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This instrument Prepared By:
Upon Recording Return To:
Anne B. Cotter
Bejco Development Corporation
980 N. Michigan Ave., Ste. 1280
Chicago, IL 60611

3769/0040 53 001 Page 1 of 17
1998-12-07 14:25:11
Cook County Recorder 103.00



A 9700102
NNN/Py.

Tax# 17-09-207-001
17-09-121-001

PLAT WITH THIS DOCUMENT

NINTH AMENDMENT TO
DECLARATION OF CONDOMINIUM
PURSUANT TO THE CONDOMINIUM PROPERTY ACT OF
THE TUXEDO PARK CONDOMINIUM

This Ninth Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("Eighth Amendment") is made and entered into as of November 15, 1998 by The Huron Orleans Limited Partnership, an Illinois limited partnership ("Owner").

WHEREAS, Owner made and entered into the Declaration of Condominium of The Tuxedo Park Condominium, dated June 23, 1997, which Declaration was recorded with the Recorder of Deeds for Cook County, Illinois, on June 27, 1997 as Document No. 97465251 (the "Declaration"); and the First Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("First Amendment") dated August 14, 1997, which First Amendment was recorded with the Recorder of Deeds of Cook County, Illinois on August 18, 1997 as Document No. 97602218; and the Second Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("Second Amendment") dated September 25, 1997, which Second Amendment was recorded with the Recorder of Deeds of Cook County, Illinois on September 26, 1997 as Document No. 97716375; and the Third Amendment to Declaration of Condominium of Tuxedo Park Condominium ("Third Amendment") dated October 22 1997, which Third Amendment was recorded with the Recorder of Deeds of Cook County, Illinois on October 24, 1997, as Document No. 97796559 ("Third Amendment") and the Fourth Amendment to Declaration Dated January 23, 1998, which was recorded with the Recorder of Deeds of Cook County, Illinois on January 29, 1998 as Document No. 98078465 ("Fourth Amendment"); and the Fifth Amendment to Declaration dated January 23, 1998, which was recorded with the Recorder of Deeds of Cook County, Illinois on February 26, 1998 as Document No. 98154439 ("Fifth Amendment") and the Sixth Amendment to Declaration dated April 9, 1998, which was recorded with the Recorder of Deeds of Cook County, Illinois on April 13, 1998 as Document No. 98289299 ("Sixth Amendment"); and the Seventh Amendment to Declaration dated July 15, 1998, which was recorded with the Recorder of Deeds of Cook County, Illinois on July 20, 1998 as Document No. 98629293 ("Seventh Amendment"); and the Eighth Amendment to Declaration dated July 29, 1998, which was recorded with the Recorder of Deeds of Cook County, Illinois on July 29, 1998 as Document No. 98664665 ("Eighth Amendment");

F A
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PIN 17-09-207-001 and 17-09-121-001
RECORDING FEE \$ 103.00
DATE 12/7/98 COPIES 6
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WHEREAS, Owner is the owner in fee simple of the Additional Parcel (as defined in the Declaration); and

WHEREAS, the Owner wishes to annex and add a portion of the Additional Parcel to the Parcel (as defined in the Declaration) and the Property (as defined in the Declaration) pursuant to the terms of Paragraph 27 of the Declaration; and

WHEREAS, the Owner wishes to modify page 1, amend page 9 and add page 10 to Exhibit E to the Declaration;

NOW, Therefore, the Declaration as amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment and Fifth Amendment, Sixth Amendment, Seventh Amendment and Eighth Amendment is hereby further amended as follows:

1. The Declaration is hereby amended to submit a portion of the Additional Parcel, as legally described in Schedule A attached hereto, to the provisions of the Illinois Condominium Property Act and to the terms and provision of the Declaration.

2. Paragraph 2 of the Declaration is hereby amended to revise the legal description therein to read as follows: Units 1-A, 2-B, 3-C, 4-D, 5-C, 6-D, 7-C, 8-D, 9-A, 10-B, 11-A, 12-B, 13-H, 14-J, 15-A, 16-B, 17-A, 18-B, 19-C, 20-D, 21-C, 22-D, 23-E, 24-F, 25-F, 26-E, 27-C, 28-D, 35-C, 36-D, 37-C, 38-D, 39-C, 40-D, 41-A, 42-B, 43-H, 44-J, 45-C, 46-D, 47-C, 48-D, 49-A, 50-B, 51-A, 52-B, 53-G, 54-G, 55-G, 56-G, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-23, P-24 and P-25 in the Tuxedo Park Condominium as delineated on the Plat of Survey of the following described parcel of real estate:

That part of Lots 1 to 16, both inclusive, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 4, both inclusive, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: beginning at the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South 89°53'29" West along the North line 250.81 feet; Thence South 00° 06' 31 East at right angles thereto 74.95 feet; Thence North 89°53'29" East 174.33 feet; Thence South 00°06'31" East at right angles thereto 25.28 feet; Thence North 89°40'29" East 76.86 feet to the East line of Lot 1 aforesaid; Thence North 00°19'31" West along said East line 99.94 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00° 19' 31"

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East along the East line thereof 84.04 feet; Thence South 89° 40' 29" West 106.09 feet to the point of beginning; Thence South 00° 00' 00" East 17.50 feet; Thence South 90° 00' 00" West 72.0 feet; Thence North 00° 00' 00" East 17.50 feet; Thence North 90° 00' 00" East 72.0 feet to the point of beginning, in Cook County, Illinois.

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That part of Lots 1 to 16, both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00° 19' 31" East along the East line thereof 116.54 feet; Thence South 89° 40' 29" West 106.27 feet to the point of beginning; Thence South 00° 00' 00" East 17.50 feet; Thence South 90° 00' 00" West 72.0 feet; Thence North 00° 00' 00" East 17.50 feet; Thence North 90° 00' 00" East 72.0 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive, and vacated alley adjoining said Lots, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 8, both inclusive, and vacated alley adjoining said Lots, in Block 8 in Higgins, Law and Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South 89° 53' 29" West along the North line 250.81; Thence South 00° 06' 31" East at right angles thereto 74.95 feet to the point of beginning; Thence North 89° 53' 29" East 69.47 feet; Thence South 00° 00' 00" East 68.17 feet; Thence South 90° 00' 00" West 91.0 feet to the East line of the West 6.75 feet of Lot 6; Thence North 00° 00' 00" East along the East line of the West 6.75 feet of Lot 6 aforesaid 24.76 feet to the North line of Lot 6; Thence North 89° 54' 10" East along the North line of Lots 6 and 7 for a distance of 17.75 feet to the West terminus of said vacated alley; Thence North 00° 00' 00" East along said West terminus and its Northerly extension 43.24 feet; Thence North 89° 53' 29" East 3.78 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 4, both inclusive, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South 89° 53' 29" West along the North line 250.81 feet to the point of beginning; Thence South 00° 06' 31" East at right angles thereto 74.95 feet; Thence South 89° 53' 29" West 3.78 feet; Thence South 00° 00' 00" West 25.24 feet to the North line of 18 foot public alley; Thence South 89° 54' 10" West along said North line 60.0 feet to the West line of Lot 4 in Block 8 aforesaid; Thence North 00° 00' 00" East along the West line of Lot 4 aforesaid 100.18 feet to the Northwest corner of said Lot; Thence North 89° 53' 29" East along the North line of Lots 2, 3 and 4 for a distance of 63.78 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive, and vacated alley adjoining said Lots, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 8, both inclusive, and vacated alley adjoining said Lots, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South 89° 53' 29" West along the North line 250.81 feet; Thence South 00° 06' 31" East at right angles thereto 74.95 feet; Thence North 89° 53' 29" East 69.47 feet; Thence South 00° 00' 00" East 68.17 feet to the point of beginning; Thence South 90° 00' 00" West 91.0 feet to the East line of the West 6.75 feet of Lot 6; Thence South 00° 00' 00" West along the East line of the West 6.75 feet of Lot 6 aforesaid 75.42 feet to the South line of Lot 6 being the North line of West Huron Street; Thence North 89° 54' 07" East along said North line 114.41 feet; Thence North 00° 00' 00" East 75.22 feet; Thence North 90° 00' 00" West 23.34 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive, and vacated alley adjoining said Lots, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 8, both inclusive, and vacated alley adjoining said Lots, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South 89°53'29" West along the North line 250.81 feet; Thence South 00°06'31" East at right angles thereto 74.95 feet; Thence North 89°53'29" East 69.47 feet to the point of beginning; Thence South 00°00'00" East 68.17 feet; Thence North 90° East 23.24 feet; Thence South 00°00'00" West 75.22 feet to the South line of Lot 10 being the North line of West Huron Street; Thence North 89°54'07" East along said North line 81.61 feet; Thence North 00°00'00" East 75.08 feet; Thence South 90°00'00" West 19.06 feet; Thence North 00°00'00" East 42.99 feet; Thence North 89°40'29" East 18.95 feet; Thence North 00°06'31" West 25.28 feet; Thence South 89°53'29" West 104.86 feet to the point of beginning (except from this Parcel the following: Commencing at the Northeast corner of Lot 1; Thence South 00°19'31" East along the East line thereof 84.04 feet; Thence South 89°40'29" West 106.09 feet to the point of beginning; Thence South 00°00'00" East 17.50; Thence South 90°00'00" West 72.0 feet; Thence North 00°00'00" East 17.50 feet; Thence North 90° 00'00" East 72.0 feet to the point of beginning, in Cook County, Illinois ALSO except from this Parcel that part described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00°19'31" East along the East line thereof 116.54 feet; Thence South 89°40'29" West 106.27 feet to the point of beginning; Thence South 00°00'00" East 17.50 feet; Thence South 90°00'00" West 72.0 feet; Thence North 00°00'00" East 17.50 feet; Thence North 90°00'00" East 72.0 feet to the point of beginning), in Cook County, Illinois.

3. Exhibit A attached to the Declaration is hereby deleted and Exhibit A attached hereto is hereby substituted therefor.

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4. Exhibit B attached to the Declaration is hereby deleted and Exhibit B attached hereto is hereby substituted therefor.

5. Exhibit D attached to the Declaration is hereby deleted and Exhibit D attached hereto is hereby substituted therefor.

6. Exhibit E attached to the Declaration is hereby amended by substituting amended pages 1 and 9 attached hereto for the original pages 1 and 9 and by adding page 10 attached hereto.

7. Except as expressly amended hereby, the Declaration, the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment and Eighth Amendments shall remain in full force and effect in accordance with their terms. This Ninth Amendment shall be effective from and after the recording thereof with the Recorder of Deeds of Cook County, Illinois.

IN WITNESS WHEREOF, the Owner has caused this instrument to be duly executed on the day and year first above written.

THE HURON ORLEANS LIMITED
PARTNERSHIP
an Illinois limited partnership

Attest:

Astrid M. Merri

Its: Ass't Secretary

By: BEJCO PROPERTIES, INC.,
an Illinois corporation, its general partner

By: *[Signature]*
Anne B. Cotter

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CONSENT OF MORTGAGEE

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Independent Lending Corporation, d/b/a Construction Lending Corporation of America, holder of a note secured by a mortgage on the Property dated September 14, 1997 and recorded with the Recorder of Deeds of Cook County, Illinois, on September 6, 1997 as Document No. 96681880, hereby consents to the execution and recording of the above and foregoing Ninth Amendment to Declaration of Condominium described above.

IN WITNESS WHEREOF, the said Bank has caused this Ninth Amendment to Declaration to be signed by its duly authorized officers on its behalf on this 18th day of November, 1998.

By: [Signature]

Its: VICE PRESIDENT

Attest: [Signature]

Its: ASST. VICE PRESIDENT

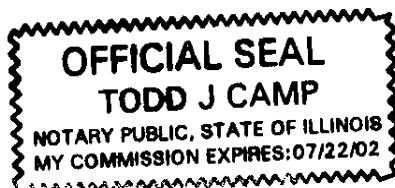
STATE OF ILLINOIS)

COUNTY OF COOK)

I, Todd Camp, a Notary Public in and for said County and State, do hereby certify that STEVE ROSE and SCOTT MURKIN, the VICE PRESIDENT and ASST VICE PRESIDENT, respectively, of Independent Lending Corporation, d/b/a Construction Lending Corporation of America, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 18 day of November, 1998.

[Signature]
Notary Public



Legal Description

Units 1-A, 2-B, 3-C, 4-D, 5-C, 6-D, 7-C, 8-D, 9-A, 10-B, 11-A, 12-B, 13-H, 14-J, 15-A, 16-B, 17-A, 18-B, 19-C, 20-D, 21-C, 22-D, 23-E, 24-F, 25-F, 26-E, 27-C, 28-D, 29-C, 35-C, 36-D, 37-C, 38-D, 39-C, 40-D, 41-A, 42-B, 43-H, 44-J, 45-C, 46-D, 47-C, 48-D, 49-A, 50-B, 51-A, 52-B, 53-G, 54-G, 55-G, 56-G, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-23, P-24 and P-25 in the Tuxedo Park Condominium as delineated on the Plat of Survey of the following described parcel of real estate:

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Also

That part of Lots 1 to 16, both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ}19'31''$ East along the East line thereof 84.04 feet; Thence South $89^{\circ}40'29''$ West 106.09 feet to the point of beginning; Thence South $00^{\circ}00'00''$ East 17.50 feet; Thence South $90^{\circ}00'00''$ West 72.0 feet; Thence North $00^{\circ}00'00''$ East 17.50 feet; Thence North $90^{\circ}00'00''$ East 72.0 feet to the point of beginning, in Cook County, Illinois.

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6.75 feet of Lot 6; Thence South 00° 00' 00" West along the East line of the West 6.75 feet of Lot 6 aforesaid 75.42 feet to the South line of Lot 6 being the North line of West Huron Street; Thence North 89° 54' 07" East along said North line 114.41 feet; Thence North 00° 00' 00" East 75.22 feet; Thence North 90° 00' 00" West 23.34 feet to the point of beginning, in Cook County, Illinois.

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SCHEDULE A

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That part of Lots 1 to 16, both inclusive, and vacated alley adjoining said Lots, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 8, both inclusive, and vacated alley adjoining said Lots, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian described as follows: commencing at the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South $89^{\circ}53'29''$ West along the North line 250.81 feet; Thence South $00^{\circ}06'31''$ East at right angles thereto 74.95 feet; Thence North $89^{\circ}53'29''$ East 69.47 feet to the point of beginning; Thence South $00^{\circ}00'00''$ East 68.17 feet; Thence North 90° East 23.24 feet; Thence South $00^{\circ}00'00''$ West 75.22 feet to the South line of Lot 10 being the North line of West Huron Street; Thence North $89^{\circ}54'07''$ East along said North line 81.61 feet; Thence North $00^{\circ}00'00''$ East 75.08 feet; Thence South $90^{\circ}00'00''$ West 19.06 feet; Thence North $00^{\circ}00'00''$ East 42.99 feet; Thence North $89^{\circ}40'29''$ East 18.95 feet; Thence North $00^{\circ}06'31''$ West 25.28 feet; Thence South $89^{\circ}53'29''$ East 18.95 feet; Thence North $00^{\circ}06'31''$ West 25.28 feet; Thence South $89^{\circ}53'29''$ West 104.86 feet to the point of beginning (except from this Parcel the following: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ}19'31''$ East along the East line thereof 84.04 feet; Thence South $89^{\circ}40'29''$ West 106.09 feet to the point of beginning; Thence South $00^{\circ}00'00''$ East 17.50 feet; Thence South $90^{\circ}00'00''$ West 72.0 feet; Thence North $00^{\circ}00'00''$ East 17.50 feet; Thence North $90^{\circ}00'00''$ East 72.0 feet to the point of beginning in Cook County, Illinois ALSO except from this Parcel that part described as follows: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ}19'31''$ East along the East line thereof 116.54 feet; Thence South $89^{\circ}40'29''$ West 106.27 feet to the point of beginning; Thence South $00^{\circ}00'00''$ East 17.50 feet; Thence South $90^{\circ}00'00''$ West 72.0 feet; Thence North $00^{\circ}00'00''$ East 17.50 feet; Thence North $90^{\circ}00'00''$ East 72.0 feet to the point of beginning), in Cook County, Illinois.

Clerk's Office

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EXHIBIT B PERCENTAGE OF OWNERSHIP

08105970

<u>UNIT</u>	<u>PERCENTAGE</u>
1A	1.846
2B	2.414
3C	1.420
4D	2.224
5C	1.420
6D	2.224
7C	1.656
8D	2.035
9A	1.609
10B	2.035
11A	1.609
12B	2.035
13H	1.751
14J	2.414
15A	1.562
16P	2.035
17A	1.562
18B	2.059
19C	1.467
20D	2.248
21C	1.420
22D	2.248
23E	2.698
24F	2.840
25F	2.840
26E	2.651
27C	1.514
28D	2.366
35C	1.656
36D	2.508
37C	1.562
38D	2.556
39C	1.562
40D	2.556
41A	1.893
42B	2.698
43H	1.846
44J	2.556
45C	1.514
46D	2.366
47C	1.514
48D	2.366
49A	1.771
50B	2.272
51A	1.751
52B	2.366
53G	1.372
54G	1.278
55G	1.278
56G	1.278

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EXHIBIT B PERCENTAGE OF OWNERSHIP

08105970

P1	0.047
P2	0.047
P3	0.047
P4	0.047
P5	0.047
P6	0.047
P7	0.024
P8	0.024
P9	0.047
P10	0.047
P11	0.047
P12	0.047
P13	0.047
P14	0.047
P15	0.047
P16	0.047
P17	0.047
P18	0.047
P19	0.071
P20	0.071
P21	0.071
P22	0.047
P23	0.071
P24	0.071
P25	0.071
TOTALS	100.000

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EXHIBIT D

That part of Lots 1 to 16, both inclusive, and vacated alley adjoining said Lots, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, together with that part of Lots 1 to 8, both inclusive, and vacated alley adjoining said Lots, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Northeast corner of Lot 1 in Block 15 aforesaid Thence South 00°19'31" East along said East line 99.94 feet to point of beginning; Thence continue South 00°19'31" East 118.48 feet to the Southwest corner of Lot 16; Thence South 89°54'07" West along the North line of West Huron Street 77.42 feet; Thence North 00°00'00" East 75.08 feet; Thence North 90°00'00" West 19.06 feet; Thence North 00°00'00" East 42.99 feet; Thence North 89°40'36" East 95.81 feet to the point of beginning, in Cook County, Illinois.

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EXHIBIT E

Survey

See Pages 1, 9 and 10 of The Tuxedo Park Condominium Survey attached hereto.

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