# **UNOFFICIAL COPY**

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO: + Prepared By. WASHINGTON MUTUAL BANK, FA 3200 Park Center Drive, Suite 200 541CRECA Costa Mesa, California 92626 Attn: Commercial Real Estate Loan No.:



Doc#: 0515318092 Eugene "Gene" Moore Fee: \$34.50 Cook County Recorder of Deeds Date: 06/02/2005 03:32 PM Pg: 1 of 6

**ISPACE ABOVE LINE FOR RECORDER'S USE** 

LASALLE BANK NATIONAL ASSOCIATION, AS SUCCESSOR TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED SEPTEMBER 17, 1990, AND KNOWN AS TRUST NO. 112671-01 (Tenant)

CHICAGO LAND TRUST COMPANY, AS SUCCESSOR TO HARRIS TRUST AND SAVINGS BANK, AS TRUSTEE UNDER A TRUST AGREEMENT DATED JULY 28, 1986, AND KNOWN AS TRUST NO. 43663 -lost's Ossico (Landlord)

in favor of

WASHINGTON MUTUAL BANK, a federal association (Lender)

**GROUND LEASE ESTOPPEL** 

Dated: April 27, 2005

Location: 860 N. DeWitt Place, Chicago, Illinois

Loan No.:

0515318092 Page: 2 of 6

## UNOFFICIAL COPY

Loan	No.	

### **GROUND LEASE ESTOPPEL**

As of April 27, 2005, the undersigned each hereby certify to WASHINGTON MUTUAL BANK, a federal association, and to its affiliates and all of their respective successors and assigns (all collectively, the "Lender") that:

- CHICAGO LAND TRUST COMPANY, SUCCESSOR TO COLE TAYLOR BANK, AS 1. SUCCESSOR TO HARRIS TRUST AND SAVINGS BANK, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER A TRUST AGREEMENT DATED JULY 28, 1986, AND KNOWN AS TRUST NO. 43663 (the "Landlord"), is the current landlord, and LASALLE BANK NATIONAL ASSOCIATION, AS SUCCESSOR TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER A TRUST AGREEMENT DATED SEPTEMBER 17, 1990, AND KNOWN AS TRUST NO. 112671-01 (the "Tenant"), is the current tenant, under that certain INDENTURE OF LEASE (the "Ground Lease") dated March 1, 1960, executed by and between 199 Lake Shore Drive, Inc., a Delaware corporation, as original landlord (such landlord's interest being now owned and held by the Landlord described herein), and American National Bank and Trust Company of Chicago, a national banking association, as original lessee (such lessee's interest being now owned and held by the Tenant described herein), which Ground Lease was recorded with the Recorder of Deeds of Cook County, Illinois on March 1, 1960 as Document No. 17792948, covering the property (real and personal) described in the Ground Lease (the "Ground Leased Premises"), commonly known as 860 N. DeWitt Place, Chicago, Illinois, and which is more particularly described in Exhibit 1. attached hereto.
- Other than as set forth in Expirit "B", the Ground Lease has not been assigned, amended, altered, supplemented or modified. The Ground Lease constitutes the entire agreement between Landlord and Tenant with respect to the Ground Leased Premises, is in full force and effect.
- As of the date hereof, there is no existing default or claimed default by either Landlord or Tenant under the Ground Lease.
  - No notice of default has served by Landlord on Tensat which has not been cured. 4.
- Rental payments are being made on a current basis and have been paid through the month of 5. March, 2005.
- All notices from Landlord to Lender under the Ground Lease shall be sent to the following address: )FFICO

WASHINGTON MUTUAL BANK, FA Attention: Commercial Real Estate 3200 Park Center Drive, Suite 200 541CRECA Costa Mesa, CA 92626

or such other address as Lender may specify to Landlord in writing from time to time.

0515318092 Page: 3 of 6

# **UNOFFICIAL COP**

IN WITNESS WHEREOF, Landlord and Tenant have executed this Ground Lease Estoppel as of the date first indicated above.

This instrument is executed by the undersigned Land Trustee not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, cuvenant, undertaking or

agreement of the Trustee in this instrument.

LANDLORD:

CHICAGO LAND TRUST COMPANY, AS SUCCESSOR TO HARRIS TRUST AND SAVINGS BANK, a National Banking Association, as Trustee Under a Trust Agreement Dated July 28, 1986, and known as Trust No. 43663

Bv: Mario V. Go Name: Title:

TENANT:

DO PT OF

not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein plade on the part of the Trustee are undertaken by it solely in its capacity as Trustee are not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

LASALLE BANK NATIONAL ASSOCIATION, AS SUCCESSOR This instrument is executed by the undersigned Land Trustee, TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF ChiCAGO, a National Banking Association, as Trustee Under a Trust Agreement Dated September 17, 1980 and known as Trust No. 112671-01 and not personally

Name: -16/4's Office Title:

0515318092 Page: 4 of 6

# **UNOFFICIAL COPY**

## **ACKNOWLEDGEMENTS**

STATE OF JUINON)
COUNTY OF
On My Skd, 20_05 before me, Sherri Smith, Notary
Public, personally appeared Mario V. Gotanov , personally known to me
or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.
"OF FICIAL SEAL"
CHEDDI CMITTI
NOTARY PUBLIC STATE OF ILLINOIS Signature
My Commission Expires 03/22/2006
[Seal]
[eoal]
STATE OF IL )
COUNTY OF Cook )
COUNTY OF CHEC )
On 23 9 Myy 20 05 before me, , Notary Public, personally appeared , Notary Public, personally appeared , Notary
or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person (c) or the entity upon behalf of
which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.
OFFICIAL SEAL"
SURRAJINA MOKINLEY
OFFICIAL SEAL SURRAJINA MoKINLEY ARY PUBLIC STATE OF ILLINOIS Commission Expires 12/20/2006 Signature
[Seal]

0515318092 Page: 5 of 6

# **UNOFFICIAL COPY**

iexcept the West 15 ½ feet) and all of Lots 35.
ison of part of Blocks 14 and 20 in Canal Trustee's ship 39 North, Range 14 East of the Third Principal Men.

PIN: 17-03-221-010

Prop. Action ess: 860 N. Dewitt Place
Chicago, 14

0515318092 Page: 6 of 6

# **UNOFFICIAL COPY**

**EXHIBIT "B"** 

Modifications of Ground Lease

None.

