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2003-03-11 08:24:30  
Cook County Recorder 40.00

THIS INSTRUMENT WAS  
PREPARED BY AND AFTER  
RECORDING MAIL TO:



Greenberg Traurig, P.C.  
77 West Wacker Drive  
Suite 2500  
Chicago, IL 60601  
Matthew T. Gensburg, Esq.

ABOVE SPACE FOR RECORDER'S USE ONLY

GENERAL RELEASE AND RELEASE OF LIS PENDENS

APPEAL TO THE ILLINOIS APPELLATE COURT FIRST DISTRICT  
FROM CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

FIRST UNION NATIONAL BANK, AS  
INDENTURE TRUSTEE

Plaintiff-Appellee,

v.

RIVERFRONT WORK LOFTS, INC.,  
AMERICA'S WATER RESOURCE  
CONSULTANTS, INC, CERMAK III  
PARTNERS, BAUM BROTHERS, L.L.C., MARK  
R. ORDOWER, DAVID A. EBERT, UNKNOWN  
OTHERS AND NON-RECORD CLAIMANTS,  
ELISABETH J. BLODGETT AND DAVID M.  
BLODGETT,

Defendants-Appellants.

Case No. 00 CH 15674

AND

BOX 333-CT

540/k 01 CTX

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Property of Cook County Clerk's Office

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APPEAL IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION  
FROM BANKRUPTCY CASE NO. 02 B 26245

IN RE: )  
RIVERFRONT WORK LOFTS, INC. ) Appeal from Bankruptcy Case  
Debtor. ) No. 02 B 2645 Chapter 11  
)  
)  
)

1. Release/Remise/Waiver/Discharge.

KNOW ALL MEN BY THESE PRESENTS, that the **UNDERSIGNED**, in consideration of the settlement of various outstanding litigation, appeal and lien issues, pursuant to that certain Settlement Agreement dated as of January 6, 2003, by and among FIRST UNION NATIONAL BANK, AS INDENTURE TRUSTEE ("First Union"), LISKOR INTERNATIONAL, INC., ELISABETH J. BLODGETT, DAVID M. BLODGETT, RIVERFRONT WORK LOFTS, INC. ("Riverfront") AND CERMAK PARTNERS III, LTD. (the "Settlement Agreement"), each individually and jointly and severally do hereby, as of the date of the recording of this General Release and Release of Lis Pendens (the "Release") in the Recorder of Deeds Office (the "Official Records") for Cook County, Illinois, unconditionally and irrevocably:

(i) release, remise, waive and discharge, in favor of First Union, any and all right, title, interest, lien, encumbrance, claim or demand whatsoever that any of the **UNDERSIGNED** has, may have had or may have in, to, on or about the real property, together with any fixtures and improvements thereon, commonly known as 500 West Cermak Road, Chicago, Illinois 60614-1859 and legally described on Exhibit A attached hereto and made a part hereof (the real property together with any fixtures and improvements thereon are collectively hereinafter referred to as the "Property") (or on the proceeds of any sale of the Property by First Union);

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(ii) release, remise, waive and discharge, in favor of First Union, any and all right, title, interest, lien, encumbrance, claim or demand whatsoever that any of the **UNDERSIGNED** has, may have had or may have in or to any machinery, equipment, art work or any other personal property located in, on or about the Property (the "Personal Property") (the Personal Property and the Property are collectively hereinafter referred to as the "Property") (or on the proceeds of any sale of the Property by First Union);

(iii) release, remise, waive and discharge, in favor of First Union, any and all right, title, interest, lien, encumbrance, claim or demand whatsoever that any of the **UNDERSIGNED** has, may have had or may have in, to, on or about the Property (or the proceeds from any sale of the Property by First Union) arising from or otherwise acquired in, through or by any litigation or appeals relating to the Property;

(iv) release, remise, waive and discharge, in favor of First Union, any and all right, title, interest, lien, encumbrance, claim or demand whatsoever that any of the **UNDERSIGNED** has, may have had or may have in, to, on or about the Property (or the proceeds from any sale of the Property by First Union) arising from or otherwise acquired in, through or by that certain Notice of Appeal From Consent Judgment Order filed by Riverfront on December 6, 2002 pursuant to Case No. 00 CH 15674 filed in the Circuit Court of Cook County, Illinois, County Department, Chancery Division, which appeal shall be dismissed pursuant to the Settlement Agreement;

(v) release, remise, waive and discharge, in favor of First Union, any and all right, title, interest, lien, encumbrance, claim or demand whatsoever that any of the **UNDERSIGNED** has, may have had or may have in, to, on or about the Property (or the proceeds from any sale of the Property by First Union) arising from or otherwise acquired in, through or by that certain Notice of Appeal filed by Riverfront on September 3, 2002 and docketed on September 26, 2002 as Case No. 02 C 6871 pursuant to Case

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No. 02 B 26245 filed in the United States District Court for the Northern District of Illinois, which appeal shall be dismissed pursuant to the Settlement Agreement; and

(vi) consent to and direct the immediate recording of this Release in the Official Records of Cook County, Illinois, and further authorize Chicago Title Insurance Company, or any other title insurance company designated by First Union, to draft and record any other customary documentation necessary in order to clear title to the Property of any right, title, interest, lien, encumbrance, claim or demand whatsoever of or otherwise resulting from any of the **UNDERSIGNED**, or from any acts or any failure to act on the part of any of the **UNDERSIGNED**.

2. **Binding Effect** The terms and conditions of this Release shall be binding upon each of the **UNDERSIGNED**, as well as each one's respective, as applicable, subsidiaries, affiliates, members, partners, shareholders, officers, directors, board members, employees, consultants, agents, successors, assigns, heirs, executors and administrators, and shall inure to the benefit of First Union, as well as its respective, as applicable, subsidiaries, affiliates, members, partners, shareholders, officers, directors, board members, employees, consultants, agents, successors, assigns, heirs, executors and administrators.

3. **Counterparts/Facsimile Signatures**. This Release may be executed in any number of counterparts, any or all of which may contain the signature of only one of the parties, and all of which shall be construed together as a single instrument. For purposes of this Release, facsimile signatures shall be treated the same as original signatures. However, the **UNDERSIGNED** shall deliver original signatures to First Union so that this Release can be recorded in the Official Records of Cook County, Illinois, pursuant to the terms and conditions contained in the Settlement Agreement.

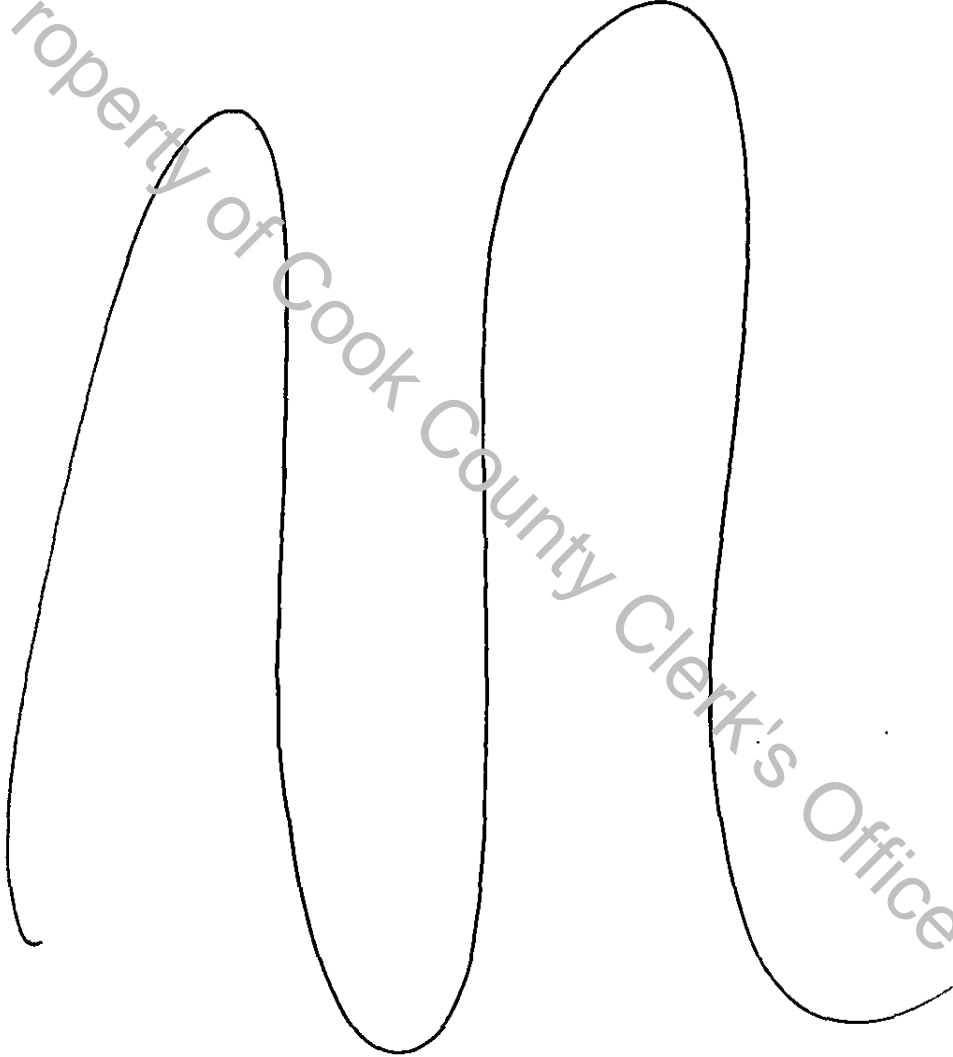
4. **Authority/Governing Law**. Each person executing this Release on behalf of each of the **UNDERSIGNED** represents that such execution of this Release has been duly authorized and that such person is authorized to execute this Release. This Release shall be governed by and construed in accordance with the laws of the State of Illinois without regard to conflicts of laws principles.

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[Signature Page Follows]

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[Signature Page to General Release and Release of Lis Pendens]


IN WITNESS WHEREOF, the **UNDERSIGNED** have each caused this Release to be executed  
as of this 8 day of January, 2003.

**UNDERSIGNED:**

  
David M. Blodgett

  
Elisabeth J. Blodgett

RIVERFRONT WORK LOFTS, INC.

By:   
Name: Elisabeth J. Blodgett  
Its: President

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STATE OF ILLINOIS )

) ss

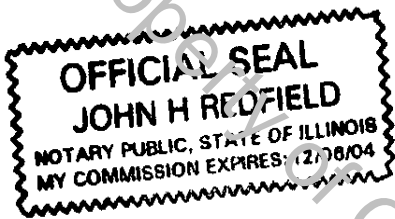
COUNTY OF COOK )

I, John Redfield, a notary public in and for said County in the State aforesaid **DO HEREBY CERTIFY** that **DAVID M. BLODGETT** 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 signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 8<sup>th</sup> day of January, 2003.

John H. Redfield  
Notary Public

My Commission Expires: 12/6/04



STATE OF ILLINOIS )

) ss

COUNTY OF COOK )

I, John Redfield, a notary public in and for said County in the State aforesaid **DO HEREBY CERTIFY** that **ELISABETH J. BLODGETT** 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 she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 8<sup>th</sup> day of January, 2003.

John H. Redfield  
Notary Public

My Commission Expires: 12/6/04



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STATE OF ILLINOIS

)  
) ss

COUNTY OF COOK

I, John Kobeld, a notary public in and for said County in the State aforesaid **DO HEREBY CERTIFY** that E. Blaszczak, the President of **RIVERFRONT WORK LOFTS, INC.**, 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/she signed, sealed and delivered the said instrument as his/her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 20 day of January, 2003.

John Kobeld  
Notary Public

My Commission Expires: 12/16/09

Cook County Clerk's Office

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## EXHIBIT A

### Legal Description of the Property

**STREET ADDRESS:** 500 W. CERMAK ROAD, CHICAGO, ILLINOIS 60616-1859

**PERMANENT INDEX NUMBER:** 17-21-332-012-0000

#### **LEGAL DESCRIPTION:**

##### **PARCEL 1:**

LOT 9 IN BLOCK 35 (EXCEPTING FROM SAID LOT 9 THAT PORTION THEREOF CONVEYED TO THE CITY OF CHICAGO BY DEED RECORDED MAY 2, 1871 AS DOCUMENT 95032 IN BOOK 647, PAGE 467, AND EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE SANITARY DISTRICT OF CHICAGO BY DEED RECORDED FEBRUARY 25, 1903 AS DOCUMENT 3356067 IN BOOK 7968, PAGE 528) IN THE CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 AND THAT PORTION WEST OF THE RIVER OF THE SOUTH EAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

##### **PARCEL 2:**

THAT PART OF LOT 10 IN BLOCK 35 IN THE CANAL TRUSTEES' SUBDIVISION AFORESAID COMMENCING AT THE NORTHWEST CORNER OF SAID LOTS; THENCE EASTERLY ALONG THE NORTHERLY LINE THEREOF 184 FEET; THENCE SOUTHERLY TO A POINT IN THE SOUTH LINE OF SAID LOT WHICH IS 150 FEET DISTANT FROM THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG SAID SOUTH LINE TO SAID SOUTHWEST CORNER; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART LYING EASTERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF 22<sup>ND</sup> STREET 153.94 FEET EAST OF THE NORTHEAST CORNER OF LUMBER AND 22<sup>ND</sup> STREETS MEASURED ALONG SAID NORTH LINE; RUNNING THENCE NORTHEASTERLY TO A POINT IN THE NORTH LINE OF SAID LOT 10, 152.31 FEET EASTERLY OF THE NORTHWEST CORNER OF SAID LOT CONVEYED BY DEED TO THE SANITARY DISTRICT OF CHICAGO RECORDED AS DOCUMENT 5167309; ALSO EXCEPTING THEREFROM THAT PART LYING SOUTH OF A LINE 14 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF 22<sup>ND</sup> STREET CONVEYED BY DEED TO THE CITY OF CHICAGO RECORDED AS DOCUMENT 3728622, ALL IN COOK COUNTY, ILLINOIS.

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