

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

TAX BILLS TO: Roosevelt/Clark Development, L.P.  
c/o Rezmar Corporation  
853 N. Elston Avenue  
Chicago, IL 60627  
Attn: Daniel Mahru

# UNOFFICIAL COPY

STREET ADDRESS:

CITY:

COUNTY:

TAX NUMBER:

LEGAL DESCRIPTION:

PARCEL 1:

A TRACT OF LAND, LYING EASTERLY OF AND ADJOINING THE EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER, SAID TRACT OF LAND COMPRISED OF PART OF THE ORIGINAL BED OF SAID SOUTH BRANCH OF THE CHICAGO RIVER (ABANDONED), TOGETHER WITH SUNDRY LOTS, BLOCKS AND VACATED STREETS AND ALLEYS ADJOINING SAID LOTS AND BLOCKS, IN CANAL ADDITION, A SUBDIVISION OF THE WEST FRACTION OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21 AT A POINT OF INTERSECTION OF SAID LINE WITH EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER, SAID POINT BEING 1016.47 FEET WEST OF THE NORTHWARD EXTENSION OF THE WEST LINE OF SOUTH CLARK STREET, AND RUNNING; THENCE NORTH 89 DEGREES 55 MINUTES 29 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 287.476 FEET TO AN INTERSECTION WITH ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST WITH A RADIUS OF 1910.08 FEET, THE SOUTHERLY TERMINUS OF SAID ARC BEING A POINT WHICH IS 55.04 FEET SOUTH OF THE SOUTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED, AND 703.52 FEET WEST OF THE WEST LINE OF SAID SOUTH CLARK STREET; THENCE SOUTHEASTWARDLY ALONG SAID ARC, A DISTANCE OF 142.415 FEET TO THE AFOREMENTIONED SOUTHERLY TERMINUS OF SAID ARC; THENCE SOUTH 12 DEGREES 35 MINUTES 58 SECONDS EAST ALONG A STRAIGHT LINE, TANGENT TO THE LAST DESCRIBED ARC OF A CIRCLE, (THE SOUTHERLY TERMINUS OF SAID STRAIGHT LINE BEING A POINT WHICH IS 1185.34 FEET SOUTH OF SAID SOUTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED, AND 560 FEET EAST OF SAID EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER), A DISTANCE OF 1020.25 FEET, TO A POINT OF CURVE; THENCE SOUTHWARDLY ALONG THE ARC OF A CIRCLE CONVEX TO THE EAST, TANGENT TO LAST DESCRIBED STRAIGHT LINE AND HAVING A RADIUS OF 1273.57 FEET, A DISTANCE OF 274.145 FEET TO A POINT WHICH IS 1322.95 FEET SOUTH OF SAID SOUTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED, AND 560.00 FEET EAST OF SAID EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER; THENCE SOUTH 00 DEGREES 15 MINUTES 58 SECONDS EAST ALONG A STRAIGHT LINE WHICH IS PARALLEL WITH THE AFORESAID EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER, A DISTANCE OF 428.214 FEET, TO A POINT OF CURVE; THENCE SOUTHWESTWARDLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, TANGENT TO LAST DESCRIBED STRAIGHT LINE AND HAVING A RADIUS OF 478.34 FEET, A DISTANCE OF 373.878 FEET TO A POINT WHICH IS 2088.58 FEET SOUTH OF SAID SOUTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED, AND 419.08 FEET EAST OF THE EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER; THENCE SOUTH 44 DEGREES 31 MINUTES 02 SECONDS WEST ALONG A STRAIGHT LINE, TANGENT TO LAST DESCRIBED ARC OF A CIRCLE, A DISTANCE OF 92.474 FEET; THENCE SOUTH 54 DEGREES 49 MINUTES 32 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 141.64 FEET; THENCE SOUTH 20 DEGREES 17 MINUTES 02 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 21.393 FEET TO A INTERSECTION WITH A LINE WHICH IS 315 FEET NORTH FROM AND PARALLEL WITH THE EASTERLY EXTENSION OF THE CENTERLINE OF WEST 16TH STREET; THENCE SOUTH 89 DEGREES 50 MINUTES 55 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 229.778 FEET TO AN INTERSECTION WITH THE AFORESAID EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER; THENCE NORTH 00 DEGREES 26 MINUTES 02 SECONDS WEST ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 883.948 FEET TO AN ANGLE POINT IN SAID LINE, AND THENCE NORTH 00 DEGREES 15 MINUTES 58 SECONDS WEST CONTINUING ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 1457.308 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY MEMORANDUM OF DECLARATION OF EASEMENT DATED NOVEMBER 24, 1999, AND RECORDED

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DECEMBER 2, 1999 AS DOCUMENT NUMBER 09127751, AND MODIFIED BY FIRST AMENDMENT TO DECLARATION OF EASEMENT DATED FEBRUARY 28, 2001 AND RECORDED MARCH 14, 2001 AS DOCUMENT NUMBER 0010200264, AND RERECORDED MARCH 21, 2001 AS DOCUMENT NUMBER 0010224736, DESCRIBED AS FOLLOWS:

THE EAST 35 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND LYING EASTERLY OF AND ADJOINING THE EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER, SAID TRACT OF LAND COMPRISED OF PART OF THE ORIGINAL BED OF SAID SOUTH BRANCH OF THE CHICAGO RIVER (ABANDONED), TOGETHER WITH SUNDRY LOTS AND BLOCKS IN SCHOOL SECTION ADDITION TO CHICAGO, BEING A SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16, AT THE POINT OF INTERSECTION OF SAID LINE WITH THE EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER, SAID POINT BEING 1,016.47 FEET WEST OF THE NORTHWARD EXTENSION OF THE WEST LINE OF SOUTH CLARK STREET, AND RUNNING THENCE NORTH 89 DEGREES 55 MINUTES 29 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 287.476 FEET TO AN INTERSECTION WITH AN ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, WITH A RADIUS OF 1,910.08 FEET, THE SOUTHERLY TERMINUS OF SAID ARC BEING A POINT WHICH IS 55.04 FEET SOUTH OF THE SOUTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED, AND 703.52 FEET WEST OF THE WEST LINE OF SAID SOUTH CLARK STREET, THENCE NORTHWESTWARDLY ALONG SAID ARC, A DISTANCE OF 90.946 FEET TO A POINT WHICH IS 57.28 FEET, NORTH OF THE NORTH LINE OF SAID WEST ROOSEVELT ROAD, AND 739.73 FEET WEST OF SAID WEST LINE OF SOUTH CLARK STREET; THENCE NORTH 5 DEGREES 34 MINUTES 54 SECONDS WEST ALONG A STRAIGHT LINE A DISTANCE OF 508.47 FEET TO A POINT WHICH IS 280.80 FEET SOUTH OF THE SOUTH LINE OF WEST TAYLOR STREET AND 787.91 FEET WEST OF SAID WEST LINE OF SOUTH CLARK STREET; THENCE NORTHWARDLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE WEST WITH A RADIUS OF 1,910.08 FEET, A DISTANCE OF 180.16 FEET TO A POINT WHICH IS 100.90 FEET SOUTH OF SAID SOUTH LINE OF WEST TAYLOR STREET AND 796.52 FEET WEST OF SAID WEST LINE OF SOUTH CLARK STREET; THENCE NORTH 00 DEGREES, 11 MINUTES 05 SECONDS, WEST ALONG A STRAIGHT LINE, SAID DISTANCE OF 100.90 FEET TO SAID SOUTH LINE OF WEST TAYLOR STREET, THENCE SOUTH 89 DEGREES 68 MINUTES 30 SECONDS WEST ALONG SAID SOUTH LINE OF WEST TAYLOR STREET, A DISTANCE OF 299.47 FEET TO AN INTERSECTION WITH THE AFORESAID EASTERLY BOUNDARY LINE OF THE NEW CHANNEL OF THE SOUTH BRANCH OF THE CHICAGO RIVER; THENCE SOUTH 05 DEGREES 35 MINUTES 30 SECONDS EAST ALONG SAID EASTERLY BOUNDARY LINE A DISTANCE OF 837.84 FEET TO A POINT WHICH IS 9.96 FEET NORTH OF THE NORTH LINE OF SAID WEST ROOSEVELT ROAD AND THENCE SOUTH 00 DEGREES 15 MINUTES 58 SECONDS EAST, CONTINUING ALONG SAID EASTERLY BOUNDARY LINE A DISTANCE OF 42.36 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

A NON-EXCLUSIVE, IRREVOCABLE, TEMPORARY EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY EASEMENT AGREEMENT DATED MARCH 20, 2001 AND RECORDED APRIL 17, 2001 AS DOCUMENT 0010311632 FOR THE PURPOSE OF STAGING, STORAGE AND CONSTRUCTION OF THE WELLS STREET EXTENSION OVER THE FOLLOWING DESCRIBED LAND:

A PARCEL OF LAND 10 FEET WIDE, RUNNING THE FULL LENGTH, NORTH TO SOUTH, OF THE FOLLOWING DESCRIBED PROPERTY AND ADJOINING THE WESTERN BOUNDARY OF THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND COMPRISED OF A PART OF BLOCKS 105 AND 106 IN SCHOOL SECTION ADDITION TO CHICAGO, IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AND ALSO A PART OF LOTS 12 AND 13 IN STOWELL'S SUBDIVISION OF BLOCKS 106 AND 107 IN SAID SCHOOL SECTION ADDITION TO CHICAGO, WHICH PARCEL OF LAND IS BOUNDED AND DESCRIBED AS FOLLOWS:

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COMMENCING AT A POINT ON THE NORTH LINE OF SAID BLOCK 105 (SAID NORTH LINE BEING ALSO THE SOUTH LINE OF W. TAYLOR STREET) SAID POINT BEING 5.00 FEET, AS MEASURED ALONG SAID NORTH LINE, EAST OF THE INTERSECTION OF SAID NORTH LINE WITH THE SOUTHWARD EXTENSION OF THE WEST LINE OF BLOCK 104 IN SAID SCHOOL SECTION ADDITION (SAID WEST LINE BEING ALSO THE EAST LINE OF S. WELLS STREET, 60 FEET WIDE) AND RUNNING THENCE WESTWARDLY ALONG SAID NORTH LINE OF BLOCK 105, A DISTANCE OF 65.0 FEET TO THE POINT OF BEGINNING, OF THE HEREINAFTER DESCRIBED PARCEL; THENCE SOUTHWARDLY ALONG A LINE PARALLEL WITH SAID WEST LINE OF BLOCK 104, A DISTANCE OF 100.90 FEET; THENCE SOUTHWARDLY ALONG A CURVED LINE TANGENTIAL TO THE LAST DESCRIBED COURSE, CONVEX TO THE WEST AND HAVING A RADIUS OF 1910.08 FEET, AN ARC DISTANCE OF 180.16 FEET TO THE POINT OF TANGENCY, SAID POINT BEING 280.98 FEET SOUTH FROM SAID SOUTH LINE OF TAYLOR STREET, PRODUCED EAST, MEASURED PARALLEL WITH THE WEST LINE OF SOUTH CLARK STREET, AND 787.91 FEET WEST OF THE WEST LINE OF SOUTH CLARK STREET, AS NOW ESTABLISHED, MEASURED PARALLEL WITH THE SOUTH LINE OF TAYLOR STREET; THENCE SOUTHWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 508.47 FEET TO A POINT OF CURVE, SAID POINT OF CURVE BEING 57.28 FEET NORTH FROM THE NORTH LINE OF WEST ROOSEVELT ROAD, AS NOW WIDENED, MEASURED PARALLEL TO THE WEST LINE OF CLARK STREET AND 739.73 FEET WEST FROM THE WEST LINE OF CLARK STREET, AS NOW ESTABLISHED, MEASURED PARALLEL WITH THE NORTH LINE OF WEST ROOSEVELT ROAD; THENCE SOUTHWARDLY ALONG A CURVED LINE TANGENTIAL TO THE LAST DESCRIBED COURSE, CONVEX TO THE WEST AND HAVING A RADIUS OF 1910.08 FEET, A DISTANCE OF 57.64 FEET TO A POINT ON THE NORTH LINE OF WEST ROOSEVELT ROAD, AS NOW WIDENED, SAID POINT BEING 733.41 FEET WEST OF THE WEST LINE OF SOUTH CLARK STREET, AS NOW ESTABLISHED, AS MEASURED ALONG THE NORTH LINE OF WEST ROOSEVELT ROAD AS NOW WIDENED; THENCE WESTWARDLY ALONG SAID NORTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED, A DISTANCE OF 67.09 FEET TO AN INTERSECTION WITH A LINE WHICH IS 65.00 FEET WESTERLY OF AND PARALLEL WITH THE SOUTHWARD EXTENSION OF THE WEST LINE OF BLOCK 104 IN SAID SCHOOL SECTION ADDITION; THENCE NORTHWARDLY ALONG SAID PARALLEL LINE A DISTANCE OF 843.83 FEET TO AN INTERSECTION WITH SAID NORTH LINE OF BLOCK 105; THENCE EAST ALONG SAID NORTH LINE OF BLOCK 105, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

AND;

A PARCEL WITHIN THE SOUTHERLY EXTENDED EAST AND WEST LINES OF CACCIATORE WELLS STREET PARCEL FROM THE NORTH LINE OF WEST ROOSEVELT ROAD, AS WIDENED TO THE NORTHERLY LINE OF THE VENTURE PROPERTY.

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PERMANENT INDEX NUMBERS:

17-21-202-001-0000  
17-21-203-007-0000  
17-21-206-001-0000  
17-21-208-005-0000  
17-21-502-001-0000

17-21-203-004-0000  
17-21-204-001-0000  
17-21-207-001-0000  
17-21-209-007-0000  
17-21-503-003-0000  
17-21-210-062-0000

COMMON ADDRESS:

A PORTION OF THE PROPERTY IN THE AREA BOUNDED ON THE EAST BY SOUTH CLARK STREET, ON THE SOUTH BY WEST 16<sup>TH</sup> STREET, ON THE WEST BY THE SOUTH BRANCH OF THE CHICAGO RIVER AND ON THE NORTH BY WEST ROOSEVELT ROAD, CHICAGO, ILLINOIS.

Property of Cook County Clerk's Office

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## EXHIBIT B

### PERMITTED EXCEPTIONS

1. GENERAL REAL ESTATE TAXES NOT YET DUE OR PAYABLE.
2. MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING DATED ~ AND RECORDED ~ AS DOCUMENT ~ MADE BY LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 6, 2001 AND KNOWN AS TRUST NUMBER 127726 TO FIRST BANK AND TRUST COMPANY OF ILLINOIS TO SECURE A NOTE FOR \$28,500,000.00.
3. JUNIOR MORTGAGE, ASSIGNMENT OF RENTS AND LEASES, SECURITY AGREEMENT AND FIXTURE FINANCING STATEMENT DATED ~ AND RECORDED ~ AS DOCUMENT ~ MADE BY LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 6, 2001 AND KNOWN AS TRUST NUMBER 127726 TO ROOSEVELT RIVER PARTNERS, A JOINT VENTURE, AN ILLINOIS JOINT VENTURE TO SECURE A NOTE FOR \$22,500,000.00.
4. INTERCREDITOR AGREEMENT BY AND BETWEEN ROOSEVELT RIVER PARTNERS, A JOINT VENTURE, AN ILLINOIS JOINT VENTURE ("JUNIOR LENDER") AND FIRST BANK AND TRUST COMPANY OF ILLINOIS ("SENIOR LENDER") AND LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 6, 2001 AND KNOWN AS TRUST NUMBER 127726 ("BORROWER"), DATED ~ AND RECORDED ~ AS DOCUMENT NUMBER ~.
5. TERMS, POWERS, PROVISIONS AND LIMITATIONS OF THE TRUST UNDER WHICH TITLE TO THE LAND IS HELD.
6. MEMORANDUM OF AGREEMENT MADE BY AND BETWEEN LAKESIDE BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 15, 1997 AND KNOWN AS TRUST NUMBER 10-1904, CLARK/TAYLOR, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, ROOSEVELT RIVER PARTNERS, A JOINT VENTURE, CONSISTING OF HUNTER-BURNHAM LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP AND BURNHAM PARK ASSOCIATES, AN ILLINOIS LIMITED PARTNERSHIP, RECORDED APRIL 17, 2001 AS DOCUMENT NUMBER 0010311631.
7. THE FOLLOWING DESCRIBED PORTIONS OF THE LAND APPARENTLY ARE NOT ASSESSED FOR GENERAL REAL ESTATE TAXES:  
  
THOSE PORTIONS OF THE LAND FALLING IN MAXWELL STREET, AND 16TH STREET.  
  
(AFFECTS PARCELS 1 AND 5)
8. THE FOLLOWING DESCRIBED PORTIONS OF THE LAND APPARENTLY ARE NOT ASSESSED FOR GENERAL REAL ESTATE TAXES:  
  
THOSE PORTIONS OF THE LAND FALLING IN LUMBER STREET, STEPHENSON STREET, MAXWELL STREET, AND 14TH STREET.  
  
(AFFECTS PARCEL 2)

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9. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE CITY OF CHICAGO IN AND TO THOSE PARTS OF THE LAND FALLING IN THE FOLLOWING STREETS:

ROOSEVELT ROAD;

10. PERMANENT EASEMENTS AND PERMANENT SUBTERRANEAN EASEMENTS, WITH RIGHT OF ACCESS, IN FAVOR OF THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO, AS CREATED BY DECREE ENTERED OCTOBER 22, 1978 IN CASE NO. 76L11684, CIRCUIT COURT OF COOK COUNTY, ILLINOIS, AND IDENTIFIED AS: PARCELS A AND B SHOWN ON EXHIBITS A TO APPENDIX I; AND, PARCELS A, B, D AND E, SHOWN ON EXHIBITS A AND B TO APPENDIX III, ATTACHED THERETO.

(AFFECTS PARCEL 2 AND OTHER PROPERTY NOT INCLUDED IN SCHEDULE A)

11. PERMANENT SUBSURFACE RIGHT AND EASEMENT CREATED BY GRANT FROM THE PENN CENTRAL CORPORATION, A CORPORATION OF PENNSYLVANIA, AND UNITED RAILROAD CORP., A CORPORATION OF DELAWARE, TO THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS, A MUNICIPAL CORPORATION, DATED JUNE 18, 1986, AND RECORDED JULY 1, 1986, AS DOCUMENT 86289426, FOR RAIL TRANSPORTATION SUBWAY PURPOSES KNOWN AS THE HOWARD DAN RYAN PROJECT, IN THAT CERTAIN VOLUME OF SPACE LYING BETWEEN AN ELEVATION OF +20.00 CHICAGO CITY DATA AND -50.00 CHICAGO CITY DATUM IN PART OF LOTS 1, 2 AND 3 IN BLOCK 34 AND THAT PART OF BLOCK 35 IN ASSESSOR'S SECOND DIVISION OF THE EAST FRACTIONAL NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF VACATED WEST 16TH STREET AND THAT PART OF VACATED SOUTH LASALLE STREET, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 35, BEING ALSO THE NORTH LINE OF WEST 16TH STREET; THENCE WEST ALONG THE SOUTH LINE OF SAID BLOCK 35, A DISTANCE OF 78.24 FEET TO ITS INTERSECTION WITH THE EAST LINE OF VACATED WEST 16<sup>TH</sup> STREET (AS VACATED BY THE CITY COUNCIL OF THE CITY OF CHICAGO BY AN ORDINANCE PASSED MAY 19, 1897); THENCE SOUTH ALONG THE EAST LINE OF SAID VACATED WEST 16<sup>TH</sup> STREET A DISTANCE OF 33.0 FEET TO THE SOUTH LINE OF SAID VACATED WEST 16<sup>TH</sup> STREET, BEING ALSO THE NORTH LINE OF LOT 1 IN BLOCK 5 OF CANAL TRUSTEES' NEW SUBDIVISION OF BLOCKS IN THE SOUTHEAST 1/4 OF AFORESAID SECTION 21; THENCE WEST ALONG SAID SOUTH LINE OF VACATED WEST 16<sup>TH</sup> STREET AND SAID LINE EXTENDED WEST A DISTANCE OF 104.70 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1,503.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 23.66 FEET TO THE CENTER LINE OF VACATED SOUTH LASALLE STREET (AS VACATED BY AFORESAID ORDINANCE OF MAY 19, 1897); THENCE NORTH ALONG SAID CENTER LINE A DISTANCE OF 21.73 FEET TO THE SOUTH LINE OF VACATED WEST 16<sup>TH</sup> STREET AS AFORESAID; THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 188.90 FEET TO THE WEST LINE OF AFORESAID VACATED WEST 16<sup>TH</sup> STREET, BEING THE WEST LINE OF LOT 1 EXTENDED NORTH IN BLOCK 5 OF AFOREMENTIONED CANAL TRUSTEES' NEW SUBDIVISION; THENCE NORTH ALONG SAID WEST LINE EXTENDED NORTH A DISTANCE OF 53.00 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF VACATED WEST 16<sup>TH</sup> STREET, A DISTANCE OF 160.558 FEET, TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1553.5 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 80.453 FEET; THENCE ALONG A LINE BEARING NORTH 68 DEGREES 30 MINUTES 4 SECONDS EAST A DISTANCE OF 4.0 FEET; THENCE NORTHEASTERLY ALONG A LINE BEARING NORTH 21 DEGREES 30 MINUTES QUARTER SECONDS EAST A DISTANCE OF 17.5 FEET; THENCE SOUTHEASTERLY ALONG A LINE BEARING SOUTH 65 DEGREES 29 MINUTES 59 SECONDS EAST A DISTANCE OF 4.0 FEET, TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1653.5 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 341.099 FEET; THENCE NORTHWESTERLY ALONG A

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LINE BEARING NORTH 53 DEGREES 18 MINUTES 11 SECONDS WEST A DISTANCE OF 4.0 FEET; THENCE NORTHEASTERLY ALONG A LINE BEARING NORTH 14 DEGREES 41 MINUTES 14 SECONDS EAST A DISTANCE OF 17.5 FEET; THENCE SOUTHEASTERLY ALONG A LINE BEARING SOUTH 55 DEGREES 18 MINUTES 11 SECONDS WEST A DISTANCE OF 4.0 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1553.5 FEET TO THE WEST LINE OF SOUTH CLARK STREET; THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 86.845 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1503.0 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 157.459 FEET TO A POINT ON A LINE 20.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF LOT 35; THENCE EAST ALONG SAID PARALLEL LINE A DISTANCE OF 164.142 FEET TO THE WEST LINE OF SOUTH CLARK STREET; THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 20.00 TO THE POINT OF BEGINNING;

AND THE COVENANTS AND CONDITIONS THEREIN CONTAINED.

(AFFECTS PARCEL 1 AND OTHER PROPERTY NOT INCLUDED IN SCHEDULE A)

12. PERPETUAL EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF A SEWER, AS CREATED BY GRANT MADE BY FRANK O. LOWDEN, AND OTHERS, AS TRUSTEES OF THE ESTATE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY, TO THE CITY OF CHICAGO, DATED JUNE 17, 1941 AND RECORDED DECEMBER 18, 1941 AS DOCUMENT 12812887 OVER LAND DESCRIBED AS FOLLOWS:

A STRIP OF LAND 16 FEET WIDE, BEING 8 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SOUTH CLARK STREET WITH THE CENTER LINE, PRODUCED WEST, OF WEST 14<sup>TH</sup> STREET, AS OPENED AND DEDICATED EAST OF SOUTH CLARK STREET; THENCE WEST ALONG SAID CENTER LINE, PRODUCED WEST, OF WEST 14<sup>TH</sup> STREET, 212.5 FEET; THENCE SOUTHWESTERLY ON A STRAIGHT LINE TO A POINT 431 FEET WEST OF THE WEST LINE OF SOUTH CLARK STREET, AND 25 FEET SOUTH OF THE NORTH LINE, PRODUCED EAST, OF WEST 14<sup>TH</sup> STREET, AS DEDICATED IN CANAL ADDITION TO CHICAGO IN THE WEST FRACTIONAL NORTHEAST  $\frac{1}{4}$  OF SECTION 21 AFORESAID; THENCE WEST ALONG A LINE 25 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, PRODUCED EAST, OF WEST 14<sup>TH</sup> STREET, TO THE WESTERLY LINE OF THE LANDS OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY, SAID WESTERLY LINE BEING 457.4 FEET, MORE OR LESS, WEST OF THE WEST LINE OF SOUTH CLARK STREET.

(AFFECTS PARCELS 1 AND 2)

13. EASEMENT FOR INTERCEPTING SEWER IN FAVOR OF THE SANITARY DISTRICT OF CHICAGO, A MUNICIPAL CORPORATION, OVER AND ACROSS A 12 FOOT STRIP, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF CLARK STREET 448.78 FEET NORTH OF THE NORTH LINE OF WEST 16<sup>TH</sup> STREET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE FOR A DISTANCE OF 701.95 FEET MORE OR LESS TO A POINT WHICH IS 591 FEET WEST OF THE WEST LINE OF SOUTH CLARK STREET AND 69.5 FEET NORTH OF THE NORTH LINE OF WEST 16<sup>TH</sup> STREET; THENCE ALONG A CURVE, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 100 FEET, CONVEX TO THE WEST, FOR A DISTANCE OF 68.25 FEET; THENCE ALONG A STRAIGHT LINE, TANGENT TO THE LAST DESCRIBED CURVE FOR A DISTANCE OF 17.5 FEET TO A POINT ON THE NORTH LINE OF WEST 16<sup>TH</sup> STREET 637.5 FEET, MORE OR LESS, WEST OF THE WEST LINE OF SOUTH CLARK STREET, AS CREATED IN PART OF GRANT RECORDED AUGUST 26, 1937 AS DOCUMENT 12046245 AND AS CREATED IN PART BY GRANT RECORDED JUNE 21, 1937 AS DOCUMENT 12029543.

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(AFFECTS THAT PART OF PARCEL 1 FALLING WITHIN BLOCKS 34 AND 35 IN ASSESSOR'S SECOND DIVISION AFORESAID)

14. EXCLUSIVE PERPETUAL EASEMENT IN FAVOR OF CHICAGO PACIFIC CORPORATION, A DELAWARE CORPORATION, ITS SUCCESSORS AND ASSIGNS, TOGETHER WITH A REASONABLE RIGHT OF ENTRY FOR THE CONSTRUCTION, ERECTION, INSTALLATION, OPERATION AND MAINTENANCE OF FIBER OPTIC TRANSMISSION LINES OF EVERY KIND AND CHARACTER TOGETHER WITH ALL NECESSARY SUPPORTING DEVICES WHICH MAY BE CONSTRUCTED, ERECTED OR INSTALLED IN, ON, UNDER, ABOVE, ACROSS, AND ALONG ANY PORTION OF THE LAND WITHIN 30 FEET OF THE CENTERLINE OF GRANTOR'S FORMER MAIN RAILROAD(S), INCLUDING THE RIGHT TO RECONSTRUCT, RE-ERECT, AND TO REINSTALL EACH AND EVERY TRANSPORTATION OR TRANSMISSION FACILITY THEREIN CONTEMPLATED, AS RESERVED IN THE DEED FROM CHICAGO PACIFIC CORPORATION, A DELAWARE CORPORATION, TO UNITED RAIL CORP., A DELAWARE CORPORATION, DATED APRIL 14, 1986 AND RECORDED APRIL 16, 1986 AS DOCUMENT 86148247, AND THE COVENANTS, CONDITIONS AND AGREEMENTS THEREIN CONTAINED.

(AFFECTS PARCEL 1)

15. EASEMENT IN FAVOR OF THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO, AS SET FORTH IN GRANT OF EASEMENT RECORDED OCTOBER 30, 1978 AS DOCUMENT 24693099 AND AMENDED BY AMENDATORY ORDINANCE TO GRANT OF EASEMENT RECORDED OCTOBER 30, 1978 AS DOCUMENT 24693100 PASSED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, TO CONSTRUCT, RECONSTRUCT, REPAIR, MAINTAIN, AND OPERATE THE TUNNEL AND RESERVOIR PLAN, AND THE TERMS, PROVISIONS AND CONDITIONS CONTAINED THEREIN.

(AFFECTS THOSE PORTIONS OF THE LAND FALLING IN ROOSEVELT ROAD AND OTHER PROPERTY NOT INCLUDED IN SCHEDULE A)

16. (A) TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 3 CONTAINED IN THE INSTRUMENT RECORDED NOVEMBER 24, 1999 AS DOCUMENT NUMBER 09127751, CREATING SAID EASEMENT.
17. (A) TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 4 CONTAINED IN THE INSTRUMENT, RECORDED APRIL 17, 2001 AS DOCUMENT 0010311632, CREATING SAID EASEMENT.

(B) RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.

18. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE RIGHT OF WAY OCCUPANCY AGREEMENT DATED AS OF MARCH 18, 1988 AND RECORDED JULY 22, 1988 AS DOCUMENT 88323606 MADE BY AND BETWEEN CSX TRANSPORTATION, INC. AND LIGHTNET, A DELAWARE GENERAL PARTNERSHIP RELATING TO FIBER OPTIC COMMUNICATION AND/OR DATA TRANSMISSION CABLE AND TELECOMMUNICATIONS SYSTEM.

(AFFECTS PARCELS 2 AND 3)

19. RIGHTS OF MCI AND MCI WORLDCOM TO MAINTAIN ITS FACILITIES IN THE SOUTHEASTERLY AND WESTERLY PORTION OF THE LAND, AS DISCLOSED BY ITS MAP ATTACHED OT LETTER DATED JUNE 20, 2000.

20. RIGHTS OF THE CITY OF CHICAGO BUREAU OF ELECTRICITY TO MAINTAIN ITS FACILITIES AS SHOWN ON ITS MAP DATED JUNE 26, 1986 BEING A TRAFFIC CONTROL SIGNAL IN THE

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NORTH EAST CORNER OF THE LAND AND TRANSMISSION CABLES ALONG THE EAST LINE OF THE LAND.

(AFFECTS PARCEL 1)

21. RIGHTS OF THE CITY OF CHICAGO DEPARTMENT OF TRANSPORTATION TO MAINTAIN ITS FREIGHT TUNNELS/OR FREIGHT TUNNEL RELATED STRUCTURES, AS DISCLOSED BY ITS LETTER DATED SEPTEMBER 27, 2000, AND PLATS NOS. 16 AND 20.
22. RIGHTS OF COMMONWEALTH EDISON TO MAINTAIN ITS DISTRIBUTION OVERHEAD FACILITIES ON THE LAND, AS DISCLOSED BY ITS LETTER DATED FEBRUARY 16, 2000 AND AS DEPICTED ON THE PLAT OF SURVEY MADE BY GREMLEY & BIEDERMAN, INC., NUMBER 100266, DATED MARCH 4, 2000, AND REVISED APRIL 26, 2000, MAY 18, 2000, JUNE 21, 2000, AUGUST 17, 2000, SEPTEMBER 14, 2000, SEPTEMBER 26, 2000, SEPTEMBER 28, 2000, OCTOBER 17, 2001, DECEMBER 21, 2001, JANUARY 07, 2002, JANUARY 09, 2002, JANUARY 15, 2002, JANUARY 18, 2002 AND LAST REVISED JANUARY 24, 2002.
23. NO FURTHER REMEDIATION LETTER RECORDED JANUARY 21, 1999 AS DOCUMENT NUMBER 99063836.

(AFFECTS PARCEL 2)

24. COVENANTS AND RESTRICTIONS (BUT OMITTING ANY SUCH COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS), CONTAINED IN THE DOCUMENT RECORDED DECEMBER 2, 1999 AS DOCUMENT NO. 09127750 WHICH DOES NOT CONTAIN A REVERSIONARY OR FORFEITURE CLAUSE.

(AFFECTS PARCEL 2)

NOTE: THIS EXCEPTION WILL BE WAIVED ON FUTURE POLICIES INSURING INDIVIDUAL RESIDENTIAL UNITS, AS DEFINED BY, AND PURSUANT TO THE TERMS OF SECTION 3.3 OF THE DECLARATION.

25. NOTHING IN THIS COMMITMENT OR POLICY WHEN ISSUED SHOULD BE CONSTRUED AS INSURING ACCESS TO, OR THE RIGHT TO DRAW WATER FROM, THE SOUTH BRANCH OF THE CHICAGO RIVER.
26. PORTIONS OF THE CONCRETE SEAWALL ALONG THE WEST LINE OF THE LAND, HAVE BEEN WASHED AWAY, AS SHOWN ON SURVEY BY GREMLEY & BIEDERMANN, INC., # 100266, DATED MARCH 4, 2000, AND REVISED APRIL 26, 2000, MAY 18, 2000, JUNE 21, 2000, AUGUST 17, 2000, SEPTEMBER 14, 2000, SEPTEMBER 26, 2000, SEPTEMBER 28, 2000, OCTOBER 17, 2001, DECEMBER 21, 2001, JANUARY 7, 2002, JANUARY 9, 2002, JANUARY 15, 2002, JANUARY 18, 2002, AND LAST REVISED JANUARY 24, 2002.
27. RIGHTS OF ALL EXISTING RAILROADS, TO OPERATE AND MAINTAIN EXISTING TRACKS AS DEPICTED ON SURVEY BY GREMLEY & BIEDERMANN, INC., # 100266, DATED MARCH 4, 2000, AND REVISED APRIL 26, 2000, MAY 18, 2000, JUNE 21, 2000, AUGUST 17, 2000, SEPTEMBER 14, 2000, SEPTEMBER 26, 2000, SEPTEMBER 28, 2000, OCTOBER 17, 2001, DECEMBER 21, 2001, JANUARY 7, 2002, JANUARY 9, 2002, JANUARY 15, 2002, JANUARY 18, 2002, AND LAST REVISED JANUARY 24, 2002, AS FOLLOWS: METRA, ST. CHARLES AIR LINE, AND THE ILLINOIS CENTRAL.

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28. RIGHTS OF PARTIES TO MAINTAIN THE FOLLOWING LOCATED ON VACATED ROOSEVELT ROAD, AS DISCLOSED BY SURVEY NUMBER 100759 PREPARED BY GREMLEY & BIEDERMANN, INC. DATED MARCH 4, 2000, AND REVISED APRIL 26, 2000, MAY 18, 2000, JUNE 21, 2000, AUGUST 17, 2000, SEPTEMBER 14, 2000, SEPTEMBER 26, 2000, SEPTEMBER 28, 2000, OCTOBER 17, 2001, DECEMBER 21, 2001, JANUARY 7, 2002, JANUARY 9, 2002, JANUARY 15, 2002, JANUARY 18, 2002 AND LAST REVISED JANUARY 24, 2002:

6 INCH WATER MAIN;

2 ½ FOOT SEWER MAIN;

WARNING LIGHTS;  
CONCRETE CURBS;  
RAISED CONCRETE MEDIAN;  
ELECTRIC TRAFFIC SIGNAL;  
COMMONWEALTH EDISON CONDUITS;  
PLANTERS,  
STORAGE BUILDINGS;  
ELECTRIC CONDUITS;  
PILLARS (BRIDGE SUPPORTS);  
STORM INLETS;  
ELECTRIC LIGHT POLES;  
SANITATION MANHOLES; AND,  
1.5 FOOT BRIDGE WALL.

29. RIGHTS OF PARTIES TO MAINTAIN THE FOLLOWING LOCATED ON THE LAND, AS DISCLOSED BY SURVEY NUMBER 100263 PREPARED BY GREMLEY & BIEDERMANN, INC. DATED MARCH 4, 2000, AND REVISED APRIL 26, 2000, MAY 18, 2000, JUNE 21, 2000, AUGUST 17, 2000, SEPTEMBER 14, 2000, SEPTEMBER 26, 2000, SEPTEMBER 28, 2000, OCTOBER 17, 2001, DECEMBER 21, 2001, JANUARY 7, 2002, JANUARY 9, 2002, JANUARY 15, 2002, JANUARY 18, 2002 AND LAST REVISED JANUARY 24, 2002:

ELECTRIC UTILITY POLES;

AERIAL WIRES;

POLES WITH TRANSFORMERS;

ELECTRIC LIGHT POLES;

POLES WITH CABLE DROPS;

5 ½ FOOT SEWER MAIN  
(AFFECTS THE LAND SOUTHERLY PORTION OF LOT 1 IN BLOCK 17 AND LAND WEST AND ADJOINING SAID LOT 1, PARCELS 1 AND 2);

8 FOOT X 6 ¾ FOOT SEWER MAIN  
(AFFECTS 14<sup>TH</sup> STREET AND LAND EAST AND ADJOINING, PARCELS 1 AND 2);

4 FOOT PRIVATE WATER MAIN  
(AFFECTS PARCEL 2);

WATER VALVES;

2 FOOT SEWER MAIN

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(AFFECTS BLOCKS 28 AND 29, PARCEL 1)

3 FOOT CONCRETE SEWER MAIN;

OVERHEAD SIGNAL TOWERS WITH CATWALKS;

SANITARY MANHOLES;

7 FOOT 6 INCH X 8 FOOT 4 INCH SANITARY DISTRICT SEWER;

GUY WIRES;

36 INCH SEWER MAIN  
(AFFECTS THE SOUTHERLY PORTION OF PARCEL 1 AND PARCEL 5)

METAL UTILITY POLES;

STORM CATCH BASINS; AND

CONCRETE MCI VAULT

(AFFECTS SOUTHWESTERLY PORTION OF PARCEL 2).

30. ACTS DONE BY OR THROUGH THE GRANTEE.

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**Lakeside Bank**

55 WEST WACKER DRIVE • CHICAGO, ILLINOIS 60601-1699 • (312) 435-5100

## EXHIBIT

Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alleys, to vacate any subdivision or part thereof, and to resubdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement, and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (including the Registrar of Titles of said county) relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture and by said Trust Agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said Trust Agreement or in all amendments thereof, if any, and binding upon all beneficiaries thereunder, (c), that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all title, estate, rights, powers, authorities, duties and obligations of its, his or her or their predecessor in trust.

This conveyance is made upon the express understanding and condition that neither Grantee, individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof.) All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such but only an interest in earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said Grantee the entire legal and equitable title in fee simple, in and to all of the real estate above described.

If the title to any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust" or "upon condition" or "with limitations" or words of similar import, in accordance with the statute in such case made and provided.

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