



Doc#: 0704741086 Fee: \$64.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/16/2007 12:28 PM Pg: 1 of 21

EXECUTION COPY

Prepared by, and upon recording,
return to:

Arlene B. Richman
Latham & Watkins LLP
233 S. Wacker Drive, Suite 5800
Chicago, Illinois 60606

8342825027

Property of Cook County Clerk's Office
(Space Above for Recorder's Use)

MEMORANDUM OF PURCHASE RIGHTS

THIS MEMORANDUM OF PURCHASE RIGHTS (the "Agreement") is made and entered into as of the 4 day of February, 2007, by and among Calumet Transload Railroad L.L.C., an Illinois limited liability company ("Calumet") and Whitehorse Properties, Inc., an Illinois corporation ("Whitehorse", and collectively with Calumet, the "Seller"), whose mailing address is 16109 South 108th Avenue, Orland Park, Illinois 60467, and DTE Chicago Fuels Terminal, LLC, a Michigan limited liability company (the "Buyer"), whose mailing address is 425 South Main Street, Ann Arbor, Michigan 48104. (Buyer and Seller are referred to herein as the "Parties.")

RECITALS

WHEREAS, Buyer and Seller are parties to that certain Purchase and Sale Agreement and Escrow Instructions dated August 17, 2006 and amended by that certain Amendment No. 1 to Purchase and Sale Agreement and Escrow Instructions dated August 24, 2006, and that certain Amendment No. 2 to Purchase and Sale Agreement and Escrow Instructions of even date herewith between the Parties (as may be further amended or modified or amended and restated prior to or after the date hereof, the "PSA") pursuant to which, among other things, Buyer purchased from Calumet and Calumet sold to Buyer that certain property as described in Exhibit A (the "Sold Property"), and Calumet agreed to grant Buyer and Buyer obtained from Calumet the right to purchase the DTE Railroad Easement Property (hereinafter defined) pursuant to the terms and conditions of the PSA;

WHEREAS, Buyer and Seller are parties to that certain Easement and Restrictions Agreement dated as of the date hereof (the "Easement Agreement"), pursuant to which, among other things, Seller has agreed to grant a perpetual, non-exclusive easement to Buyer on, over and across the improved real property owned by Calumet contiguous to the Property as more

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specifically described on Exhibit B hereto ("DTE Railroad Easement Property"), for the construction, operation, repair and maintenance of railroad tracks; and

WHEREAS, the Parties desire to enter into and record this Agreement in order to evidence certain purchase rights with the respect to the DTE Railroad Easement Property.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Purchase Rights. Calumet has granted Buyer the right, at Buyer's election, (the "Purchase Right") to acquire fee title to the DTE Railroad Easement Property. The terms of the Purchase Right are set forth in the PSA. In the event of exercise of the Purchase Right, conveyance of the DTE Railroad Easement Property to Buyer shall be subject to the reservation by Calumet of (a) a perpetual, non-exclusive easement for the use, maintenance, repair, replacement and operation of a storm sewer line, the location of which is graphically depicted on Exhibit C hereto, and (b) a perpetual, non-exclusive easement to traverse the DTE Railroad Easement Property for access to any portion of the LTV Site Property (as defined in the PSA and legally described on Exhibit D hereto) which would otherwise be inaccessible as a result of the acquisition of the DTE Railroad Easement Property by Buyer at such times and frequency as shall not interfere with, in any material respect, Buyer's use of the DTE Railroad Easement Property in connection with the business operated upon the Sold Property. The Purchase Right runs with title to the land.

2. Confirmation. The Parties confirm that the PSA is in full force and effect as of the date hereof. The Purchase Right survives any satisfaction or termination of the PSA or the sale and conveyance of any of the other real property to be conveyed pursuant thereto, including without limitation the Sold Property.

3. Counterparts. This Agreement may be executed by Seller and Buyer in counterparts, each of which shall be an original, but such counterparts together shall constitute one and the same instrument.

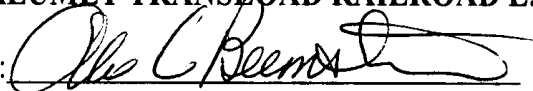
[SIGNATURES ON FOLLOWING PAGE]

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

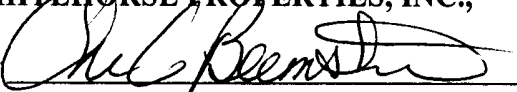
SELLER:

CALUMET TRANSLOAD RAILROAD L.L.C.,

By: 

Alan C. Beemsterboer
Authorized Manager

WHITEHORSE PROPERTIES, INC.,

By: 

Alan C. Beemsterboer
President

BUYER:

DTE CHICAGO FUELS TERMINAL, LLC,

By: DTE Coal Services, Inc. its sole member

By: _____
Its: _____

[SIGNATURE PAGE FOR MEMORANDUM OF PURCHASE RIGHTS]

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

SELLER:

CALUMET TRANSLOAD RAILROAD L.L.C.,

By: _____
Alan C. Beemsterboer
Authorized Manager


WHITEHORSE PROPERTIES, INC.,

By: _____
Alan C. Beemsterboer
President

BUYER:

DTE CHICAGO FUELS TERMINAL, LLC,

By: DTE Coal Services, Inc. its sole member

By: 
Its: Vice President Corp. Serv.

REVIEWED
BY: 
LEGAL

[SIGNATURE PAGE FOR MEMORANDUM OF PURCHASE RIGHTS]

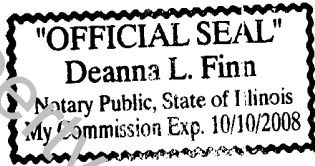
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STATE OF ILLINOIS)
)
COUNTY OF Cook) SS

On Feb 8, 2007, before me, the undersigned, a Notary Public in and for said State personally appeared Alan C. Beemsterboer known to me to be the authorized Manager of Calumet Transload Railroad L.L.C., an Illinois limited liability company, and acknowledged to me that such individual executed the within instrument on behalf of said limited liability company.

WITNESS my hand and official seal.

[SEAL]



Deanna L. Finn

Notary Public in and for
said County and State

[CALUMET NOTARY PAGE FOR MEMORANDUM OF PURCHASE RIGHTS]

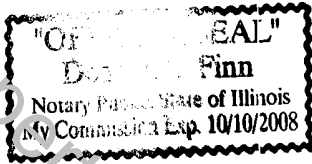
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STATE OF ILLINOIS)
)
COUNTY OF Cook) SS

On Feb 8, 2007, before me, the undersigned, a Notary Public in and for said State personally appeared Alan C. Beensterboer known to me to be the President of Whitehorse Properties, Inc., an Illinois corporation, and acknowledged to me that such individual executed the within instrument on behalf of said limited liability company.

WITNESS my hand and official seal.

[SEAL]



Dawn M. Finn
Notary Public in and for
said County and State

[WHITEHORSE NOTARY PAGE FOR MEMORANDUM OF OPTION RIGHTS]

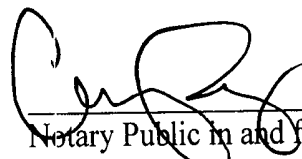
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STATE OF MICHIGAN)
) SS
COUNTY OF WASHTENAW)

On February 6, 2007, before me, the undersigned, a Notary Public in and for said State personally appeared Stephen C. Braverman known to me to be the Vice President Corporate Services of DTE Coal Services, Inc., the sole member of DTE CHICAGO FUELS TERMINAL, LLC, a Michigan limited liability company, and acknowledged to me that such individual executed the within instrument on behalf of said limited liability company.

WITNESS my hand and official seal.


Notary Public in and for Washtenaw
said County and State Michigan

CATHERINE PAPS
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Jul 5, 2011
ACTING IN COUNTY OF Washtenaw

[SEAL]

[DTE NOTARY PAGE FOR MEMORANDUM OF PURCHASE RIGHTS]

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EXHIBIT A

LEGAL DESCRIPTION OF SOLD PROPERTY

See attached for legal description

Parcel Identification Number: 26-18-200-029-0000

Common Address: 10730 S. Burley Avenue, Chicago, IL

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PARCEL 1:

THAT PART OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS 1500.00 FEET NORTH OF THE CENTERLINE OF EAST 111TH STREET (NOW VACATED) AND 121.80 FEET WEST OF THE WEST LINE OF BURLEY AVENUE; THENCE NORTH 00 DEGREE, 21 MINUTES, 13 SECONDS EAST, A DISTANCE OF 1025.17 FEET PARALLEL TO THE WEST LINE OF SOUTH BURLEY AVENUE TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF THE SOUTH CHICAGO AND SOUTHERN RAILROAD COMPANY AS CONVEYED BY DEED DATED SEPTEMBER 1, 1887 AND RECORDED JANUARY 25, 1888 IN THE RECORDERS OFFICE OF COOK COUNTY, ILLINOIS, AS DOCUMENT 916702; THENCE ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID RAILROAD TO THE NORTH LINE OF LOT 3 OF MCREYNOLDS ELEVATOR SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18 AFORESAID, LYING EAST OF THE CALUMET RIVER; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 3 TO THE EASTERLY DOCK LINE OF THE CALUMET RIVER (AS SAID LINE IS SHOWN ON GOVERNMENT SURVEY MAP THEREOF RECORDED MAY 17, 1889 IN BOOK 39 OF PLATS PAGES 1 TO 9); THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG SAID EASTERLY DOCK LINE TO THE CENTER OF EAST 111TH STREET (NOW VACATED); THENCE EASTERLY ALONG THE CENTER OF SAID EAST 111TH STREET TO A POINT, WHICH IS 456.20 FEET WEST OF THE WEST LINE OF BURLEY AVENUE; THENCE NORTHEASTERLY ALONG A CURVED LINE WITH A RADIUS OF 400.00 FEET CONVEX TO THE SOUTHEAST, AN ARC DISTANCE OF 484.63 FEET TO A POINT OF TANGENCY SAID POINT BEING 376.02 FEET NORTH OF THE CENTERLINE OF EAST 111TH STREET (NOW VACATED); THENCE NORTH 00 DEGREE, 21 MINUTES, 13 SECONDS EAST ALONG THE LINE, THAT IS TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 673.98 FEET TO A POINT THAT IS 1050.0 FEET NORTH OF THE CENTERLINE OF EAST 111TH STREET (NOW VACATED) MEASURED ALONG THE LAST DESCRIBED COURSE; THENCE NORTH 09 DEGREES, 49 MINUTES, 33 SECONDS EAST, A DISTANCE OF 455.76 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS;

EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY ALL THAT PART OF THE ABOVE DESCRIBED PROPERTY LYING NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY OF THE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY PROPERTY LINES AS DESCRIBED AS TRACTS A AND B IN DOCUMENT 88081403, RECORDED FEBRUARY 25, 1988,

ALSO EXCEPTING THEREFROM THAT PART OF THE NORTHEAST 1/4 OF SAID SECTION 18, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE NORTH 00 DEGREE, 14 MINUTES, 58

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SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18, A DISTANCE OF 8.58 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES, 18 MINUTES, 29 SECONDS EAST, A DISTANCE OF 42.42 FEET, MORE OR LESS TO A POINT ON THE MOST WESTERLY LIMITS OF PARCEL 5 (TRACT B) AS DESCRIBED IN DOCUMENT 88081403 RECORDED ON FEBRUARY 25, 1988 IN COOK COUNTY ILLINOIS;

AND ALSO EXCEPTING THAT PART OF PARCEL 1, LYING WITHIN: THAT PART CONVEYED TO VALLEY MOULD AND IRON CORPORATION BY WARRANTY DEED DATED SEPTEMBER 8, 1925 AND RECORDED OCTOBER 7, 1925 AS DOCUMENT 9058228, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE RUNNING NORTH ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 219.65 FEET TO THE DOCK LINE OF THE CALUMET RIVER; THENCE RUNNING NORTH 62 DEGREES, 30 MINUTES, 29 SECONDS EAST, A DISTANCE OF 808.93 FEET; THENCE RUNNING NORTH 89 DEGREES, 50 MINUTES, EAST, A DISTANCE OF 395.00 FEET; THENCE RUNNING SOUTH 38 DEGREES, 47 MINUTES, 32 1/2 SECONDS WEST, A DISTANCE OF 383.29 FEET; THENCE RUNNING SOUTH 70 DEGREES, 57 MINUTES, 45 SECONDS WEST, A DISTANCE OF 299.12 FEET; THENCE RUNNING SOUTH 19 DEGREES, 02 MINUTES, 15 SECONDS EAST, A DISTANCE OF 5.00 FEET; THENCE RUNNING SOUTH 70 DEGREES, 57 MINUTES, 45 SECONDS WEST, A DISTANCE OF 100.00 FEET; THENCE RUNNING NORTH 19 DEGREES, 2 MINUTES, 15 SECONDS WEST, A DISTANCE OF 5.00 FEET; THENCE RUNNING SOUTH 70 DEGREES, 57 MINUTES, 45 SECONDS WEST, A DISTANCE OF 520.00 FEET; THENCE RUNNING NORTH 27 DEGREES, 29 MINUTES, 31 SECONDS WEST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING;

AND,

EXCEPTING THAT PART OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF CURVE, (THE FOLLOWING LINES OF DIRECTION ARE BASED ON FIELD MEASURES); SAID POINT WHICH IS 376.02 FEET NORTH OF THE CENTERLINE OF 111TH STREET (NOW VACATED) AND 196.80 FEET WEST OF THE WEST LINE OF BURLEY AVENUE; THENCE SOUTHWESTERLY ON A CURVED LINE WITH A RADIUS OF 400.00 FEET, CONVEX TO THE SOUTHEAST, AN ARC DISTANCE OF 484.65 FEET TO A POINT 456.20 FEET WEST OF THE WEST LINE OF BURLEY AVENUE; THENCE NORTH 23 DEGREES, 26 MINUTES, 32 SECONDS EAST ON A STRAIGHT LINE, A DISTANCE OF 407.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES, 36 MINUTES, 51 SECONDS EAST, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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PARCEL 2:

THAT PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF EAST 111TH STREET (NOW VACATED), A DISTANCE OF 456.20 FEET WEST OF THE WEST LINE OF SOUTH BURLEY AVENUE; THENCE SOUTH 84 DEGREES, 52 MINUTES, 7 SECONDS WEST, A DISTANCE OF 1273.04 FEET TO A POINT ON THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER AS ESTABLISHED BY THE SURVEY OF THE UNITED STATES ENGINEERS OFFICE WAR DEPARTMENT (AS SHOWN ON SHEET NUMBER 6 DATED MARCH 1939 AND SHEET NUMBER 7 DATED MARCH 1938) TITLED; "CONTROL SURVEY CALUMET RIVER"; THENCE NORTH 00 DEGREES, 39 MINUTES, 02 SECONDS WEST ALONG SAID EASTERLY CHANNEL LINE OF SAID RIVER, A DISTANCE OF 129.26 FEET TO THE POINT OF INTERSECTION OF THE CENTERLINE OF EAST 111TH STREET (NOW VACATED) WITH SAID EASTERLY CHANNEL LINE OF SAID RIVER; THENCE SOUTH 89 DEGREES, 18 MINUTES, 20 SECONDS EAST ALONG THE CENTERLINE OF SAID EAST 111TH STREET (NOW VACATED), A DISTANCE OF 1269.56 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Cook County Clerk's Office

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EXHIBIT B

EASEMENT PROPERTY

See attached for legal description

Property of Cook County Clerk's Office

Parcel Identification Number:

Part of 26-18-408-006-000

Common Address:

11200 S. Houston, Chicago, Illinois

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THAT PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE CENTERLINE OF 111TH STREET (NOW VACATED), A DISTANCE OF 456.20 FEET WEST OF THE WEST LINE OF BURLEY AVENUE: (THE CENTER OF 111TH STREET HAS A BEARING OF NORTH 89 DEGREES 16 MINUTES 31 SECONDS WEST); THENCE SOUTH 84 DEGREES 53 MINUTES 54 SECONDS WEST, 157.28 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 67 DEGREES 46 MINUTES 19 SECONDS WEST 221.20 FEET; THENCE SOUTH 84 DEGREES 43 MINUTES 49 SECONDS WEST 413.03 FEET; THENCE NORTH 78 DEGREES 04 MINUTES 07 SECONDS WEST 226.52 FEET; THENCE NORTH 84 DEGREES 53 MINUTES 54 SECONDS EAST 841 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Parcel Identification Number:

Part of 26-18-408-006-0000

Common Address:

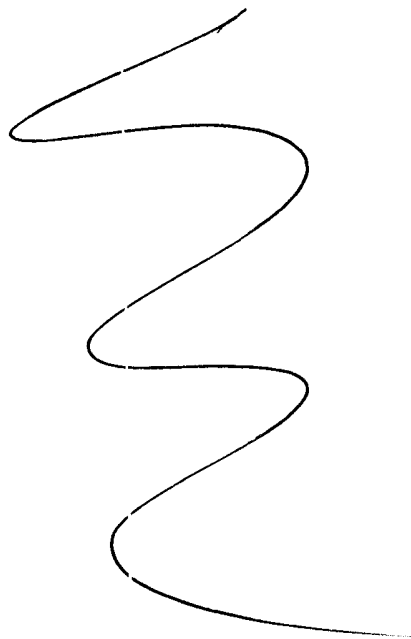
11200 S. Houston, Chicago, Illinois

UNOFFICIAL COPY

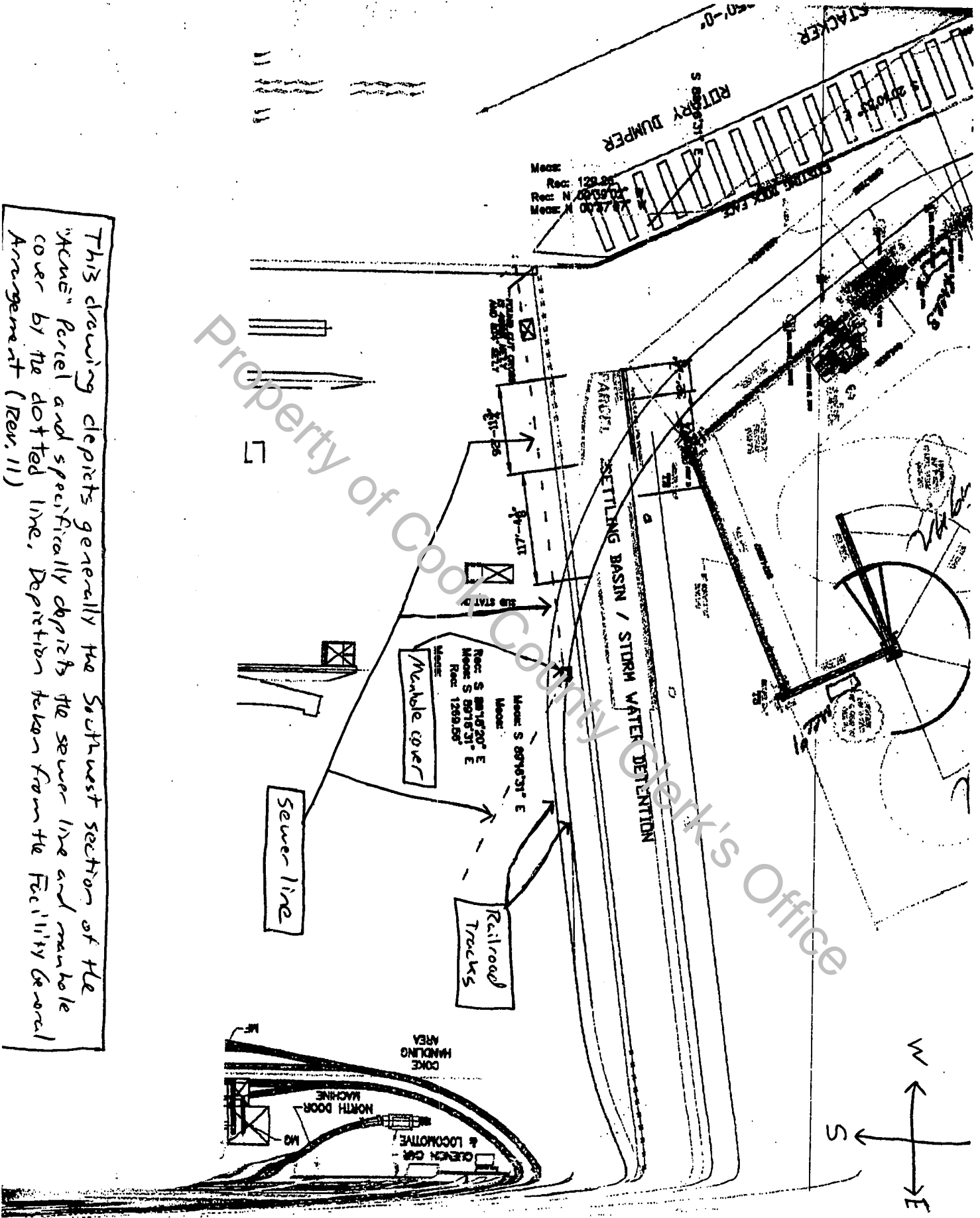
EXHIBIT C

STORM SEWER LINE

Property of Cook County Clerk's Office



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This drawing depicts generally the Southwest section of the "Xeni" Parcel and specifically depicts the sewer line and manhole cover by the dotted line. Depiction taken from the Facility General Arrangement (Rev. 11)

Exhibit C

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EXHIBIT D

LEGAL DESCRIPTION OF LTV SITE PROPERTY

Property of Cook County Clerk's Office

Parcel Identification Number:

Common Address:

CHI\4857338.2 02.05.07 03: 25

CH911616.4

02-05-2007

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PARCEL 1:

THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER, AS ESTABLISHED BY SURVEY OF THE UNITED STATES ENGINEER'S OFFICE WAR DEPARTMENT (AS SHOWN ON SHEET NO. 6 DATED MARCH 1939 AND SHEET NO. 7 DATED MARCH 1938) TITLED "CONTROL SURVEY CALUMET RIVER"; AND THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AFORESAID EASTERLY CHANNEL LINE OF SAID CALUMET RIVER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 18 (MONUMENT FOUND); THENCE SOUTH 89 DEGREES, 40 MINUTES, 18 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 18 (BASIS OF BEARINGS) 1,468.48 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF CONRAIL (FORMERLY THE SOUTH CHICAGO AND SOUTHERN RAILROAD); THENCE SOUTH 00 DEGREES, 43 MINUTES, 42 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE 1,325.43 FEET; THENCE SOUTH 59 DEGREES, 48 MINUTES, 03 SECONDS WEST 1,743.09 FEET; THENCE SOUTH 83 DEGREES, 55 MINUTES, 56 SECONDS WEST, 173.49 FEET TO THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER; THENCE NORTH 7 DEGREES, 51 MINUTES, 15 SECONDS WEST ALONG SAID EASTERLY CHANNEL LINE, 781.50 FEET; THENCE NORTH 01 DEGREES, 06 MINUTES, 41 SECONDS EAST ALONG SAID EASTERLY CHANNEL LINE 2,048.25 FEET; THENCE NORTH 05 DEGREES, 44 MINUTES, 52 SECONDS EAST ALONG SAID EASTERLY CHANNEL LINE 1,045.00 FEET; THENCE NORTH 01 DEGREES, 44 MINUTES, 27 SECONDS WEST ALONG SAID EASTERLY CHANNEL LINE, 202.79 FEET; THENCE NORTH 83 DEGREES, 46 MINUTES, 38 SECONDS EAST 1,272.88 FEET TO THE CENTERLINE OF 111TH STREET (NOW VACATED); THENCE NORTH 89 DEGREES, 36 MINUTES, 09 SECONDS EAST ALONG SAID CENTERLINE, 339.84 FEET TO THE WEST RIGHT-OF-WAY LINE OF CONRAIL (FORMERLY THE SOUTH CHICAGO AND SOUTHERN RAILROAD); THENCE SOUTH 00 DEGREES, 44 MINUTES, 17 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE 1,952.01 FEET; THENCE SOUTH 00 DEGREES, 42 MINUTES, 42 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE, 32.52 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER, AS ESTABLISHED BY SURVEY OF THE UNITED STATES ENGINEER'S OFFICE WAR DEPARTMENT (AS SHOWN ON SHEET NO. 6 DATED MARCH 1939 AND SHEET NO. 7 DATED MARCH 1938) TITLED "CONTROL SURVEY CALUMET RIVER", BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 38 MINUTES 23 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 19 (BASIS OF BEARINGS) 1508.48 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 42 SECONDS EAST 244.82 FEET ALONG A LINE 40 FEET WESTERLY FROM, MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE WEST RIGHT-OF-WAY OF CONRAIL (FORMERLY THE SOUTH CHICAGO AND SOUTHERN RAILROAD) TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 43 MINUTES 42 SECONDS EAST 1038.20 FEET ALONG SAID LINE 40 FEET WESTERLY FROM, MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE PREVIOUSLY MENTIONED WEST RIGHT-OF-WAY LINE OF CONRAIL; THENCE SOUTH 89 DEGREES 38 MINUTES 23 SECONDS WEST 287.71 FEET ALONG THE NORTHERLY LINE OF REPUBLIC ENGINEERED STEELS, INC.; THENCE SOUTH 59 DEGREES 48 MINUTES 04 SECONDS WEST 1584.98 FEET ALONG THE NORTHWESTERLY LINE OF REPUBLIC

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ENGINEERED STEELS, INC.; THENCE NORTH 07 DEGREES 51 MINUTES 15 SECONDS WEST 641.95 FEET ALONG THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER; THENCE NORTH 01 DEGREE 06 MINUTES 41 SECONDS EAST 569.35 FEET ALONG SAID EASTERLY CHANNEL LINE; THENCE NORTH 58 DEGREES 41 MINUTES 01 SECOND EAST 740.33 FEET; THENCE NORTH 13 DEGREES 32 MINUTES 22 SECONDS WEST 124.01 FEET; THENCE NORTH 61 DEGREES 50 MINUTES 14 SECONDS EAST 613.80 FEET; THENCE SOUTH 77 DEGREES 54 MINUTES 07 SECONDS EAST 165.39 FEET; THENCE SOUTH 24 DEGREES 08 MINUTES 50 SECONDS EAST 297.67 FEET; THENCE NORTH 63 DEGREES 56 MINUTES 50 SECONDS EAST 326.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER, AS ESTABLISHED BY SURVEY OF THE UNITED STATES ENGINEER'S OFFICE WAR DEPARTMENT (AS SHOWN ON SHEET NO. 6 DATED MARCH 1939 AND SHEET NO. 7 DATED MARCH 1938) TITLED "CONTROL SURVEY CALUMET RIVER" AND THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE AFORESAID EASTERLY CHANNEL LINE OF SAID CALUMET RIVER, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF EAST 111TH STREET (NOW VACATED) AND THE WEST LINE OF SOUTH BURLEY AVENUE; THENCE SOUTH 00 DEGREES 23 MINUTES 09 SECONDS WEST ON THE WEST LINE OF SOUTH BURLEY AVENUE, 1952.09 FEET TO A POINT 33 FEET NORTH OF THE SOUTH LINE OF SECTION 18; THENCE SOUTH 00 DEGREES 20 MINUTES 40 SECONDS WEST, 1309.13 FEET TO A MONUMENT; THENCE SOUTH 60 DEGREES 50 MINUTES 26 SECONDS WEST, A DISTANCE OF 133.70 FEET TO A POINT, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF THE 116.40 FOOT WIDE RIGHT-OF-WAY OF THE SOUTH CHICAGO AND SOUTHERN RAILROAD; THENCE NORTH 00 DEGREES 23 MINUTES 40 SECONDS EAST ON THE WEST LINE OF SAID RAILROAD, 17.23 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 55 MINUTES 26 SECONDS WEST, 1743.09 FEET; THENCE SOUTH 85 DEGREES 03 MINUTES 18 SECONDS WEST, 173.49 FEET TO A POINT ON THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER, ESTABLISHED AS AFORESAID; THENCE NORTH 6 DEGREES 43 MINUTES 53 SECONDS WEST, 139.55 FEET; THENCE NORTH 60 DEGREES 55 MINUTES 26 SECONDS EAST, 1584.98 FEET TO A POINT ON A LINE 1283.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 19; THENCE SOUTH 89 DEGREES 14 MINUTES 15 SECONDS EAST ON THE LAST DESCRIBED LINE 327.70 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID RAILROAD; THENCE SOUTH 00 DEGREES 23 MINUTES 40 SECONDS WEST ON THE WEST LINE OF SAID RAILROAD 42.44 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER, AS ESTABLISHED BY SURVEY OF THE UNITED STATES ENGINEER'S OFFICE WAR DEPARTMENT (AS SHOWN ON SHEET NO. 6 DATED MARCH 1939 AND SHEET NO. 7 DATED MARCH 1938) TITLED "CONTROL SURVEY CALUMET RIVER"; AND THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AFORESAID EASTERLY CHANNEL LINE OF SAID CALUMET RIVER, BEING MORE

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PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 18 (MONUMENT FOUND); THENCE SOUTH 89 DEGREES, 40 MINUTES, 18 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 18 (BASIS OF BEARINGS) 1,468.48 FEET TO THE WEST RIGHT-OF-WAY LINE OF CONRAIL (FORMERLY THE SOUTH CHICAGO AND SOUTHERN RAILROAD); THENCE SOUTH 00 DEGREES, 43 MINUTES, 42 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE 1,325.43 FEET; THENCE SOUTH 59 DEGREES, 48 MINUTES, 03 SECONDS WEST 1,743.09 FEET; THENCE SOUTH 83 DEGREES, 55 MINUTES, 56 SECONDS WEST, 173.49 FEET TO THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER; THENCE NORTH 7 DEGREES, 51 MINUTES, 15 SECONDS WEST ALONG SAID EASTERLY CHANNEL LINE, 781.50 FEET; THENCE NORTH 01 DEGREES, 06 MINUTES, 41 SECONDS EAST ALONG SAID EASTERLY CHANNEL LINE 2048.25 FEET; THENCE NORTH 05 DEGREES 44 MINUTES 52 SECONDS EAST, ALONG THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER 116.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 05 DEGREES, 44 MINUTES, 52 SECONDS EAST, ALONG SAID EASTERLY CHANNEL LINE, 928.83 FEET; THENCE NORTH 01 DEGREES, 44 MINUTES, 27 SECONDS WEST, ALONG SAID EASTERLY CHANNEL LINE, 202.79 FEET; THENCE NORTH 83 DEGREES, 46 MINUTES, 38 SECONDS EAST 546.61 FEET; THENCE SOUTH 03 DEGREES, 42 MINUTES 52, SECONDS WEST 1127.72 FEET; THENCE SOUTH 83 DEGREES, 46 MINUTES 38, SECONDS WEST 560.50 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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PARCEL 2:

A PARCEL OF LAND IN THE EAST 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 18 (MONUMENT FOUND); THENCE SOUTH 89 DEGREES, 40 MINUTES, 18 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 18 (BASIS OF BEARINGS) 1,468.48 FEET TO THE WEST RIGHT-OF-WAY LINE OF CONRAIL (FORMERLY THE SOUTH CHICAGO AND SOUTHERN RAILROAD); THENCE NORTH 00 DEGREES, 42 MINUTES, 42 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 32.52 FEET; THENCE NORTH 00 DEGREES, 44 MINUTES, 17 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 1,952.01 FEET TO THE CENTERLINE OF 111TH STREET (NOW VACATED); THENCE SOUTH 89 DEGREES 36 MINUTES 09 SECONDS WEST ALONG SAID CENTERLINE, 5.40 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF CONRAIL; THENCE NORTH 00 DEGREES, 44 MINUTES 17 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE 1,500.00 FEET; THENCE SOUTH 08 DEGREES, 44 MINUTES, 03 SECONDS WEST, 455.76 FEET; THENCE SOUTH 00 DEGREES, 44 MINUTES, 17 SECONDS EAST, 673.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY 484.68 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 400.00 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 33 DEGREES, 58 MINUTES, 28 SECONDS WEST, 455.57 FEET TO THE CENTERLINE OF 111TH STREET (NOW VACATED); THENCE NORTH 89 DEGREES, 36 MINUTES, 09 SECONDS EAST ALONG SAID CENTERLINE, 334.44 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

ALL THAT PARCEL OF LAND SITUATED IN THE CITY OF CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, LOCATED WITHIN THE RIGHT OF WAY OF THE FORMER SOUTH CHICAGO AND SOUTHERN RAILROAD, BEING PART OF LOTS 4 THROUGH 7 INCLUSIVE OF THE DIVISION OF THE NORTH 102 ACRES OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES WESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WESTWARDLY RIGHT OF WAY LINE OF THE FORMER SOUTH CHICAGO AND SOUTHERN RAILROAD AS IT WAS LOCATED ON NOVEMBER 21, 1975, DISTANT 650 FEET MEASURED SOUTHWARDLY ALONG SAID RIGHT OF WAY LINE FROM THE EAST-WEST LINE DIVIDING SECTION 19 FROM SECTION 18 (THE CENTERLINE OF 114TH STREET) AND DISTANT 15 FEET MEASURED SOUTHWESTWARDLY AND RADially FROM THE NEAR LADDER TRACK OF SAID RAILROAD, AS IT WAS LOCATED ON NOVEMBER 21, 1975; THENCE EXTENDING FROM SAID BEGINNING POINT PARALLEL TO SAID LADDER TRACK AND THEN NEAR TRACK OF SAID RAILROAD 940 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD, THE POINT OF ENDING, IN COOK COUNTY, ILLINOIS.

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PARCEL 4:

THE SOUTH 66 FEET OF THE NORTH 1283 FEET OF THE EAST 1471 33 FEET OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE EAST 65 FEET THEREOF) AND EXCEPT THAT PART FALLING WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGINNING AT A POINT ON THE WESTWARDLY RIGHT OF WAY LINE OF THE FORMER SOUTH CHICAGO AND SOUTHERN RAILROAD AS IT WAS LOCATED ON NOVEMBER 21, 1975, DISTANT 650 FEET MEASURED SOUTHWARDLY ALONG SAID RIGHT OF WAY LINE FROM THE EAST-WEST LINE DIVIDING SECTION 19 FROM SECTION 18 (THE CENTERLINE OF 114TH STREET) AND DISTANT 15 FEET MEASURED SOUTHWESTWARDLY AND RADially FROM THE NEAR LADDER TRACK OF SAID RAILROAD, AS IT WAS LOCATED ON NOVEMBER 21, 1975; THENCE, EXTENDING FROM SAID BEGINNING POINT PARALLEL TO SAID LADDER TRACK AND THEN NEAR TRACK OF SAID RAILROAD 940 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD, THE POINT OF ENDING, IN COOK COUNTY, ILLINOIS.

PARCEL 5

THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER, AS ESTABLISHED BY SURVEY OF THE UNITED STATES ENGINEER'S OFFICE WAR DEPARTMENT (AS SHOWN ON SHEET NO. 6 DATED MARCH 1939 AND SHEET NO. 7 DATED MARCH 1938) TITLED "CONTROL SURVEY CALUMET RIVER"; AND THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF SAID EASTERLY CHANNEL LINE OF SAID CALUMET RIVER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 18 (MONUMENT FOUND); THENCE SOUTH 89 DEGREES, 40 MINUTES, 18 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 18 (BASIS OF BEARINGS) 1,468.48 FEET TO THE WEST RIGHT-OF-WAY LINE OF CONRAIL (FORMERLY THE SOUTH CHICAGO AND SOUTHERN RAILROAD); THENCE SOUTH 00 DEGREES, 43 MINUTES, 42 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE 1,325.43 FEET; THENCE SOUTH 59 DEGREES, 48 MINUTES, 03 SECONDS WEST 1,743.09 FEET; THENCE SOUTH 83 DEGREES, 55 MINUTES, 56 SECONDS WEST, 173.49 FEET TO THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER; THENCE NORTH 7 DEGREES, 51 MINUTES, 15 SECONDS WEST ALONG SAID EASTERLY CHANNEL LINE, 781.50 FEET; THENCE NORTH 01 DEGREES, 06 MINUTES, 41 SECONDS EAST ALONG SAID EASTERLY CHANNEL LINE 2048.25 FEET; THENCE NORTH 05 DEGREES 44 MINUTES 52 SECONDS EAST, ALONG THE EASTERLY CHANNEL LINE OF THE CALUMET RIVER 116.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 05 DEGREES, 44 MINUTES, 52 SECONDS EAST, ALONG SAID EASTERLY CHANNEL LINE, 928.83 FEET; THENCE NORTH 01 DEGREES, 44 MINUTES, 27 SECONDS WEST, ALONG SAID EASTERLY CHANNEL LINE, 202.79 FEET; THENCE NORTH 83 DEGREES, 46 MINUTES, 38 SECONDS EAST 546.61 FEET; THENCE SOUTH 03 DEGREES, 42 MINUTES, 52 SECONDS WEST 1127.72 FEET; THENCE SOUTH 83 DEGREES, 46 MINUTES, 38 SECONDS WEST 560.50 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.