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Doc#: 0419534014
Eugene "Gene" Moore Fee: \$42.00
FOR R Cook County Recorder of Deeds
Date: 07/13/2004 10:25 AM Pg: 1 of 10

PREPARED BY:

Marcus D. Easter
Merrill Lynch Business Financial
Services Inc.
222 North LaSalle Street
17th Floor
Chicago, Illinois 60601

Property of Cook County Clerk's Office

TENANT SUBORDINATION AGREEMENT

BETWEEN

NATIONAL CITY BANK OF THE MIDWEST formerly known as
NATIONAL CITY BANK OF MICHIGAN/ILLINOIS
TENANT

AND

MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC.
MLBFS

Account 730 - Sales JAW



Box 400-CTCC

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TENANT SUBORDINATION AGREEMENT

TENANT SUBORDINATION AGREEMENT (Agreement") dated as of June 25, 2004 between **NATIONAL CITY BANK OF MICHIGAN/ILLINOIS** ("Tenant") and **MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC.** ("MLBFS"). THE MIDWEST formerly known as National City Bank of Michigan/Illinois

Pursuant to one or more leases, including but not limited to that certain Retail Lease dated June 18, 2004 (as amended, extended or restated from time to time, and whether oral or written, the "Lease"), Tenant has leased from **CHICAGO TITLE LAND TRUST COMPANY, NOT PERSONALLY, BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 21, 2000 AND KNOWN AS TRUST NO 1108499** ("Landlord") all or a portion of the real property and improvements thereon commonly known as 57 East Delaware Street, IL, 60611, and more fully described on Exhibit A attached hereto (the "Property"). Landlord has requested MLBFS to provide one or more credit facilities to or for the benefit of Landlord or an affiliated person or entity, which credit facilities will be secured by a mortgage upon the Property, and MLBFS has agreed to provide such credit facilities subject to, among other conditions, this Agreement being executed and delivered by Tenant.

Accordingly, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

- (1) **Representations Regarding Lease.** Tenant represents and warrants to MLBFS that as of the date hereof (a) Tenant is in continuous possession of the premises leased under the Lease; (b) Tenant is, and, to the knowledge of Tenant, the Landlord is in full compliance with the terms and provisions of the Lease; (c) no default or event of default under the Lease exists or would exist with the giving of notice by one party to the other and/or the passage of time; (d) Tenant has no offsets or defenses to Tenant's performance under the Lease; (e) Tenant does not have the option to purchase the Property or any part thereof; (f) no rentals are accrued and unpaid under the Lease or have been prepaid by Tenant; and (g) Tenant has not assigned, sublet or otherwise transferred or disposed of any interest in the Lease or the premises leased under the Lease.
- (2) **Subordination of Lease.** Tenant agrees that all of Tenant's rights, title and interests in and under the Lease are and shall be subordinate to the lien and rights, title and interests of MLBFS in and to the Property, in the same manner as if the Lease had been entered into after the execution, delivery and recording of MLBFS' mortgage on the Property.
- (3) **Attornment.** Notwithstanding the foregoing subordination, at the election of MLBFS at the time of any foreclosure of MLBFS' mortgage, the Lease may be made prior to the lien of MLBFS' mortgage. In such event, Tenant agrees that: (a) it will attorn to MLBFS or any purchaser of the Property at a foreclosure sale as its new landlord, and (b) the Lease will continue in full force and effect as a direct lease between the Tenant and MLBFS or such purchaser, for the remaining term and upon all other terms and conditions set forth in the Lease; provided, however, that in no event will MLBFS or any purchaser of the Property at a foreclosure sale be: (i) liable for any act or omission of Landlord; (ii) subject to any offsets or deficiencies which the Tenant might be entitled to assert against Landlord; or (iii) bound by any payment of rent or additional rent made by the Tenant to Landlord for more than one month in advance of such foreclosure.
- (4) **Nondisturbance.** MLBFS agrees that if and so long as Tenant is not in default under the Lease, neither MLBFS nor any other purchaser of the Property at a foreclosure sale or any successor in interest by deed in lieu of foreclosure for the benefit of MLBFS will interfere with the quiet use and enjoyment of the premises leased by Tenant under the Lease.
- (5) **Amendment; Modifications.** This Agreement may not be amended or modified other than by a written instrument signed by both MLBFS and Tenant, or by their respective successors in interest.
- (6) **Binding Agreement.** This Agreement shall be binding upon and shall inure to the benefit of MLBFS and Tenant and their respective successors and assigns.

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(7) **Warranty of Authority.** Each party signing this Agreement on behalf of one of the parties hereto personally warrants to the other party hereto that he or she has the full right, power and authority to do so, and that by signing this Agreement is binding such party hereto.

IN WITNESS WHEREOF, the authorized representatives of the parties have executed this Agreement as of the day and year first set forth above.

THE MIDWEST *HD*
NATIONAL CITY BANK OF ~~MICHIGAN~~ ILLINOIS

By: *H. Lincoln Lewis* _____
Signature (1) Signature (2)

H. Lincoln Lewis _____
Printed Name Printed Name

SVP _____
Title Title

Accepted at Chicago, Illinois:

MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC.

By: *Marcus D. Easter* _____
Signature (1) Signature (2)

MARCUS D. EASTER _____
Printed Name Printed Name

AUP _____
Title Title

Property of Cook County Clerk's Office

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EXHIBIT A
ATTACHED TO AND PART OF TENANT SUBORDINATION AGREEMENT BETWEEN
NATIONAL CITY BANK OF MICHIGAN/ILLINOIS AND MERRILL LYNCH BUSINESS
FINANCIAL SERVICES INC.

* THE MIDWEST

Record Owner of Property: CHICAGO TITLE LAND TRUST COMPANY, NOT
PERSONALLY, BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE
21, 2000 AND KNOWN AS TRUST NO 1108499

Common Address of Property: 57 EAST DELAWARE
Chicago, IL, 60611

Legal Description of Property:
Exhibit "A"

PIN: 17-03-217-015-0000

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LEGAL DESCRIPTION OF COMMERCIAL PROPERTY

FIRST FLOOR COMMERCIAL

THAT PART OF LAND, PROPERTY AND SPACE OF LOTS 1, 2, 3 AND THE NORTH 13 FEET OF LOT 4 (THE NORTH 13 FEET OF SAID LOT 4 BEING MEASURED ALONG A LINE EXTENDED SOUTHWARDLY FROM AND AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 4) TAKEN AS A SINGLE TRACT OF LAND WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +14.08 FEET CHICAGO CITY DATUM AND WHICH LIES BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.58 FEET CHICAGO CITY DATUM AND IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWESTERLY CORNER OF SAID TRACT (SAID NORTHWESTERLY CORNER ALSO BEING THE INTERSECTION OF THE EASTERLY LINE OF NORTH RUSH STREET AND THE SOUTH LINE OF EAST DELAWARE PLACE); (THE FOLLOWING COURSES AND DISTANCES ARE ALONG THE INTERIOR FACES OF EXTERIOR WALLS OF AN EXISTING CONCRETE BUILDING) THENCE SOUTH 90°-00'-00" EAST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 8.98 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.07 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 00°-00'-00" WEST, 1.41 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.69 FEET; THENCE NORTH 00°-00'-00" EAST, 1.62 FEET; THENCE SOUTH 90°-00'-00" EAST, 10.05 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.64 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.70 FEET; THENCE NORTH 00°-00'-00" EAST, 1.64 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.94 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.64 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.69 FEET; THENCE NORTH 00°-00'-00" EAST, 1.60 FEET; THENCE SOUTH 90°-00'-00" EAST, 10.01 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.60 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.67 FEET; THENCE SOUTH 00°-00'-00" WEST, 4.05 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.03 FEET; THENCE NORTH 00°-00'-00" EAST, 5.03 FEET; THENCE NORTH 90°-00'-00" WEST, 0.96 FEET; THENCE NORTH 00°-00'-00" EAST, 0.57 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.96 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.60 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.69 FEET; THENCE NORTH 00°-00'-00" EAST, 1.62 FEET; THENCE SOUTH 90°-00'-00" EAST, 20.25 FEET; THENCE SOUTH 00°-00'-00" WEST, 3.30 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.85 FEET; THENCE NORTH 00°-00'-00" EAST, 1.66 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.02 FEET; THENCE SOUTH 00°-00'-00" WEST, 30.04 FEET; THENCE NORTH 90°-00'-00" WEST, 2.73 FEET; THENCE SOUTH 00°-00'-00" WEST, 4.15 FEET; THENCE NORTH 90°-00'-00" WEST, 28.86 FEET; THENCE SOUTH 00°-00'-00" WEST, 15.31 FEET; THENCE NORTH 90°-00'-00" WEST, 6.24 FEET; THENCE SOUTH 00°-00'-00" WEST, 9.51 FEET; THENCE SOUTH 90°-00'-00" EAST, 24.70 FEET; THENCE SOUTH 00°-00'-00" WEST, 8.55 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.0 FEET; THENCE NORTH 00°-00'-00" EAST, 2.02 FEET; THENCE SOUTH 90°-00'-00" EAST, 45.72 FEET; THENCE SOUTH 00°-00'-00" WEST, 6.27 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.38 FEET; THENCE SOUTH 18°-16'-50" EAST, 5.92 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.50 FEET; THENCE NORTH 90°-00'-00" WEST, 3.50 FEET; THENCE SOUTH 00°-00'-00" WEST, 5.80 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.50 FEET; THENCE SOUTH 00°-00'-00" WEST, 2.90 FEET; THENCE NORTH 90°-00'-00" WEST, 5.64 FEET; THENCE NORTH 00°-00'-00" EAST, 0.40 FEET; THENCE NORTH 87°-20'-26" WEST, 3.66 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.59 FEET; THENCE NORTH 90°-00'-00" WEST, 10.04 FEET; THENCE NORTH 00°-00'-00" EAST, 0.68 FEET; THENCE NORTH 90°-00'-00" WEST, 3.73 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.69 FEET; THENCE NORTH 90°-00'-00" WEST, 9.93 FEET; THENCE NORTH 00°-00'-00" EAST, 0.64 FEET; THENCE NORTH 90°-00'-00" WEST, 3.73 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.65 FEET; THENCE NORTH 90°-00'-00" WEST, 18.62 FEET; THENCE NORTH 00°-00'-00" EAST, 0.65 FEET; THENCE NORTH 90°-00'-00" WEST, 3.65 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.62 FEET; THENCE NORTH 77°-12'-19" WEST, 42.30 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.72 FEET; THENCE NORTH 18°-16'-50" WEST, 0.85 FEET; THENCE SOUTH 71°-43'-10" WEST, 3.27 FEET; THENCE NORTH 18°-16'-50" WEST, 17.08 FEET; THENCE NORTH 71°-43'-10" EAST, 1.66 FEET; THENCE NORTH 18°-16'-50" WEST, 3.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.66

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LEGAL DESCRIPTION OF COMMERCIAL PROPERTY

FEET; THENCE NORTH 18°-16'-50" WEST, 9.69 FEET; THENCE NORTH 71°-43'-10" EAST, 1.63 FEET; THENCE NORTH 18°-16'-50" WEST, 3.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.65 FEET; THENCE NORTH 18°-16'-50" WEST, 9.63 FEET; THENCE NORTH 71°-43'-10" EAST, 1.63 FEET; THENCE NORTH 18°-16'-50" WEST, 3.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.63 FEET; THENCE NORTH 18°-16'-50" WEST, 9.64 FEET; THENCE NORTH 71°-43'-10" EAST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 3.68 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 9.67 FEET; THENCE NORTH 71°-43'-10" EAST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 3.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 9.89 FEET; THENCE NORTH 71°-43'-10" EAST, 1.65 FEET; THENCE NORTH 18°-16'-50" WEST, 3.68 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.41 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVED LINE HAVING A RADIUS OF 5.42 FEET CONVEX NORTHWESTERLY AND TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT AN ARC DISTANCE OF 10.24 FEET TO THE PLACE OF BEGINNING (THE CHORD OF SAID ARC BEARS NORTH 35°-51'-24" EAST, 8.79 FEET), ALL IN THE SUBDIVISION OF BLOCK 14 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

County of Cook County Clerk's Office

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LEGAL DESCRIPTION OF COMMERCIAL PROPERTY

SECOND FLOOR COMMERCIAL

THAT PART OF LAND, PROPERTY AND SPACE OF LOTS 1, 2, 3 AND THE NORTH 13 FEET OF LOT 4 (THE NORTH 13 FEET OF SAID LOT 4 BEING MEASURED ALONG A LINE EXTENDED SOUTHWARDLY FROM AND AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 4) TAKEN AS A SINGLE TRACT OF LAND WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.58 FEET CHICAGO CITY DATUM (ALL ELEVATIONS HEREINAFTER DESCRIBED ARE CHICAGO CITY DATUM) AND WHICH LIES BELOW THE FOLLOWING DESCRIBED HORIZONTAL, INCLINING AND DECLINING PLANES BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWESTERLY CORNER OF SAID TRACT (SAID NORTHWESTERLY CORNER ALSO BEING THE INTERSECTION OF THE EASTERLY LINE OF NORTH BUSH STREET AND THE SOUTH LINE OF EAST DELAWARE PLACE); THENCE SOUTH 90°-00'-00" EAST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 8.98 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.07 FEET TO THE PLACE OF BEGINNING (SAID PLACE OF BEGINNING HAVING AN ELEVATION OF +43.75 FEET); (THE FOLLOWING COURSES AND DISTANCES ARE ALONG THE INTERIOR FACES OF EXTERIOR WALLS OF AN EXISTING CONCRETE BUILDING) THE FOLLOWING 35 COURSES ARE ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +43.75 FEET CHICAGO CITY DATUM; THENCE SOUTH 00°-00'-00" WEST, 1.41 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.69 FEET; THENCE NORTH 00°-00'-00" EAST, 1.77 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.98 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.75 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.68 FEET; THENCE NORTH 00°-00'-00" EAST, 1.77 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.99 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.75 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.70 FEET; THENCE NORTH 00°-00'-00" EAST, 1.75 FEET; THENCE SOUTH 90°-00'-00" EAST, 10.0 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.74 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.68 FEET; THENCE SOUTH 00°-00'-00" WEST, 4.0 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.02 FEET; THENCE NORTH 00°-00'-00" EAST, 5.79 FEET; THENCE SOUTH 90°-00'-00" EAST, 8.98 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.75 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.68 FEET; THENCE NORTH 00°-00'-00" EAST, 1.74 FEET; THENCE SOUTH 90°-00'-00" EAST, 20.29 FEET; THENCE SOUTH 00°-00'-00" WEST, 3.27 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.86 FEET; THENCE NORTH 00°-00'-00" EAST, 1.68 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.85 FEET; THENCE NORTH 00°-00'-00" EAST, 1.59 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.93 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.66 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.68 FEET; THENCE NORTH 00°-00'-00" EAST, 1.65 FEET; THENCE SOUTH 90°-00'-00" EAST, 10.01 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.64 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.68 FEET; THENCE NORTH 00°-00'-00" EAST TO A POINT ON A DECLINING PLANE (THE FOLLOWING 16 COURSES ARE ALONG SAID DECLINING PLANE); THENCE SOUTH 90°-00'-00" EAST, 9.90 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.64 FEET; THENCE SOUTH 90°-00'-00" EAST, 3.72 FEET; THENCE NORTH 00°-00'-00" EAST, 1.60 FEET; THENCE SOUTH 90°-00'-00" EAST, 10.0 FEET TO A POINT ON SAID DECLINING PLANE HAVING AN ELEVATION OF +42.70 FEET; THENCE SOUTH 00°-00'-00" WEST ALONG SAID DECLINING PLANE, A DISTANCE OF 3.32 FEET; THENCE SOUTH 18°-16'-50" EAST, 17.39 FEET; THENCE SOUTH 71°-43'-10" WEST, 0.65 FEET; THENCE SOUTH 18°-16'-50" EAST, 1.05 FEET TO A POINT ON SAID DECLINING PLANE HAVING AN ELEVATION OF +41.32 FEET; THENCE NORTH 71°-43'-10" EAST, 7.76 FEET TO A POINT ON SAID DECLINING PLANE HAVING AN ELEVATION OF +41.20 FEET; THENCE SOUTH 18°-16'-50" EAST ALONG SAID DECLINING PLANE, A DISTANCE OF 9.08 FEET; THENCE NORTH 71°-43'-10" EAST, 0.66 FEET; THENCE SOUTH 18°-16'-50" EAST, 6.98 FEET; THENCE SOUTH 71°-43'-10" WEST, 0.63 FEET; THENCE SOUTH 18°-16'-50" EAST, 2.68 FEET TO THE POINT OF TERMINATION OF SAID DECLINING PLANE (SAID POINT HAVING AN ELEVATION OF +38.35 FEET); THENCE SOUTH 78°-38'-47" WEST ALONG AN INCLINING PLANE, A DISTANCE OF 28.10 FEET TO A POINT HAVING AN ELEVATION OF + 39.62 FEET; THENCE NORTH 18°-16'-50" WEST ALONG AN INCLINING PLANE, A DISTANCE OF 2.76 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.66 FEET

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LEGAL DESCRIPTION OF COMMERCIAL PROPERTY

TO A POINT HAVING AN ELEVATION OF +43.75 FEET (SAID POINT BEING THE TERMINATION OF SAID INCLINING PLANE); (THE FOLLOWING 25 COURSES ARE ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +43.75 FEET) THENCE SOUTH 18°-16'-50" EAST, 3.68 FEET; THENCE NORTH 71°-43'-10" EAST, 2.72 FEET; THENCE SOUTH 32°-34'-02" EAST, 13.23 FEET; THENCE SOUTH 90°-00'-00" WEST, 42.13 FEET; THENCE NORTH 00°-00'-00" EAST, 17.54 FEET TO A POINT ON SAID HORIZONTAL PLANE THAT IS 99.48 FEET EAST AND 36.81 FEET SOUTH OF THE NORTHWESTERLY CORNER OF SAID TRACT (AS MEASURED ALONG THE NORTH LINE OF SAID TRACT AND AT RIGHT ANGLES THERETO) THENCE NORTH 90°-00'-00" WEST ALONG SAID HORIZONTAL PLANE HAVING AN ELEVATION OF +43.75 FEET, A DISTANCE OF 46.74 FEET; THENCE SOUTH 00°-00'-00" WEST, 20.22 FEET; THENCE NORTH 90°-00'-00" WEST, 7.55 FEET; THENCE NORTH 18°-16'-50" WEST, 15.39 FEET; THENCE SOUTH 71°-43'-10" WEST, 22.64 FEET; THENCE NORTH 18°-16'-50" WEST, 3.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.74 FEET; THENCE NORTH 18°-16'-50" WEST, 9.70 FEET; THENCE NORTH 71°-43'-10" EAST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 3.68 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 9.67 FEET; THENCE NORTH 71°-43'-10" EAST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 3.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.62 FEET; THENCE NORTH 18°-16'-50" WEST, 9.85 FEET; THENCE NORTH 71°-43'-10" EAST, 1.84 FEET; THENCE NORTH 18°-16'-50" WEST, 3.68 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.41 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY HAVING A RADIUS OF 5.42 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 10.24 FEET TO THE PLACE OF BEGINNING (THE CHORD OF SAID ARC BEARS NORTH 35°-51'-24" EAST, 8.79 FEET), ALSO THAT PART OF SAID TRACT WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.58 FEET AND WHICH LIES BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +44.10 FEET BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT POINT THAT IS 99.48 FEET EAST AND 36.81 FEET SOUTH OF THE NORTHWESTERLY CORNER OF SAID TRACT (AS MEASURED ALONG THE NORTH LINE OF SAID TRACT AND AT RIGHT ANGLES THERETO); THENCE SOUTH 00°-00'-00" WEST, 17.54 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 90°-00'-00" EAST, 17.47 FEET; THENCE SOUTH 00°-00'-00" WEST, 3.75 FEET; THENCE NORTH 90°-00'-00" WEST, 17.47 FEET; THENCE NORTH 00°-00'-00" EAST, 3.75 FEET TO THE PLACE OF BEGINNING ALSO THAT PART OF SAID TRACT WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.58 FEET AND WHICH LIES BELOW THE FOLLOWING HORIZONTAL, INCLINING AND DECLINING PLANES BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT POINT THAT IS 99.48 FEET EAST AND 36.81 FEET SOUTH OF THE NORTHWESTERLY CORNER OF SAID TRACT (AS MEASURED ALONG THE NORTH LINE OF SAID TRACT AND AT RIGHT ANGLES THERETO); THENCE SOUTH 00°-00'-00" WEST, 21.29 FEET TO THE PLACE OF BEGINNING (SAID PLACE OF BEGINNING HAVING AN ELEVATION OF +48.47 FEET); THENCE SOUTH 90°-00'-00" EAST ALONG AN INCLINING PLANE, A DISTANCE OF 17.47 FEET TO A POINT HAVING AN ELEVATION OF +49.52 FEET; THENCE NORTH 00°-00'-00" EAST ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +49.52 FEET, A DISTANCE OF 3.75 FEET; THENCE SOUTH 90°-00'-00" EAST ALONG AN INCLINING PLANE, A DISTANCE OF 24.66 FEET TO A POINT HAVING AN ELEVATION OF +50.50 FEET TO THE POINT OF TERMINATION OF SAID INCLINING PLANE; (THE FOLLOWING 26 COURSES ARE ALONG A DECLINING PLANE): THENCE SOUTH 32°-34'-02" EAST, 6.14 FEET; THENCE SOUTH 18°-16'-50" EAST, 15.39 FEET TO A POINT ON A CURVED LINE CONVEX EASTERLY HAVING A RADIUS OF 20.0 FEET; THENCE SOUTHERLY ALONG SAID CURVED LINE, AN ARC DISTANCE OF 21.37 FEET (THE CHORD OF SAID ARC BEARS SOUTH 12°-11'-43" WEST, 20.37 FEET); THENCE NORTH 49°-46'-24" WEST, 1.69 FEET; THENCE SOUTH 40°-13'-36" WEST, 3.70 FEET; THENCE SOUTH 49°-46'-24" EAST, 1.17 FEET TO A POINT ON A CURVED LINE CONVEX SOUTHEASTERLY HAVING A RADIUS OF 20.0 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVED LINE, AN ARC DISTANCE OF 12.73 FEET (THE CHORD OF SAID ARC BEARS SOUTH 71°-45'-36" WEST, 12.52

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LEGAL DESCRIPTION OF COMMERCIAL PROPERTY

FEET; THENCE NORTH 00°-00'-00" EAST, 0.71 FEET; THENCE NORTH 87°-20'-26" WEST, 3.66 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.97 FEET; THENCE NORTH 90°-00'-00" WEST, 10.04 FEET; THENCE NORTH 00°-00'-00" EAST, 1.06 FEET; THENCE NORTH 90°-00'-00" WEST, 3.73 FEET TO A POINT HAVING AN ELEVATION OF +49.35 FEET; THENCE SOUTH 00°-00'-00" WEST, 1.70 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.24 FEET; THENCE SOUTH 00°-00'-00" WEST, 19.26 FEET TO A POINT HAVING AN ELEVATION OF +49.17 FEET AND THAT IS 114.57 FEET EAST AND 120.45 FEET SOUTH OF THE NORTHWEST CORNER OF SAID TRACT (AS MEASURED ALONG THE NORTH LINE OF SAID TRACT AND AT RIGHT ANGLES THERETO); THENCE NORTH 90°-00'-00" WEST, 8.61 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.13 FEET; THENCE NORTH 90°-00'-00" WEST, 18.09 FEET; THENCE NORTH 00°-00'-00" EAST, 0.13 FEET; THENCE NORTH 90°-00'-00" WEST, 3.69 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.13 FEET; THENCE NORTH 90°-00'-00" WEST, 17.73 FEET; THENCE NORTH 00°-00'-00" EAST, 0.13 FEET; THENCE NORTH 90°-00'-00" WEST, 3.71 FEET TO THE POINT OF TERMINATION OF SAID DECLINING PLANE HAVING AN ELEVATION OF +46.26 FEET; (THE FOLLOWING 16 COURSES ARE ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +46.26 FEET) THENCE SOUTH 00°-00'-00" WEST, 0.12 FEET; THENCE NORTH 90°-00'-00" WEST, 18.36 FEET; THENCE NORTH 00°-00'-00" EAST, 0.12 FEET; THENCE NORTH 90°-00'-00" WEST, 2.11 FEET; THENCE NORTH 18°-16'-50" WEST, 3.29 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.75 FEET; THENCE NORTH 18°-16'-50" WEST, 10.12 FEET; THENCE NORTH 71°-43'-10" EAST, 1.68 FEET; THENCE NORTH 18°-16'-50" WEST, 2.70 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.66 FEET; THENCE NORTH 18°-16'-50" WEST, 10.15 FEET; THENCE NORTH 71°-43'-10" EAST, 1.55 FEET; THENCE NORTH 18°-16'-50" WEST, 1.86 FEET; THENCE NORTH 71°-43'-10" EAST, 1.69 FEET; THENCE NORTH 18°-16'-50" WEST, 1.86 FEET; THENCE SOUTH 71°-43'-10" WEST, 3.26 FEET TO A POINT ON A DECLINING PLANE; (THE FOLLOWING 9 COURSES ARE ALONG SAID DECLINING PLANE) THENCE NORTH 18°-16'-50" WEST, 17.07 FEET; THENCE NORTH 71°-43'-10" EAST, 1.80 FEET; THENCE NORTH 18°-16'-50" WEST, 3.67 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.81 FEET; THENCE NORTH 18°-16'-50" WEST, 9.64 FEET; THENCE NORTH 71°-43'-10" EAST, 1.79 FEET; THENCE NORTH 18°-16'-50" WEST, 9.69 FEET; THENCE SOUTH 71°-43'-10" WEST, 1.79 FEET; THENCE NORTH 18°-16'-50" WEST, 9.94 FEET TO A POINT ON A HORIZONTAL PLANE HAVING AN ELEVATION OF +43.75 FEET, SAID POINT BEING THE TERMINATION OF SAID DECLINING PLANE; (THE FOLLOWING 3 COURSES ARE ALONG SAID HORIZONTAL PLANE) THENCE NORTH 71°-43'-10" EAST, 24.42 FEET; THENCE SOUTH 18°-16'-50" EAST, 15.39 FEET; THENCE SOUTH 90°-00'-00" EAST, 7.55 FEET; THENCE SOUTH 00°-00'-00" WEST ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +46.30 FEET, A DISTANCE OF 4.50 FEET TO A POINT ON AN INCLINING PLANE; THENCE SOUTH 90°-00'-00" EAST ALONG SAID INCLINING PLANE, A DISTANCE OF 46.74 FEET TO A TO A POINT ON A HORIZONTAL PLANE HAVING AN ELEVATION OF +48.47 FEET; THENCE NORTH 00°-00'-00" EAST ALONG SAID HORIZONTAL PLANE, A DISTANCE OF 3.43 FEET TO THE PLACE OF BEGINNING (EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY, THAT PART WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +29.58 FEET AND WHICH LIES BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +34.29 FEET AND IS BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT POINT THAT IS 114.57 FEET EAST AND 120.45 FEET SOUTH OF THE NORTHWEST CORNER OF SAID TRACT (AS MEASURED ALONG THE NORTH LINE AND AT RIGHT ANGLES THERETO); THENCE NORTH 90°-00'-00" WEST, 8.61 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.13 FEET; THENCE NORTH 90°-00'-00" WEST, 16.87 FEET; THENCE NORTH 00°-00'-00" EAST, 20.27 FEET; THENCE SOUTH 90°-00'-00" EAST, 24.24 FEET; THENCE SOUTH 00°-00'-00" WEST, 0.88 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.24 FEET; THENCE SOUTH 00°-00'-00" WEST, 19.26 FEET TO THE PLACE OF BEGINNING), ALL IN COOK COUNTY, ILLINOIS.