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2002-05-02 08:27:54

Cook County Recorder

25.50



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This Document Prepared by and
After Recording return to:

Stephen F. Galler, Esq.
c/o LR Development Company LLC
350 West Hubbard, Suite 301
Chicago, Illinois 60610

AGREEMENT AND COVENANT

Know All Men By These Presents That 840 LAKE SHORE DRIVE, L.L.C., an Illinois limited liability company, owner of the leasehold interest in the property legally described on Exhibit A attached hereto (the "Property") does hereby covenant and agree for itself, its successors and assigns, that the maintenance and repair of the common sewer lines located anywhere on the Property from the point of connection to the sewer main in the public street shall be the responsibility of the undersigned and its successors and assigns, and shall not be the responsibility of the City of Chicago. The undersigned further states that this covenant shall run with the land and shall be binding upon all subsequent grantees. This covenant is made to induce the City of Chicago to furnish sewer and water service to the Property.

EXECUTED the 30th day of April, 2002

840 LAKE SHORE DRIVE, L.L.C., an Illinois limited liability company

By: Lake Shore, L.L.C., an Illinois limited liability company, its
sole member

By: LR Development Company LLC, a Delaware limited
liability company, its sole member

By: Theodore T. Weldon III
Theodore T. Weldon III

Its: Senior Vice President

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STATE OF ILLINOIS)
)
COUNTY OF COOK)

The undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Theodore T. Weldon III, personally known to me to be the Senior Vice President of LR Development Company LLC, a Delaware limited liability company, which is the sole member of Lake Shore, L.L.C., an Illinois limited liability company, which is sole member of 840 Lake Shore Drive, L.L.C., an Illinois limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he, as such Senior Vice President, signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said company as sole member of aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 30th day of April, 2002.



Andrea Hines
Notary Public

My commission expires: 8.27.03

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EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

THAT PART OF LOTS 97 AND 98 IN LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCKS 14 AND 20 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 91 IN SAID LAKE SHORE DRIVE ADDITION; THENCE NORTH 00 DEGREES 12 MINUTES 21 SECONDS EAST ALONG THE WEST LINE THEREOF 104.03 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 179.75 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 21 SECONDS EAST 3.24 FEET TO THE NORTH LINE OF LOT 94; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF LOTS 94 TO 97, 129.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF LOT 97 AFORESAID 33.52 FEET; THENCE SOUTH 18 DEGREES 01 MINUTE 45 SECONDS EAST 38.14 FEET TO THE NORTH LINE OF THE SOUTH 71.0 FEET OF LOT 98; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE LAST DESCRIBED LINE 122.04 FEET TO THE NORTHEAST CORNER OF LOT 98; THENCE SOUTH 25 DEGREES 08 MINUTES 17 SECONDS EAST ALONG THE EAST LINE OF LOT 98 AFORESAID 78.43 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 97 AND 98 AFORESAID 201.0 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 21 SECONDS EAST 107.27 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

TOGETHER WITH

THAT PART OF LOTS 94 TO 97 LYING BELOW A HORIZONTAL PLANE OF 13.11 ABOVE CHICAGO CITY DATUM IN LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCKS 14 AND 20 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND FALLING WITHIN THE BOUNDARIES PROJECTED VERTICALLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 91 IN SAID LAKE SHORE DRIVE ADDITION: THENCE NORTH 00° 12' 21" EAST ALONG THE WEST LINE THEREOF 104.03 FEET; THENCE NORTH 90° 00' 00" EAST 4.75 FEET; THENCE NORTH 00° 12' 21" EAST 3.24 FEET TO THE NORTH LINE OF LOT 94; THENCE NORTH 90° 00' 00" EAST ALONG THE NORTH LINE OF LOTS 94 TO 97 FOR A DISTANCE OF 129.18 FEET; THENCE SOUTH 00° 12' 21" WEST 107.27 FEET TO THE SOUTH LINE OF SAID LOTS; THENCE SOUTH 90° 00' 00" WEST ALONG SAID SOUTH LINE 134.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS:

840 NORTH LAKE SHORE DRIVE
CHICAGO, ILLINOIS 60611

PERMANENT INDEX NUMBERS:

17-03-228-029-8001
17-03-228-029-8002