

# UNOFFICIAL COPY

8/01/04



Doc#: 0422501208  
Eugene "Gene" Moore Fee: \$64.00  
Cook County Recorder of Deeds  
Date: 08/12/2004 02:34 PM Pg: 1 of 21

This document was prepared by  
and after recording return to:

LaRue Little, Esq.  
Office of the General Counsel  
Chicago Housing Authority  
200 W. Adams Street, Suite 2100  
Chicago, Illinois 60606

## DECLARATION OF RESTRICTIVE COVENANTS

**THIS DECLARATION OF RESTRICTIVE COVENANTS** (this "Declaration") is made and entered into as of the 1st day of August, 2004, by and among **CHICAGO HOUSING AUTHORITY** (the "Authority"), a public body corporate and politic, organized and existing under the laws of the State of Illinois, **JAZZ ON THE BOULEVARD, LLC** ("Jazz"), a Delaware limited liability company, and **DREXEL JAZZ LIMITED PARTNERSHIP** (the "Rental Partnership"), an Illinois limited partnership, for the benefit of the United States of America, acting by and through the **SECRETARY OF HOUSING AND URBAN DEVELOPMENT** ("HUD").

WHEREAS, pursuant to the U.S. Housing Act of 1937, as amended from time to time, and any successor legislation (the "Act"), the Authority and HUD have entered into Consolidated Annual Contributions Contract ("ACC") Number C-1014, dated December 11, 1995, as the same may be amended from time to time by the Authority (or Daniel E. Levin and The Habitat Company (now The Habitat Company LLC) as receiver for the development of new non-elderly public housing by the Authority (the "Receiver") acting on its behalf), which provides for grants and annual contributions to be made by HUD to assist the Authority in developing, maintaining, and operating the Project (as defined below) and other projects in accordance with All Applicable Public Housing Requirements (as defined below); and

WHEREAS, as of the date of execution of this Declaration, HUD and the Authority have entered into a certain Mixed Finance Amendment, Amendment No. 140, dated August 3, 2004, to the ACC (the "Mixed-Finance ACC Amendment"), adding up to 30 public housing units and any associated appurtenances to the ACC under Project Number IL06P002211 in the City of Chicago, County of Cook, in the State of Illinois (which, together with any fixtures, rents, revenues, other income and personality related to such units and appurtenances shall hereafter

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collectively be referred to as the "Project"), which public housing units may include up to 26 condominium units within multi-family buildings and up to four (4) single family townhomes. The Project will consist of up to 30 of the maximum 39 units (the "Rental Units") that the Rental Partnership is to purchase from Jazz upon completion of the construction thereof. It is anticipated that the Rental Units (if there are 39 Rental Units) will have the addresses, and be located in the buildings, set forth on Exhibit D to this Declaration. The Rental Units are part of a larger development (up to 137 units) known as Jazz on the Boulevard (the "Development"). The land on which the Development is to be constructed, including the hereinafter defined Green Space Parcels, is hereinafter referred to as the "Development Land";

WHEREAS, the Authority, Jazz and the Rental Partnership have entered into a Regulatory and Operating Agreement, dated as of August 1, 2004 (the "Regulatory and Operating Agreement"), and other agreements, whereby the Authority has agreed: (a) to provide Jazz and the Rental Partnership with assistance obtained under the Mixed Finance ACC Amendment to pay a portion of the development costs of the Project; and (b) to provide the Rental Partnership with Operating Funds assistance, to assist in operating and maintaining the low income character of the public housing units in the Development;

WHEREAS, all capitalized terms, unless otherwise defined herein, shall have the same meanings as are ascribed thereto in the Regulatory and Operating Agreement;

WHEREAS, the parties intend that the Project shall be eligible to receive the benefit of operating subsidies provided to the Authority by HUD pursuant to Section 9 of the Act and the Regulatory and Operating Agreement;

WHEREAS, in return for the receipt of such assistance, Jazz has agreed to develop, construct and sell the Project and the Rental Partnership has agreed to acquire, operate and maintain the Project, all in accordance with each and every requirement applicable to public housing including, without limitation, the Act, HUD regulations thereunder (except to the extent that HUD has granted waivers of regulatory requirements for good cause), the ACC, the Mixed-Finance Proposal approved by HUD dated June 20, 2003, as amended, this Declaration, the Gautreaux court orders, the Moving to Work Demonstration Agreement, and all other pertinent Federal statutory, executive order, and regulatory requirements, as such requirements may be amended from time to time (all such requirements are hereinafter collectively referred to as "All Applicable Public Housing Requirements");

WHEREAS, as of the date of execution of this Declaration, the Authority holds the title to certain portions of the Development Land, and is conveying leasehold interests in certain portions of that land to Jazz pursuant to two separate ground leases;

WHEREAS, the City of Chicago ("City") has conveyed, or intends to convey, to Jazz fee title to certain other portions of Development Land; and

WHEREAS, certain other portions of the Development Land that are described in Exhibit A to this Declaration as the "Green Space Parcels" are being subjected to that certain Declaration of Covenants, Conditions, Restrictions and Easements (the "Green Space Declaration"), which is

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being recorded concurrently herewith, and which creates perpetual easements for the benefit of certain portions of the Development, including certain of the public housing units in the Project.

NOW, THEREFORE, to assure HUD of the performance by the Authority, Jazz and the Rental Partnership, and any successors in interest to the Authority, Jazz and the Rental Partnership, of All Applicable Public Housing Requirements in connection with the development, operation and maintenance of the Project for the term of the low income use restrictions, the parties hereby acknowledge and agree:

1. The Authority does hereby acknowledge and declare that it is possessed of and holds title to the real property situated in the City of Chicago, County of Cook, in the State of Illinois more fully identified and described in Exhibit C to this Declaration and which is made a part hereof (the "Authority Land"), which includes the Green Space Parcels.
2. Jazz does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes hereinafter stated: (a) leasehold interests in certain portions of the Authority Land; and (b) fee title to certain portions of the Development Land; all as more fully identified and described in Exhibit B to this Declaration, on which public housing units will be constructed.
3. Jazz, the Rental Partnership and the Authority hereby declare and acknowledge that, during the existence of the trust hereby created, the restrictive covenants set forth in this Declaration shall be, and are, covenants running with those portions of the Development Land described on Exhibits A and B for the period of the low-income use restrictions, and are binding upon Jazz, the Rental Partnership and the Authority, and their successors and assigns, for such term; provided, however, that portions of the Development Land will be released from such covenants as hereinafter provided.
4. The Authority shall cause Jazz to, and Jazz shall, develop the Project in compliance with the All Applicable Public Housing Requirements, and Jazz and/or the Rental Partnership shall thereafter operate and maintain the Project in compliance with the All Applicable Public Housing Requirements for a forty (40) year period that begins on the date on which the last unit in the Project (or stage of the Project) becomes available for occupancy, or for such other period as may be required by law. Such 40-year period may be extended for up to 10 years after the end of the last fiscal year for which Operating Fund assistance is provided by the Authority on behalf of the Project, or as may be otherwise required by regulation and/or law.
5. As and when portions of the property subjected to this Declaration are converted to condominium units, the description of the property subject to this Declaration shall be amended from time to time to the extent necessary to reflect that the Rental Units and the Green Space Parcels remain subject to this Declaration, and to release from the property subjected to this Declaration all portions of the

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Development other than the Rental Units and the Green Space Parcels. Subject to satisfaction of all applicable laws, regulatory and contractual obligations precedent thereto, Jazz's interests in such Rental Units may be conveyed to the Rental Partnership, subject to All Applicable Public Housing Requirements. In all other respects, Jazz and the Rental Partnership shall remain seized of title to the Project and shall refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer of any kind of the Project, or any part thereof, or any rent, revenues, income, or receipts of the Project in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the ACC, as amended, or any interest in any of the same, except to the extent approved in writing by HUD, as otherwise authorized by the ACC, as amended, or as authorized below:

- A. Deeds of trust and financing arrangements approved in writing by HUD under the terms of the Mixed-Finance ACC Amendment, and transfer of the Project under any such approved loans, by foreclosure or deed-in-lieu of foreclosure, or to a third-party purchaser at a foreclosure sale, provided that such transfer shall be subject to the terms of this Declaration;
  - B. Dwelling leases with eligible families in the Project;
  - C. Conveyance or dedication of land for use as streets, alleys, or other public rights-of-way, and grants and easements for the establishment, operation, and maintenance of public utilities;
  - D. Normal uses and encumbrances associated with the operation of the Project, to the extent authorized by the ACC; and
  - E. The Green Space Parcels may be used for the purposes provided in the Green Space Declaration.
6. In order to insure that Jazz is able, in a timely manner, to convey marketable title to units other than the Rental Units ("For Sale Units") to the purchasers thereof: (a) this Declaration shall automatically be deemed to be released with respect to such For Sale Units (together with their respective undivided interests in the common elements) upon the recording of the condominium declaration (or amendment thereto) creating such For Sale Units; and (b) this Declaration shall automatically attach to the Rental Units (together with their respective undivided interests in the common elements) created by such condominium declaration (or amendment thereto). Any purchaser of any such For Sale Unit, and any title insurance company insuring such purchaser's and/or lender's interest in such For Sale Units, may rely upon this Section 6 as evidence of the release described above.
7. A. No transfer, conveyance, or assignment of the Project or Jazz's or the Rental Partnership's ownership interest shall be made without prior written

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- HUD approval of (i) any interest of a managing member, general partner, or controlling stockholder (any such interest being referred to as a “Controlling Interest”) in Jazz and the Rental Partnership; or (ii) a Controlling Interest in any entity which has a Controlling Interest in Jazz or the Rental Partnership; or (iii) prior to the payment in full of all equity contributions described in the approved evidentiary documents listed in the Mixed-Finance ACC Amendment, any other interest (any such interest being referred to as a “Non-Controlling Interest”) in Jazz or the Rental Partnership.
- B. Notwithstanding the foregoing, HUD consent is not required for the transfer of any Non-Controlling Interest in Jazz or the Rental Partnership, or in any partner, member or stockholder thereof, provided that HUD is provided with: (i) written notice of such transfer; and (ii) a certification that the new owner of the limited interest remains obligated to fund its equity contribution in accordance with the HUD-approved organizational documents of Jazz or the Rental Partnership.
- C. HUD will not unreasonably withhold, delay, or condition a request by Jazz or the Rental Partnership for HUD’s consent to any of the foregoing transfers of interest in Jazz or the Rental Partnership or any partners, members or stockholders thereof.
8. This Declaration shall not be amended, modified or released without the prior written consent of HUD.
9. Upon expiration of the period during which the Project is required to be operated and maintained as public housing in accordance with All Applicable Public Housing Requirements, HUD will release this Declaration by an instrument to be recorded in the appropriate land records (the “Release”). The Release shall be prepared by the then owner of the Project and recorded at such owner’s expense. In addition, HUD will partially release this Declaration, as to the Green Space Parcels only, upon the completion, lien-free, of all buildings and other improvements to be constructed by Jazz on the Authority Land as part of the Development. Such partial release shall be prepared by Jazz and recorded at Jazz’s expense.

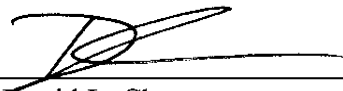
**[Signatures appears on the following page]**

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**IN WITNESS WHEREOF**, the Authority, Jazz and the Rental Partnership have caused this Declaration to be executed by their duly authorized officers, managing members, and/or general partners, as applicable, for proper recording in the public records.

**JAZZ ON THE BOULEVARD, LLC**,  
a Delaware limited liability company

By: Thrush Drexel, Inc., an Illinois  
corporation, its sole managing member

By:   
Name: David L. Chase  
Title: President

**DREXEL JAZZ LIMITED PARTNERSHIP**,  
an Illinois limited partnership

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CHICAGO HOUSING AUTHORITY**,  
an Illinois municipal corporation

By: \_\_\_\_\_  
Name: Terry Peterson  
Title: Chief Executive Officer

Property of Cook County Clerk's Office

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**IN WITNESS WHEREOF**, the Authority, Jazz and the Rental Partnership have caused this Declaration to be executed by their duly authorized officers, managing members, and/or general partners, as applicable, for proper recording in the public records.

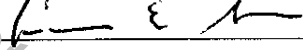
**JAZZ ON THE BOULEVARD, LLC**,  
a Delaware limited liability company

By: Thrush Drexel, Inc., an Illinois  
corporation, its sole managing member

By: \_\_\_\_\_  
Name: David L. Chase  
Title: President

**DREXEL JAZZ LIMITED PARTNERSHIP**,  
an Illinois limited partnership

By: Drexel Neighborhood Development  
Corporation, an Illinois not for profit corporation,  
its general partner

By:  \_\_\_\_\_  
Name: Andrew E. Geer  
Title: Assistant Secretary

**CHICAGO HOUSING AUTHORITY**,  
an Illinois municipal corporation

By: \_\_\_\_\_  
Name: Terry Peterson  
Title: Chief Executive Officer

Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the Authority, Jazz and the Rental Partnership have caused this Declaration to be executed by their duly authorized officers, managing members, and/or general partners, as applicable, for proper recording in the public records.

**JAZZ ON THE BOULEVARD, LLC,**  
a Delaware limited liability company


By: Thrush Drexel, Inc., an Illinois  
corporation, its sole managing member

By: \_\_\_\_\_  
Name: David L. Chase  
Title: President

**DREXEL JAZZ LIMITED PARTNERSHIP,**  
an Illinois limited partnership

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CHICAGO HOUSING AUTHORITY,**  
an Illinois municipal corporation

By:  \_\_\_\_\_  
Name: Terry Peterson  
Title: Chief Executive Officer

Property of Cook County Clerk's Office



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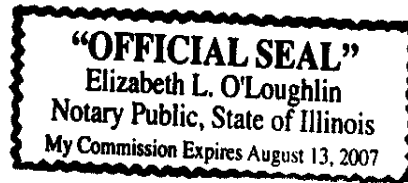
STATE OF ILLINOIS        )  
                                          )        SS  
COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for the county and State aforesaid, do hereby certify that David L. Chase, personally known to me to be the President of Thrush Drexel, Inc., an Illinois corporation, the sole managing member of Jazz on the Boulevard, LLC, a Delaware limited liability company, and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President of Thrush Drexel, Inc., he/she signed and delivered the said instrument pursuant to authority duly given and as his/her free and voluntary act, and as the free and voluntary act and deed of Jazz on the Boulevard, LLC for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 30 day of July, 2004

  
\_\_\_\_\_  
Notary Public

My commission expires:  
8-13-07



Property of Cook County Clerk's Office

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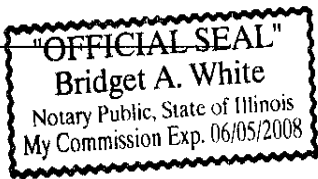
STATE OF ILLINOIS        )  
                                           )  
 COUNTY OF COOK         )       SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Andrew E. Geer personally known to me to be the Assistant Secretary of Drexel Jazz Limited Partnership, an Illinois limited partnership (the "Rental Partnership") and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that in his/her capacity as such Assistant Secretary of the Rental Partnership, he/she signed and delivered the said instrument pursuant to authority given by the Partnership Agreement and as his/her free and voluntary act, and as the free and voluntary act and deed of the Rental Partnership, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 30 day of July 2004.

*Bridget A. White*  
 \_\_\_\_\_  
 Notary Public

My commission expires:




*County of Cook Clerk's Office*

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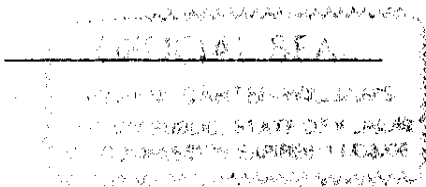
STATE OF ILLINOIS                    )  
                                                   )  
 COUNTY OF COOK                    )        SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Terry Peterson, personally known to me to be the Chief Executive Officer of Chicago Housing Authority (the "Authority"), and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Chief Executive Officer, he signed and delivered the said instrument pursuant to authority given by the Authority Board of Commissioners and as his free and voluntary act, and as the free and voluntary act and deed of the Authority for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 3<sup>rd</sup> day of August, 2004.

  
 \_\_\_\_\_  
 Notary Public

My Commission Expires:



Property of Cook County Clerk's Office

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## Exhibit A

### Legal Description of that Part of the Authority Land that is Subjected to this Declaration

#### The For-Sale Land (Parcel A Property Leased Under For-Sale Ground Lease)

Lots 1, 2, 3, 4, 5, 26 (except the northerly 5.67 feet of Lot 26), 27, 28 and 29 in Jazz on the Boulevard Subdivision, being a Subdivision in the West Half of the fractional Northwest Quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded July 30, 2004 as Document No.0421210098 with the Recorder of Deeds of Cook County, Illinois.

Also, Lot 6 in said above-described Jazz on the Boulevard Subdivision, excepting therefrom that part of Lot 6 described as follows: commencing at the northwest corner of said Lot 6, thence South 20° 44' 19" East along the westerly line of said Lot 6 a distance of 8.44 feet, thence North 69° 15' 41" East a distance of 19.00 feet to the easterly line of Lot 6, thence North 20° 44' 16" West along said easterly line of Lot 6 a distance of 1.25 feet to the northerly line of Lot 6, thence South 90° 00' 00" West along the northerly line of Lot 6 a distance of 20.32 feet to the point of beginning.

Commonly known as: 4100, 4108, 4114, 4120, 4124 and 4130 S. Drexel Boulevard  
803, 811, 817 and 825 E. 41<sup>st</sup> Street  
804, 812, 822 and 830 E. Bowen Avenue

PINs: Part of 20-02-110-033  
Part of 20-02-110-034  
Part of 20-02-110-035  
Part of 20-02-110-036  
Part of 20-02-110-037

#### The Rental Land (Parcel A Property Leased Under Rental Ground Lease)

Lots 7, 11, 15 and 19 in Jazz on the Boulevard Subdivision, being a Subdivision in the West Half of the fractional Northwest Quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded July 30, 2004 as Document No.0421210098 with the Recorder of Deeds of Cook County, Illinois.

Commonly known as: 4106, 4109, 4114 and 4119 S. Maryland Avenue

PINs: Part of 20-02-110-033  
Part of 20-02-110-034  
Part of 20-02-110-035  
Part of 20-02-110-036

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Part of 20-02-110-037

The Green Space Parcels:

The northerly 5.67 feet of Lot 26, and all of Lots 30-36, both inclusive, in Jazz on the Boulevard Subdivision, being a Subdivision in the West Half of the fractional Northwest Quarter of Section 2, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded July 30, 2004 as Document No.0421210098 with the Recorder of Deeds of Cook County, Illinois.

Also that part of Lot 6 in said above-described Jazz on the Boulevard Subdivision described as follows: commencing at the northwest corner of said Lot 6, thence South 20° 44' 19" East along the westerly line of said Lot 6 a distance of 8.44 feet, thence North 69° 15' 41" East a distance of 19.00 feet to the easterly line of Lot 6, thence North 20° 44' 16" West along said easterly line of Lot 6 a distance of 1.25 feet to the northerly line of Lot 6, thence South 90° 00' 00" West along the northerly line of Lot 6 a distance of 20.32 feet to the point of beginning.

Commonly known as: Certain vacant parcels of land located south of East 41<sup>st</sup> Street, west of South Drexel Boulevard, north of East Bowen Avenue, and east of South Cottage Grove Avenue

PINs: Part of 20-02-110-033  
Part of 20-02-110-034  
Part of 20-02-110-035  
Part of 20-02-110-036  
Part of 20-02-110-037

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## EXHIBIT B

### Description of Jazz's Property that is Subjected to this Declaration

#### (Leasehold Estates, Improvements, Middle Parcel and South Parcel Multifamily Condominium Property)

##### Parcel One

The Leasehold Estate created by that certain Ground Lease dated as of August 1, 2004 from the Chicago Housing Authority, an Illinois municipal corporation, as lessor, to Jazz on the Boulevard, LLC, a Delaware limited liability company, as lessee, which Ground Lease demises the land hereinafter described (the "For-Sale Land"), except the buildings and improvements located thereon.

##### Parcel Two

The ownership of the buildings and improvements on the For-Sale Land hereinafter described, as defined in the Ground lease dated as of August 1, 2004 from the Chicago Housing Authority, an Illinois municipal corporation, to Jazz on the Boulevard, LLC, a Delaware limited liability company.

##### The For-Sale Land (Parcel A Property Leased Under For Sale Ground Lease)

Lots 1, 2, 3, 4, 5, 26 (except the northerly 5.67 feet of Lot 26), 27, 28 and 29 in Jazz on the Boulevard Subdivision, being a Subdivision in the West Half of the fractional Northwest Quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded July 30, 2004 as Document No.0421210098 with the Recorder of Deeds of Cook County, Illinois.

Also, Lot 6 in said above-described Jazz on the Boulevard Subdivision, excepting therefrom that part of Lot 6 described as follows: commencing at the northwest corner of said Lot 6, thence South 20° 44' 19" East along the westerly line of said Lot 6 a distance of 8.44 feet, thence North 69° 15' 41" East a distance of 19.00 feet to the easterly line of Lot 6, thence North 20° 44' 16" West along said easterly line of Lot 6 a distance of 1.25 feet to the northerly line of Lot 6, thence South 90° 00' 00" West along the northerly line of Lot 6 a distance of 20.32 feet to the point of beginning.

Commonly known as: 4100, 4108, 4114, 4120, 4124 and 4130 S. Drexel Boulevard  
803, 811, 817 and 825 E. 41<sup>st</sup> Street  
804, 812, 822 and 830 E. Bowen Avenue

PINs: Part of 20-02-110-033

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Part of 20-02-110-034  
 Part of 20-02-110-035  
 Part of 20-02-110-036  
 Part of 20-02-110-037

## Parcel Three

The Leasehold Estate created by that certain Ground Lease dated as of August 1, 2004 from the Chicago Housing Authority, an Illinois municipal corporation, as lessor, to Jazz on the Boulevard, LLC, a Delaware limited liability company, as lessee, which Ground Lease demises the land hereinafter described (the "Rental Land"), except the buildings and improvements located thereon.

## Parcel Four

The ownership of the buildings and improvements on the Rental Land hereinafter described, as defined in the Ground lease dated as of August 1, 2004 from the Chicago Housing Authority, an Illinois municipal corporation, to Jazz on the Boulevard, LLC, a Delaware limited liability company.

## The Rental Land (Parcel A Property Leased Under Rental Ground Lease)

Lots 7, 11, 15 and 19 in Jazz on the Boulevard Subdivision, being a Subdivision in the West Half of the fractional Northwest Quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded July 30, 2004 as Document No.0421210098 with the Recorder of Deeds of Cook County, Illinois.

Commonly known as: 4106, 4109, 4114 and 4119 S. Maryland Avenue

PINs: Part of 20-02-110-033  
 Part of 20-02-110-034  
 Part of 20-02-110-035  
 Part of 20-02-110-036  
 Part of 20-02-110-037

**Legal Description of the Middle Parcel (Middle Parcel Property - Parcel B):  
 (Owned by Jazz in Fee Simple)**

## Building 42 Property

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That part of Lots 20 to 29, both inclusive, (except that part taken for the widening and extension of a public alley) in Block 2 in Charles R. Steele's Resubdivision of Lot 1 in Bayard and Palmer Addition made by Circuit Court Partition, being a Subdivision of 11.22 chains North of and adjoining South 25 rods of the Northwest fractional quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, lying West of Hyde Park Avenue (except the North 53 feet 4 ½ inches thereof conveyed to Union Stock Yards and Transit Company), in Cook County, Illinois described as follows:

Beginning at the Northeast corner of said tract; thence South 03 degrees 44'15" East, along the East line thereof, 26.512 feet; thence South 90 degrees 00'00" West 42.56 feet; thence South 00 degrees 00'00" West 4.50 feet; thence South 90 degrees 00'00" West 37.33 feet; thence North 00 degrees 00'00" West 4.50 feet; thence North 90 degrees 00'00" West 43.02 feet to a point on the West line of said tract; thence North 00 degrees 02'30" West, along said West line, 26.87 feet to the Northwest corner said tract; thence South 89 degrees 48'18" East along the North line of said tract, 121.20 feet to the point of beginning, in Cook County, Illinois.

Commonly known as: 4136 and 4138 S. Drexel Boulevard

PINs: Part of 20-02-111-012  
Part of 20-02-111-020  
Part of 20-02-111-021  
Part of 20-02-111-022

## Building 50 Property

That part of Lots 20 to 29, both inclusive, (except that part taken for the widening and extension of a public alley) in Block 2 in Charles R. Steele's Resubdivision of Lot 1 in Bayard and Palmer Addition made by Circuit Court Partition, being a Subdivision of 11.22 chains North of and adjoining South 25 rods of the Northwest fractional quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, lying West of Hyde Park Avenue (except the North 53 feet 4 ½ inches thereof conveyed to Union Stock Yards and Transit Company), in Cook County, Illinois described as follows:

Commencing at the Northeast corner of said tract; thence South 03 degrees 44'15" East, along the East line thereof, 208.897 feet to the point of beginning; thence South 03 degrees 44'15" East, along said East line, 26.513 feet to the Southeast corner of said tract; thence North 89 degrees 49'25" West, along the South line thereof, 136.37 feet to the Southwest corner of said tract; thence North 00 degrees 02'30" West, along the West line of said tract, 26.03 feet; thence South 90 degrees 00'00" East, 58.71 feet; thence North 00 degrees 00'00' East 4.50 feet; thence North 90 degrees 00'00' East 37.50 feet; thence South 00 degrees 00'00' East 4.50 feet; thence South 90 degrees 00'00' East 38.45 feet to the point of beginning, in Cook County, Illinois.

Commonly known as: 4158 and 4160 S. Drexel Boulevard



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PINs: Part of 20-02-111-012  
 Part of 20-02-111-020  
 Part of 20-02-111-021  
 Part of 20-02-111-022

## Legal Description of the South Parcel Multifamily Property (Owned by Jazz in Fee Simple)

East portion:

That part of Lots 16 to 24, both inclusive, (except that part taken for the widening and extension of a public alley) in Block 3 in Charles R. Steele's Resubdivision of Block 1 in Bayard and Palmer Addition to the Northwest fractional Quarter of Section 2, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Beginning at the Northeast corner of said tract; thence South  $03^{\circ} 44' 15''$  East, along the East line thereof, 187.11 feet to the South line of said tract; thence North  $89^{\circ} 52' 56''$  West, along said South line, 80.20 feet; thence North  $00^{\circ} 00' 00''$  East 23.82 feet; thence Northerly and Easterly 7.85 feet along the arc of a circle convex to the Northwest, having a radius of 5.00 feet, and whose chord bears North  $45^{\circ} 00' 00''$  East, a distance of 7.07 feet; thence North  $90^{\circ} 00' 00''$  East 7.00 feet; thence North  $00^{\circ} 00' 00''$  East 128.33 feet; thence North  $90^{\circ} 00' 00''$  West 7.00 feet; thence Westerly and Northerly 7.85 feet along the arc of a circle convex to the Southwest, having a radius of 5.00 feet, and whose chord bears North  $45^{\circ} 00' 00''$  West, a distance of 7.07 feet; thence North  $00^{\circ} 00' 00''$  East 24.61 feet to a point on the North line of said tract; thence South  $89^{\circ} 49' 25''$  East, along said North line, 68.00 feet to the point of beginning, in Cook County, Illinois.

Also, the following described parcel:

Commencing at the Northeast corner of said tract; thence North  $89^{\circ} 49' 25''$  West, along the North line thereof, 82.00 feet; thence South  $00^{\circ} 00' 00''$  West 49.82 feet to the point of beginning; thence South  $90^{\circ} 00' 00''$  East 8.00 feet; thence South  $00^{\circ} 00' 00''$  West 88.00 feet; thence North  $90^{\circ} 00' 00''$  West 8.00 feet; thence North  $00^{\circ} 00' 00''$  East 88.00 feet to the point of beginning, in Cook County, Illinois.

Commonly known as: 4162, 4164, 4168, 4174, 4176 and 4178 S. Drexel Boulevard

PINs: Part of 20-02-112-012  
 Part of 20-02-112-016

South Parcel Roadway Property:



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## EXHIBIT C

### Legal Description of the Authority Land

Lots 1-36 inclusive in Jazz on the Boulevard Subdivision, being a Subdivision in the West Half of the fractional Northwest Quarter of Section 2, Township 38, North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded August July 30, 2004 as Document No.0421210098 with the Recorder of Deeds of Cook County, Illinois.

Commonly known as: 4100, 4108, 4114, 4120, 4124 and 4130 S. Drexel Boulevard  
803, 811, 817 and 825 E. 41<sup>st</sup> Street  
804, 812, 822 and 830 E. Bowen Avenue  
4103, 4105, 4106, 4107, 4108, 4109 and 4110 S. Maryland

Avenue

4111, 4112, 4114, 4115, 4117 and 4119 S. Maryland Avenue  
4107, 4109, 4111, 4115, 4117 and 4119 S. Cottage Grove

Avenue

PINs:

Part of 20-02-110-033  
Part of 20-02-110-034  
Part of 20-02-110-035  
Part of 20-02-110-036  
Part of 20-02-110-037

**UNOFFICIAL COPY****EXHIBIT D****RENTAL UNITS**

<b>PROJECT UNIT ADDRESS, LOCATION, TYPE</b>	<b>BUILDING NUMBER</b>
4100-1A S DREXEL FIRST FLOOR (6 FLAT CONDO)	1
4100-2A S DREXEL SECOND FLOOR (6 FLAT CONDO)	1
4100-2B S DREXEL SECOND FLOOR (6 FLAT CONDO)	1
4108-2A S DREXEL SECOND FLOOR (6 FLAT CONDO)	2
4108-1B S DREXEL FIRST FLOOR (6 FLAT CONDO)	2
4108-2B S DREXEL SECOND FLOOR (6 FLAT CONDO)	2
4114-2A S DREXEL SECOND FLOOR (6 FLAT CONDO)	3
4114-2B S DREXEL SECOND FLOOR (6 FLAT CONDO)	3
4120-2A S DREXEL SECOND FLOOR (6 FLAT CONDO)	4
4120-2B S DREXEL SECOND FLOOR (6 FLAT CONDO)	4
4124-1A S DREXEL FIRST FLOOR (6 FLAT CONDO)	5
4124-2A S DREXEL SECOND FLOOR (6 FLAT CONDO)	5
4124-1B S DREXEL FIRST FLOOR (6 FLAT CONDO)	5
4124-2B S DREXEL SECOND FLOOR (6 FLAT CONDO)	5
4130-1A S DREXEL FIRST FLOOR (6 FLAT CONDO)	6
4130-1B S DREXEL FIRST FLOOR (6 FLAT CONDO)	6
4130-2B S DREXEL SECOND FLOOR (6 FLAT CONDO)	6
811-1A E. 41 <sup>ST</sup> FIRST FLOOR (DUPLEXED UNIT CONDO)	9
811-1B E. 41 <sup>ST</sup> FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	10
817-3A E. 41 <sup>ST</sup> SECOND FLOOR DUPLEX/FRONT (DUPLEXED 3 UNIT CONDO)	11
817-3B E. 41 <sup>ST</sup> SECOND FLOOR DUPLEX/FRONT (DUPLEXED 3 UNIT CONDO)	12

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830-1B E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	16
822-1A E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	17
822-1B E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	18
812-1A E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	19
812-1B E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	20
804-1A E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	21
804-1B E. BOWEN FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	22
4114 S. MARYLAND (SINGLE-FAMILY TOWNHOUSE)	23
4106 S. MARYLAND (SINGLE-FAMILY TOWNHOUSE)	27
4109 S. MARYLAND (SINGLE-FAMILY TOWNHOUSE)	31
4119 S. MARYLAND (SINGLE-FAMILY TOWNHOUSE)	35
4136 S. DREXEL FIRST FLOOR (DUPLEXED 2 UNIT CONDO)	42
4158 S. DREXEL FIRST FLOOR (DUPLEXED 2 UNIT CONDO)	50
4162 S. DREXEL FIRST FLOOR (DUPLEXED 2 UNIT CONDO)	51
4168-3A S. DREXEL DUPLEX-FRONT (DUPLEXED 3 UNIT CONDO)	52
4168-1B S. DREXEL FIRST FLOOR (DUPLEXED 3 UNIT CONDO)	53
4168-3B S. DREXEL DUPLEX-FRONT (DUPLEXED 3 UNIT CONDO)	53
4176 SOUTH DREXEL FIRST FLOOR (DUPLEXED 2 UNIT CONDO)	56