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2003-03-24 07:56:19
Cook County Recorder 34.00



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This document prepared by:

Connie Stacey
American Premier
Underwriters, Inc.
Cincinnati, OH 45202

After recording return to:

Sue Ann Fishbein
Piper Marbury
Rudnick & Wolfe
203 N. LaSalle Street
Suite 1800
Chicago, IL 60601

(The Above Space for Recorder's Use Only)

CORRECTIVE QUIT CLAIM DEED

THE GRANTOR, AFC COAL PROPERTIES, INC., an Ohio corporation and **AMERICAN PREMIER UNDERWRITERS, INC.**, a Pennsylvania corporation, formerly known as The Penn Central Corporation, for and in consideration of the sum of **TEN AND 00/100 (\$10.00) DOLLARS**, and other good and valuable consideration in hand paid, **CONVEYS and QUIT CLAIMS** to **TRIZECHAHN 10 120 FEE LLC**, a Delaware limited liability company (the "**Grantee**"), all interest in, to and under the following described Real Estate (the "**Property**") situated in the County of Cook in the State of Illinois, to wit:

See Exhibit A attached hereto and made a part hereof.

Permanent Real Estate Index Number(s): 17-16-104-008-6001

Address of Real Estate: 120 South Riverside Plaza, Chicago, Illinois

together with land and buildings, facilities, roadways, utility lines and infrastructure, and improvements thereon, and appurtenance easements and other rights appurtenant thereto; all hereditaments and tenements therein and reversions, remainders, issues, profits, and other rights belonging or related thereto; all riparian and water rights; all systems, facilities, fixtures, machinery, equipment and conduits to provide fire protection, security, heat, exhaust, ventilation, air conditioning, electrical power, light, plumbing, refrigeration, gas, sewer and water thereto; and all right, title and interest of Grantor in and to all streets, alleys, passages and other rights-of-way included therein or adjacent thereto (before or after their vacation).

BOX 333-CP

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This Corrective Quitclaim Deed corrects and supersedes that certain Quit Claim Deed made by AFC COAL PROPERTIES, INC., and AMERICAN PREMIER UNDERWRITERS, INC., formerly known as The Penn Central Corporation, to TRIZECHAHN 10/120 FEE, LLC, dated May 29, 2002 and recorded in the Cook County Recorder's Office on June 6, 2002, as Document No. 0020634433 (the "Original Deed"). Grantor and Grantee acknowledge and agree that the Original Deed contained an incorrect legal description of the property to be conveyed.

IN WITNESS WHEREOF, this Deed has been executed by Grantor and Grantee on the 7th day of FEBRUARY, 2003, and effective as of the 29th day of May 2002.

GRANTOR:

AFC COAL PROPERTIES, INC.

an Ohio corporation

By: 

Name: Karen Holley Horrell

Its: President

AMERICAN PREMIER UNDERWRITERS, INC.,

a Pennsylvania corporation

By: 

Name: James C. Kennedy

Its: Vice President

GRANTEE:

TRIZECHAHN 10/120 FEE LLC,

a Delaware limited liability company

By: 

Name:

Its:

EVAN M. BORIS

Vice President

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STATE OF OHIO)
)
COUNTY OF HAMILTON)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Karen Holley Horrell, personally known to me to be the President of AFC Coal Properties, Inc., an Ohio corporation, 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 to me that he, being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of said company as his own free and voluntary act, for the uses and purposes set forth herein.

GIVEN under my hand and notarial seal, this 7th day of February, 2003.



KAREN PLOGSTED
Notary Public - State of Ohio
My Commission Expires
May 8, 2005

Notary Public

Karen Plogsted

My commission expires: 5/8/2005

STATE OF OHIO)
)
COUNTY OF HAMILTON)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that James C. Kennedy, personally known to me to be the Vice President of American Premier Underwriters, Inc., a Pennsylvania corporation, 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 to me that he, being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of said company as his own free and voluntary act, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal, this 7th day of February, 2003.



KAREN PLOGSTED
Notary Public - State of Ohio
My Commission Expires
May 8, 2005

Notary Public

Karen Plogsted

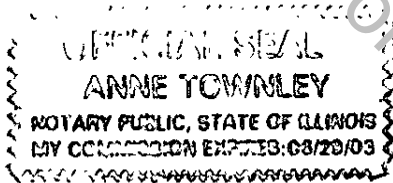
My commission expires: 5/8/2005

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STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Evan Boris, personally known to me to be the Vice President of TRIZECHAHN 10/120 FEE LLC, a Delaware 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 to me that he, being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of said company as his own free and voluntary act, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal, this 11th day of March, 2003.



Notary Public

Anne Townley

My commission expires:

6/29/03

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Exhibit A to Deed

LEGAL DESCRIPTION

120 South Riverside Plaza

THAT PART OF LOT 4 (EXCEPT THE NORTH 33 FEET THEREOF) LYING ABOVE A HORIZONTAL PLANE AT AN ELEVATION OF 22.50 FEET, CHICAGO CITY DATUM AND AS TO THE NORTH 33 FEET OF LOT 4 LYING ABOVE A HORIZONTAL PLANE OF 25.70 FEET ABOVE THE CHICAGO CITY DATUM, IN RAILROAD COMPANIES' RESUBDIVISION OF BLOCKS 62 TO 76 BOTH INCLUSIVE, 78, PARTS OF 61 AND 77 AND CERTAIN VACATED STREETS AND ALLEYS IN SCHOOL SECTION ADDITION TO CHICAGO, A SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON MARCH 29, 1924, IN BOOK 188 OF PLATS AT PAGE 16 AS DOCUMENT NO. 8339751, IN COOK COUNTY, ILLINOIS, AND

LOTS 1, 2, 3 AND 4 IN RAILROAD COMPANIES' RESUBDIVISION OF BLOCKS 62 TO 76 BOTH INCLUSIVE, 78, PARTS OF 61 AND 77 AND CERTAIN VACATED STREETS AND ALLEYS IN SCHOOL SECTION ADDITION TO CHICAGO, A SUBDIVISION OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON MARCH 24, 1924 IN BOOK 188 OF PLATS AT PAGE 16, AS DOCUMENT NO. 8339751.

ALL THAT PARCEL of land situated in the City of Chicago, County of Cook, State of Illinois, being Lot 4 in Railroad Company's Resubdivision of Blocks 62 to 76 inclusive, 78, parts of 61 and 77 and certain vacated streets and alleys in School Section Addition to Chicago, a subdivision of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian according to the plat of said resubdivision recorded in the Recorder's Office of Cook County, Illinois on March 29, 1924 in Book 188 of Plats at Page 16, as Document No. 8339751, and being that property of the former Pittsburgh, Fort Wayne and Chicago Railway Company (predecessor of said Grantor) further bounded and described according to Sheet No. 6 of 11 of a plan of survey made by Chicago Guarantee Survey Company, Registered Land Surveyor Corporation No. 1, dated February 11, 1981, as follows:

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BEGINNING at the Southeast Corner of said Lot 4, also being the intersection of the North right-of-way line of West Adams Street and the West Dock line of the South Branch of the Chicago River as established by Circuit Court Decree dated October 21, 1903; thence Westerly along the South line of Lot 4, a distance of 45.59 feet to the Southwest Corner of Lot 4; thence Northerly along the Westerly line of Lot 4 on a curve concave to the East having a radius of 1,146.28 feet, a central angle of 6° 44' 08", a chord of 134.68 feet, the arc distance of 134.76 feet to a Point of Tangent; thence continuing Northerly along the Westerly line of Lot 4, a distance of 296.19 feet to the Northwest Corner of Lot 4; thence Easterly along the North line of Lot 4, a distance of 28.68 feet to the Northeast Corner of Lot 4; thence Southerly along the East line of Lot 4, a distance of 33.01 feet to a point on the South line of the North 33.00 feet of said Lot 4; thence continuing Southerly along the East line of Lot 4, a distance of 398.60 feet to the Point of Beginning.

CONTAINING an area of 16,675 square feet, more or less.

EXCEPTING THEREOUT AND THEREFROM the portions of the hereinabove described property lying vertically below the following horizontal planes:

- (a) a horizontal plane 22.50 feet above Chicago City Datum for all of said Lot 4 except the North thirty-three (33) feet of said lot; and
- (b) a horizontal plane 25.70 feet above Chicago City Datum for the North thirty-three (33) feet of said lot.

TOGETHER with all of said Grantor's right, title and interest of, in and to easements for the location, use, maintenance, repair, replacement and renewal of columns, foundations, structural members, etc., for the support of the existing building at 120 South Riverside Plaza as identified in the "Gateway II Lease" dated July 1, 1965 (recorded October 14, 1965 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 19618053), said easements subsequently being reserved unto Grantor in Document No. PFtW&C-CRC-RP-1, paragraph D, of the deed dated March 31, 1976 by and between Robert W. Valimont, as Trustee of the property of Pittsburgh, Fort Wayne and Chicago Railway Company, Debtor as Grantor and Consolidated Rail Corporation as Grantee (recorded August 16, 1978 in the Office of the Recorder of Deeds of said Cook County as Document Number 24586165), and reaffirmed in the deed dated March 19, 1987 by and between Consolidated Rail Corporation and The Penn Central Corporation (recorded 1987 in the Office of the Recorder of Deeds of said Cook County as Document Number 87180234).