



SPECIAL WARRANTY DEED

THIS INDENTURE is made this 10<sup>th</sup> day of December, 1998, by PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OF COLORADO, an instrumentality of the State of Colorado ("Grantor"), to LINCOLN MALL LLC, a Delaware limited liability company, having an address: c/o Levin, Menzies Kelley & Associates, 1981 N. Broadway, Suite 415, Walnut Creek, California 94596, Attention: Alex Kray ("Grantee"), WITNESSETH, that the Grantor for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, by these presents does GRANT, REMISE, RELEASE, ALIEN, SELL AND CONVEY unto the Grantee and its successors and assigns FOREVER, all of the real estate, situated in the County of Cook and State of Illinois described on Exhibit A attached hereto and made a part hereof (the "Property"), subject to those matters described on Exhibit B attached hereto.

Together with all and singular the hereditaments and appurtenances hereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all of the estate, right, title, interest, claim or demand whatsoever, of the Grantor, either in law or equity, of, in and to the Property, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the Property, with the rights and appurtenances, unto the Grantee and its successors and assigns forever.

Grantor does covenant, promise and agree to and with Grantee, and its successors, that it has not done, or suffered to be done, anything whereby the Property is, or may be, in any manner encumbered or charged, except as herein recited, and that it WILL WARRANT AND FOREVER DEFEND the Property against all persons lawfully claiming, or to claim the same, by, through or under Grantor but not otherwise, subject to those matters described on Exhibit B attached hereto.

**BOX 333-CT1**

Prepared by:

Ira J. Swidler, Esq.  
Katten Muchin & Zavis  
525 W. Monroe Street, Ste. 1600  
Chicago, Illinois 60661-3693

After recording return to:

Eun-Hee Chang, Esq.  
Crosby, Heafey, Roach & May  
1999 Harrison Street  
Oakland, CA 94612

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# UNOFFICIAL COPY

COOK CO. NO. 016  
105533  
STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
P.B. 10776 DEC 16 '98 DEPT. OF REVENUE 17.00

312931  
Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE \_\_\_\_\_  
STAMP DEC 16 '98  
P.B. 11427  
999.00

312933  
Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE \_\_\_\_\_  
STAMP DEC 16 '98  
P.B. 11427  
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312932  
Cook County  
REAL ESTATE TRANSACTION TAX  
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STAMP DEC 16 '98  
P.B. 11427  
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312934  
Cook County  
REAL ESTATE TRANSACTION TAX  
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P.B. 11427  
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REAL ESTATE TRANSACTION TAX  
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STAMP DEC 16 '98  
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REAL ESTATE TRANSACTION TAX  
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STAMP DEC 16 '98  
P.B. 11427  
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32938  
Cook County  
REAL ESTATE TRANSACTION TAX  
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STAMP DEC 16 '98  
P.B. 11427  
999.00

312939  
Cook County  
REAL ESTATE TRANSACTION TAX  
REVENUE \_\_\_\_\_  
STAMP DEC 16 '98  
P.B. 11427  
508.00

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IN WITNESS WHEREOF, the Grantor has caused its name to be signed to these presents on the day and year first set forth above.

PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OF COLORADO, an instrumentality of the State of Colorado

By: Norman Benedict

Name: Norman Benedict

Title: Deputy Executive Director

COCK  
CO. NO. 016  
105516

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

DECI 6'98 DEPT. OF REVENUE 999.00

P.B. 10776

COCK  
CO. NO. 016  
105518

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

DECI 6'98 DEPT. OF REVENUE 999.00

P.B. 10776

COCK  
CO. NO. 016  
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

DECI 6'98 DEPT. OF REVENUE 999.00

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COCK  
CO. NO. 016  
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

DECI 6'98 DEPT. OF REVENUE 999.00

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COCK  
CO. NO. 016  
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

DECI 6'98 DEPT. OF REVENUE 999.00

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COCK  
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STATE OF ILLINOIS  
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COCK  
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STATE OF ILLINOIS  
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COCK  
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STATE OF ILLINOIS  
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STATE OF ILLINOIS  
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STATE OF ILLINOIS  
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DECI 6'98 DEPT. OF REVENUE 999.00

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# UNOFFICIAL COPY

STATE OF COLORADO )  
 ) SS.  
COUNTY OF Denver )

COOK  
CO. NO. 016  
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
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DEPT. OF REVENUE  
DEC 16 '98  
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I, the undersigned, a notary public in and said County in the State aforesaid, DO HEREBY CERTIFY that Norman Benedictine Deputy Executive Director of PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OF COLORADO, an instrumentality of the State of Colorado, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act and deed of said entity, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 10<sup>th</sup> day of December, 1998.

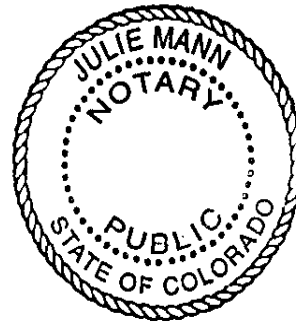
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*Julie Mann*

Notary Public

My Commission Expires Sept. 6, 2001

Commission expires: \_\_\_\_\_



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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
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DEPT. OF REVENUE  
DEC 16 '98  
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DEPT. OF REVENUE  
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999.00

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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX  
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DEPT. OF REVENUE  
DEC 16 '98  
P.B. 10776  
999.00

Legal Description

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 1 (EXCEPT THE NORTH 70 FEET OF THAT PART OF LOT 1 IN LINCOLN MALL LYING SOUTH AND ADJACENT TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 22) AND LOT 6 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTH WEST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED ON MARCH 20, 1972 AS DOCUMENT 21840371 IN COOK COUNTY, ILLINOIS

PARCEL 2:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIANS, THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE PROTECTION WATER STORAGE TANK AND PUMP HOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF COMMON FOUNDATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANGS, AWNINGS, ALARM BELLS, SIGNS, LIGHTS AND LIGHTING DEVICES, UTILITY VAULTS AND OTHER SIMILAR APPURTENANCES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS, CREATED AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED ON MARCH 24, 1972 AS DOCUMENT 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AND WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, IN, ON, OVER, UPON AND UNDER LOTS 2, 3, 4, AND 5 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO SAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AS AMENDED AND MODIFIED BY THAT CERTAIN EASEMENT RELOCATION AGREEMENT, FIRST AMENDMENT TO TOTAL SITE AGREEMENT AND HIGHWAY EASEMENT REVOCATION AND DRAINAGE GRANT EASEMENT, RECORDED ON SEPTEMBER 9, 1977 IN THE OFFICE OF THE RECORDER OF DEEDS FOR COOK COUNTY, ILLINOIS AS DOCUMENT 24099069

PARCEL 3:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCELS 1, 9, 10 AND 11 ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE



CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57866, IN, ON, OVER, UPON AND UNDER LOTS 2, 3 (EXCEPT THAT PART OF LOT 3 CONDEMNED IN CASE NUMBER 83L052236), 4, 5, 8, 9, 10, 11 AND 12 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT AS AMENDED AND MODIFIED BY THAT CERTAIN EASEMENT RELOCATION AGREEMENT, FIRST AMENDMENT TO TOTAL SITE AGREEMENT AND HIGHWAY EASEMENT REVOCATION AND DRAINAGE GRANT EASEMENT, RECORDED ON SEPTEMBER 9, 1977 IN THE OFFICE OF THE RECORDER OF DEEDS FOR COOK COUNTY, ILLINOIS AS DOCUMENT 24095069

## PARCEL 4:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM ARCO PIPE LINE COMPANY, A CORPORATION OF DELAWARE, DATED MARCH 22, 1973 AND RECORDED MAY 14, 1973 AS DOCUMENT 22323290 FOR INGRESS AND EGRESS, CONSTRUCTION OF ROADWAYS, FOR STORM SEWERS, AND WATER LINES, AS DESCRIBED IN SAID INSTRUMENT, ON AND OVER AND THROUGH THE WEST 50 FEET OF THE EAST 125 FEET (EXCEPT THE NORTH 522.72 FEET AND EXCEPT THE RAILROAD RIGHT OF WAY) OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

## PARCEL 5:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT FROM NATURAL GAS PIPELINE COMPANY OF AMERICA, A CORPORATION OF DELAWARE, DATED MAY 23, 1973 AND RECORDED AUGUST 17, 1973 AS DOCUMENT 22443133 FOR INGRESS AND EGRESS, CONSTRUCTION OF ROADWAYS, FOR STORM SEWERS AND WATER LINES, AS DESCRIBED IN SAID INSTRUMENT, ON AND OVER AND THROUGH THE EAST 75 FEET OF THE NORTHWEST 1/4 AND THE EAST 75 FEET OF THAT PART OF THE SOUTHWEST 1/4 LYING NORTH OF THE MICHIGAN CENTRAL RAILROAD, ALL IN SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

## PARCEL 6:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1, 7, 9, 10, 11 AND 12 AND OTHER PROPERTY AS CREATED BY GRANT OF EASEMENT DATED MAY 4, 1990 AND RECORDED MAY 4, 1990 AS DOCUMENT 90207754 FOR INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE OUTFALL FACILITIES AND OTHER DRAINAGE FACILITIES OVER THE FOLLOWING DESCRIBED LAND:

THE SOUTH 100 FEET OF THE NORTH 153.49 FEET OF LOT 21 LYING WESTERLY OF THE CENTERLINE OF BUTTERFIELD CREEK IN BLOCK 2 IN MATTESON FARMS, A SUBDIVISION IN THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

## PARCEL 7:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 22 LYING NORTH OF THE NORTHERLY LINE OF THE PENN-CENTRAL RAILROAD (FORMERLY THE MICHIGAN CENTRAL RAILROAD) RIGHT OF WAY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD WITH A LINE 125 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE

SOUTHWEST 1/4 OF SECTION 22, SAID LINE BEING THE WEST RIGHT OF WAY LINE OF SINCLAIR PIPELINE COMPANY; THENCE WEST ON THE NORTHERLY LINE OF SAID RAILROAD, SAID LINE HAVING A BEARING OF NORTH 89 DEGREES 43 MINUTES 45 SECONDS WEST FOR THE PURPOSE OF THE DESCRIPTION, A DISTANCE OF 812 FEET TO A POINT; THENCE NORTH 00 DEGREES 05 MINUTES 25 SECONDS WEST A DISTANCE OF 220 FEET TO A POINT; THENCE NORTH 45 DEGREES 05 MINUTES 25 SECONDS EAST, A DISTANCE OF 862.77 FEET TO A POINT; THENCE SOUTH 89 DEGREES, 43 MINUTES, 45 SECONDS EAST, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTHERLY ON A LINE 125 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 22, SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF SINCLAIR PIPELINE COMPANY AND SAID LINE HAVING A BEARING OF SOUTH 00 DEGREES, 05 MINUTES, 25 SECONDS EAST, A DISTANCE OF 832 FEET TO THE POINT OF BEGINNING, ALL IN TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

## PARCEL 8:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 7 TO LINCOLN HIGHWAY (U. S. ROUTE 30) AND CICERO AVENUE, AS SET FORTH IN AGREEMENT AND DECLARATION BY J. C. PENNEY, INC., A DELAWARE CORPORATION, AND EXCHANGE NATIONAL BANK OF CHICAGO, AS TRUSTEE UNDER TRUST NUMBER 21912 DATED NOVEMBER 1, 1968 AND RECORDED NOVEMBER 8, 1968 AS DOCUMENT 20671343 AND AMENDED BY DESIGNATION OF EASEMENT RECORDED NOVEMBER 10, 1977 AS DOCUMENT 24188603, OVER KING ROAD IN LINCOLN MALL SHOPPING CENTER, IN COOK COUNTY, ILLINOIS

## PARCEL 9:

LOT 2 IN THE RESUBDIVISION OF LOT 8 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 1, 1977 AS DOCUMENT 23835201, IN COOK COUNTY, ILLINOIS

## PARCEL 10:

THAT PART OF LOT 1 IN THE RESUBDIVISION OF LOT 9 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1978 AS DOCUMENT 24693781, COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1 (BEING THE POINT WHERE THE SOUTH LINE OF SAID LOT 1 INTERSECTS THE EAST LINE OF CICERO AVENUE) AND PROCEEDING THENCE EASTERLY ON THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 10 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY ON SAID SOUTH LINE 30 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO SAID SOUTH LINE 20 FEET; THENCE WESTERLY PARALLEL TO SAID SOUTH LINE 30 FEET; THENCE SOUTHERLY 20 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

## PARCEL 11:

THAT PART OF LOT 2 IN THE RESUBDIVISION OF LOT 12 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1974 AS DOCUMENT 22684834, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 150.28 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A CIRCLE TANGENT TO THE LAST DESCRIBED COURSE; CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 396.11

FEET, A DISTANCE OF 91.89 FEET; THENCE NORTHWESTERLY ALONG A LINE TANGENT TO THE LAST DESCRIBED COURSE, A DISTANCE OF 61.03 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 24.64 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 12: EASEMENT FOR SIGN FOR THE BENEFIT OF LOT 1 OVER ACROSS, UNDER AND THROUGH THE LAND TO ERECT, USE, OPERATE, MAINTAIN, REPAIR AND REPLACE "THE SIGN" AS CURRENTLY LOCATED ON THE LAND FOR THE INSTALLTION, USE, OPERTION, REPAIR AND REPLACEMENT OF ELECTRICAL LINES TO SERVICE THE SIGN AND FOR INGRESSES AND EGRESS TO AND FROM THE LAND AND TO AND FROM THE PUBLICLY DEDICATED STREETS OR EASEMENT AREAS TO PERMIT THE GRANTEE (ITS SUCCESSORS AND ASSIGNS) USE, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE THE SIGN OVER THAT PORTION OF FOLLOWING LAND AS DEPICTED BY THE CROSS HATCHING ON EXHIBIT C ATTACHED TO THE SIGN EASEMENT AGREEMENT RECORDED AS DOCUMENT NUMBER 90616283: LOT 1 IN THE RESUBDIVISION OF LOT 10 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 19, 1979 AS DOCUMENT NUMBER 24883804 IN COOK COUNTY ILLINOIS

PARCEL 13: 10 FOOT EASEMENT RECORDED AS DOCUMENT NUMBER 25092669 FOR THE BENEFIT OF THAT PART OF PARCEL 1 FALLING WITHIN LOT 1 FOR MAINTENANCE, REPAIR, REPLACEMENT IN THEIR EXISTNG LOCATIONS AND REMOVAL OF EXISTING SHOPPING CENTER SIGNS, TRAFFIC CONTROL SIGNS, LIGHT POSTS AND CURBING AND PAVING FOR A ROAD, INCLUDING MAINTENANCE RIGHTS IN, OVER, UNDER AND ACROSS THE SOUTH, THE SOUTHEASTERLY AND THE EAST 10 FEET OF LOT 11 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS



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31-22-300-041-0000  
31-22-300-055-0000

Property of Cook County Clerk's Office

208 LINCOLN MALL  
MATTESON, IL

## Permitted Exceptions

1. IF EXTENDED COVERAGE OVER THE FIVE GENERAL EXCEPTIONS IS REQUESTED, WE SHOULD BE FURNISHED THE FOLLOWING:
  - A. A CURRENT ALTA/ACSM OR ILLINOIS LAND TITLE SURVEY CERTIFIED TO CHICAGO TITLE INSURANCE COMPANY;
  - B. A PROPERLY EXECUTED ALTA STATEMENT;
  - C. UTILITY LETTERS FROM THE MUNICIPALITY OR COUNTY (IF UNINCORPORATED), LOCAL GAS, ELECTRIC AND TELEPHONE COMPANIES AND IF APPLICABLE, THE LOCAL CABLE TELEVISION COMPANY AND WESTERN UNION.

MATTERS DISCLOSED BY THE ABOVE DOCUMENTATION WILL BE SHOWN SPECIFICALLY.

NOTE: THERE WILL BE AN ADDITIONAL CHARGE FOR THIS COVERAGE.

2. NOTE FOR INFORMATION: THE COVERAGE AFFORDED BY THIS COMMITMENT AND ANY POLICY ISSUED PURSUANT HERETO SHALL NOT COMMENCE PRIOR TO THE DATE ON WHICH ALL CHARGES PROPERLY BILLED BY THE COMPANY HAVE BEEN FULLY PAID.

FE 3.

1. TAXES FOR THE YEAR 1998

1998 TAXES ARE NOT YET DUE OR PAYABLE.

- 1A. NOTE: 1997 FIRST INSTALLMENT WAS DUE MARCH 03, 1998

NOTE: 1997 FINAL INSTALLMENT WAS DUE OCTOBER 28, 1998

PERM TAX#	PCL	YEAR	1ST INST	STAT	2ND INST	STAT
31-22-300-021-0000	1 OF 6	1997	\$69,287.81	PAID	\$74,076.16	PAID
THIS TAX NUMBER AFFECTS PART OF PARCEL IN QUESTION. PARCEL 7						
31-22-300-022-0000	2 OF 6	1997	\$1,397,723.64	PAID	\$1,143,160.19	PAID
THIS TAX NUMBER AFFECTS PART OF PARCEL IN QUESTION. PART PARCEL 1 LOT 1						
31-22-300-027-0000	3 OF 6	1997	\$151,087.01	PAID	\$116,585.14	PAID
THIS TAX NUMBER AFFECTS PART OF PARCEL IN QUESTION. PART PARCEL 1 LOT 6						
31-22-300-037-0000	4 OF 6	1997	\$6,708.11	PAID	\$7,167.76	PAID
THIS TAX NUMBER AFFECTS PART OF PARCEL IN QUESTION. PARCEL 9						
31-22-300-041-0000	5 OF 6	1997	\$102.16	PAID	\$109.18	PAID
THIS TAX NUMBER AFFECTS PART OF PARCEL IN QUESTION. PARCEL 10						
31-22-300-055 0000	6 OF 6	1997	\$420.91	PAID	\$449.77	PAID
THIS TAX NUMBER AFFECTS PART OF PARCEL IN QUESTION. PARCEL 11						

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CI 4. EASEMENT FOR INGRESS AND EGRESS RECORDED AS DOCUMENT NUMBER 27428448  
AFFECTS EASEMENT PARCEL 3

T 5. MEMORANDUM OF LINCOLN MALL CENTRAL PLANT AGREEMENT BY CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 KNOWN AS TRUST NUMBER 57420 AND WIEBOLDT STORES, INC., CORPORATION OF ILLINOIS FOR A TERM COMMENCING JULY 23, 1973 AND ENDING AUGUST 6, 1998 AND A RENEWAL TERM COMMENCING AUGUST 7, 1998 AND ENDING DECEMBER 31, 2023 RECORDED MARCH 5, 1974 AS DOCUMENT 22645324.

(AFFECTS FEE PARCEL 1)

NOTE: A MEMO OF THE AGREEMENT HAS BEEN RECORDED THEREFORE CTI IS NOT ABLE TO OBTAIN A COMPLETE COPY OF THE AGREEMENT

B 6. EASEMENT OVER THE NORTH 70 FEET (EXCEPT THAT PART TAKEN FOR LINCOLN HIGHWAY) OF THE WEST 66 FEET OF THE EAST 483 FEET OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS TO CONSTRUCT AND MAINTAIN A 16 INCH WATER MAIN AND APPURTENANCES THERETO, TOGETHER WITH RIGHT OF ACCESS FOR THE PURPOSE OF RECONSTRUCTION, REPAIR, MAINTENANCE, OR OPERATION OF THE UTILITIES, AS GRANTED TO THE VILLAGE OF MATTESON, BY EASEMENT AGREEMENT DATED NOVEMBER 25, 1969 AND RECORDED DECEMBER 12, 1969 AS DOCUMENT 21036085.

(AFFECTS THE SOUTH 37 FEET OF THE MOST NORTHERLY 70 FEET OF LOT 1 OF LINCOLN MALL SUBDIVISION AND OTHER PROPERTY)

(AFFECTS FEE PARCEL 1 AND EASEMENT PARCEL 8)

C 7. RIGHTS OF THE PUBLIC, STATE OF ILLINOIS AND THE VILLAGE OF MATTESON IN AND TO THAT PART OF THE LAND DEDICATED FOR LINCOLN HIGHWAY RECORDED AS DOCUMENT NUMBER 21840371. (AFFECTS THE NORTH 33 FEET OF LOT 1 AND THE NORTH 33 FEET OF LOT 3 OF LINCOLN MALL SUBDIVISION)

(AFFECTS FEE PARCEL 1 AND EASEMENT PARCELS 2, 3, 5 AND 8)

D 8. A PERPETUAL EASEMENT FOR THE SOLE PURPOSE OF DRAINAGE IN, UPON AND OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BEING A 35 FOOT STRIP OF LAND, LYING EQUIDISTANT ABOUT THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT A POINT ON THE EAST LINE OF CICERO AVENUE, DISTANT 1454.12 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 THENCE EAST AT RIGHT ANGLES TO SAID EAST LINE, A DISTANCE OF 206.14 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE, CONCAVE SOUTHWESTERLY WITH A RADIUS OF 50 FEET AND A CENTRAL ANGLE OF 60 DEGREES, A DISTANCE OF 52.36 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, A DISTANCE OF 555.14 FEET THENCE

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SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 5 DEGREES TO THE LEFT OF THE LAST DESCRIBED COURSE A DISTANCE OF 213.72 FEET TO THE POINT OF TERMINATION, AND A LICENSE TO CONSTRUCT A TEMPORARY DRAINAGE DITCH FROM THE EAST END OF THE ABOVE DESCRIBED LAND TO THE NEAREST PRACTICAL POINT OF NATURAL DRAINAGE, AS CREATED BY EASEMENT AGREEMENT BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 40798, AND STATE OF ILLINOIS ACTING BY AND THROUGH ITS DEPARTMENT OF PUBLIC WORKS AND BUILDINGS, DATED DECEMBER 10, 1970 AND RECORDED MARCH 29, 1971 AS DOCUMENT 21433856, AND THE TERMS, LIMITATIONS, CONDITIONS, RESERVATION AND COVENANTS CONTAINED THEREIN

NOTE: AMENDED BY FIRST AMENDMENT DATED MAY 1, 1977 AND RECORDED SEPTEMBER 9, 1977 AS DOCUMENT 24099069, AS SHOWN ON PLAT OF RESUBDIVISION OF LOT 9 AFORESAID.

(AFFECTS LOTS 5, 8 AND 9 OF LINCOLN MALL SUBDIVISION)

(AFFECTS EASEMENT PARCELS 2 AND 3)

- E 9. GRANT FOR UTILITY PURPOSES MADE BY J. WESLEY MC CORMACK, INC, TO THE ILLINOIS BELL TELEPHONE COMPANY DATED NOVEMBER 3, 1952 AND RECORDED APRIL 6, 1953 AS DOCUMENT 15584692, CREATING AN EASEMENT OVER, UPON, ETC., A STRIP OF LAND 1 ROD WIDE PARALLEL WITH AND ADJACENT TO AND NORTH OF THE NORTHERLY RIGHT OF WAY LINE OF MICHIGAN CENTRAL RAILROAD BEING THE SOUTHERLY 1 ROD OF PART OF THE SOUTHWEST 1/4 OF SECTION 22 (EXCEPT RAILROAD PROPERTY AND EXCEPT THE EAST 75 FEET BY METES AND BOUNDS CONVEYED TO CHICAGO DISTRICT PIPELINE COMPANY), AND UPON, OVER AND ACROSS PUBLIC ROADS AND STREETS ADJOINING SAID PROPERTY WITH RIGHT OF INGRESS AND EGRESS THERETO.

(AFFECTS EASEMENT PARCELS 2, 3, AND FEE PARCELS 7 AND 9)

- F 10. EASEMENT CREATED BY GRANT FROM ARCO PIPE LINE COMPANY, CORPORATION OF DELAWARE TO THE COMMONWEALTH EDISON COMPANY TO LAY, INSTALL, OPERATE AND MAINTAIN AN UNDERGROUND 5 INCH SIX-MULTIPLE CONCRETE DUCT THROUGH, UNDER, AND ACROSS THE LAND, SAID GRANT DATED AUGUST 29, 1972 AND RECORDED SEPTEMBER 25, 1972 AS DOCUMENT 22062312.

(AFFECTS EASEMENT PARCELS 4 AND 5)

- G 11. TRUST DEED DATED NOVEMBER 15, 1949 AND RECORDED FEBRUARY 8, 1950 AS DOCUMENT 14731496 AND FILED MARCH 1, 1951 AS DOCUMENT LR1340543 MADE BY CHICAGO DISTRICT PIPELINE COMPANY TO THE NORTHERN TRUST COMPANY, TO SECURE A NOTE FOR \$6,200,000.00. (CONVEYS PROPERTY NOT NOW IN QUESTION AND ALL PROPERTY NOW OWNED OR HEREAFTER ACQUIRED)

SUPPLEMENTAL INDENTURE DATED JUNE 1, 1955 AND RECORDED JUNE 14, 1955 AS DOCUMENT 16267862 AND FILED JUNE 14, 1955 AS DOCUMENT LR1600935.

SUPPLEMENTAL INDENTURE DATED JANUARY 1, 1958 AND RECORDED FEBRUARY 4, 1958 AS DOCUMENT 17126359 AND FILED FEBRUARY 5, 1958 AS DOCUMENT LR1780472.

SUPPLEMENTAL INDENTURE DATED DECEMBER 1, 1960 AND RECORDED DECEMBER 14, 1960 AS DOCUMENT 18041197 AND FILED DECEMBER 15, 1960 AS DOCUMENT LR1956353.

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SUPPLEMENTAL INDENTURE DATED NOVEMBER 1, 1966 AND RECORDED NOVEMBER 2, 1966 AS DOCUMENT 19984415 AND FILED JANUARY 20, 1967 AS DOCUMENT LR2308856.

AFFECTS EASEMENT PARCEL 4

H 12. TRUST DEED

DATED NOVEMBER 1, 1945 AND RECORDED FEBRUARY 5, 1946 AS DOCUMENT 13712844 MADE BY NATURAL GAS PIPELINE COMPANY OF AMERICA, CORPORATION OF DELAWARE TO THE CHASE NATIONAL BANK OF THE CITY OF NEW YORK, A NATIONAL BANKING ASSOCIATION, TO SECURE A NOTE FOR \$25,000,000.00.

NOTE: SAID TRUST DEED HAS BEEN SUPPLEMENTED BY INSTRUMENTS RECORDED AS DOCUMENTS 13863280, 14994446, 17371114, 17507872, 17980611, 17980612, 17980613, 17980614, 17980615, 18375687, 18646919, 18646920, 19224737, 19648040, 19932717, 19984416, 20354861, 20919765 AND 21029330.

BY INSTRUMENT DATED SEPTEMBER 28, 1960 AND RECORDED OCTOBER 4, 1960 AS DOCUMENT 17980608 MERCANTILE TRUST COMPANY WAS APPOINTED AS ADDITIONAL OR CO-TRUSTEE UNDER TRUST DEED DATED NOVEMBER 1, 1945 AS SUPPLEMENTED. BY INSTRUMENT DATED JULY 30, 1969 AND RECORDED AUGUST 4, 1969 AS DOCUMENT 20919766 E. L. LOSER WAS APPOINTED AS CO-TRUSTEE UNDER TRUST DEED DATED NOVEMBER 1, 1945, AS SUPPLEMENTED.

NOTE: THE TRUSTEES UNDER THE TRUST DEED AFORESAID ARE NOW, ACCORDING TO THE SUPPLEMENT RECORDED AS DOCUMENT 21029330, THE CHASE MANHATTAN BANK, NATIONAL ASSOCIATION, MERCANTILE TRUST COMPANY, NATIONAL ASSOCIATION, AND E. L. LOSER.

(AFFECTS EASEMENT PARCEL 5)

K 13. EASEMENT CREATED BY GRANT FROM NATURAL GAS PIPELINE COMPANY OF AMERICA, CORPORATION OF DELAWARE, TO THE COMMONWEALTH EDISON COMPANY TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN, REPAIR AND REMOVE ONE FIVE INCH SIX MULTIPLE CONCRETE DUCT ACROSS THE LAND AT THE LOCATIONS MARKED ON EXHIBIT A SAID GRANT DATED OCTOBER 11, 1972 AND RECORDED DECEMBER 1, 1972 AS DOCUMENT 22143876.

(AFFECTS PARCEL 5)

L 14. TERMS, PROVISIONS AND CONDITIONS RELATING TO THE EASEMENTS DESCRIBED AS PARCELS NUMBERS 2, 3, 4, 5, 6, 8, 12 AND 13 CONTAINED IN THE INSTRUMENTS CREATING SUCH EASEMENTS.

(B) RIGHTS OF THE ADJOINING OWNER OR OWNERS, THEIR AGENTS, GUESTS AND ALL PARTIES CLAIMING THEREUNDER IN AND TO THE CONCURRENT USE OF SAID EASEMENTS INSURED HEREIN.

M 15. RESTRICTIONS RELATING TO WATER WELLS AND WASTE DISPOSAL SYSTEMS CONTAINED IN PLAT OF SUBDIVISION RECORDED DECEMBER 15, 1950 AS DOCUMENT 14974213 RELATING TO CONSTRUCTION AND LOCATION OF WATER WELLS AND WASTE DISPOSAL SYSTEM. NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION.



(AFFECTS EASEMENT PARCEL 6)

NOTE: SPECIAL RESTRICTION ENDORSEMENT ATTACHED.

- N 16. RESTRICTION CONTAINED IN DEED RECORDED SEPTEMBER 5, 1952 AS DOCUMENT 15428037 REQUIRING BUILDING PLANS BY A LICENSED ARCHITECT.

(AFFECTS EASEMENT PARCEL 6 AND OTHER PROPERTY)

NOTE: RESTRICTION ENDORSEMENT NO. 1 ATTACHED.

- O 17. BUILDING LINE AS SHOWN ON THE PLAT OF SAID SUBDIVISION RECORDED DECEMBER 15, 1950 AS DOCUMENT 14974213 AS FOLLOWS:

50 FOOT BUILDING LINE ON THE WEST <LN LOT 21.

(AFFECTS EASEMENT PARCEL 6)

NOTE: RESTRICTION ENDORSEMENT NO. 1 ATTACHED.

- P 18. RIGHTS OF THE ADJOINING OWNERS TO THE UNINTERRUPTED FLOW OF BUTTERFIELD CREEK.

(AFFECTS EASMENT PARCEL 6)

- R 19. GRANT OF EASEMENT MADE BY LINCOLN MALL PROPERTIES INC. RECORDED SEPTEMBER 28, 1977 AS DOCUMENT 24125547 TO THE COMMONWEALTH EDISON COMPANY AND THE ILLINOIS BELL TELEPHONE COMPANY TO CONSTRUCT, INSTALL, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME CABLES, CONDUITS, MANHOLES, AND OTHER UNDERGROUND FACILITIES USED IN CONNECTION WITH THE UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRIC, SOUNDS AND SIGNALS TOGETHER WITH RIGHT OF ACCESS THERETO IN, OVER, UNDER, ACROSS AND ALONG A PART OF LOT 5 IN LINCOLN MALL.

(AFFECTS LOT 5 IN LINCOLN MALL)

(AFFECTS EASEMENT PARCELS 2 AND 3)

- S 20. GRANT OF EASEMENT MADE BY UNION FEDERAL SAVINGS AND LOAN ASSOCIATION OF COOK COUNTY, ILLINOIS TO THE COMMONWEALTH EDISON COMPANY TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY TOGETHER WITH RIGHT OF ACCESS RECORDED JUNE 5, 1975 AS DOCUMENT 23104916.

(AFFECTS LOT 1 IN RESUBDIVISION OF LOT 12 IN LINCOLN MALL)

(AFFECTS EASEMENT PARCEL 3)

- U 21. MEMORANDUM OF LINCOLN MALL CENTRAL PLANT AGREEMENT MADE BY CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420 AND CARSON PIRIE SCOTT AND COMPANY, CORPORATION OF DELAWARE FOR A TERM COMMENCING JULY 23, 1973 AND ENDING AUGUST 7, 1998 AND A RENEWAL TERM COMMENCING AUGUST 8, 1998 AND ENDING

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DECEMBER 31, 2023 RECORDED MARCH 5, 1974 AS DOCUMENT 22645325.

(AFFECTS FEE PARCEL 1)

NOTE: A MEMO OF THE AGREEMENT HAS BEEN RECORDED THEREFORE CTI IS NOT ABLE TO OBTAIN A COMPLETE COPY OF THE AGREEMENT

- Y 22. EASEMENT AGREEMENT RECORDED AUGUST 22, 1974 AS DOCUMENT NUMBER 22824084 MADE BY NATURAL GAS PIPELINE COMPANY OF AMERICA AND COMMONWEALTH EDISON COMPANY AND TERMS CONTAINED THEREIN.

(AFFECTS EASEMENT PARCEL 5)

- Z 23. EASEMENT AGREEMENT RECORDED OCTOBER 6, 1978 AS DOCUMENT NUMBER 24661027 MADE BY NATURAL GAS PIPELINE COMPANY OF AMERICA, U. S. SHELTER INC. AND VILLAGE OF MATTESON AND TERMS CONTAINED THEREIN.

(AFFECTS EASEMENT PARCEL 5)

- AA 24. DECLARATION OF RESTRICTIONS AND EASEMENT FOR INGRESS AND EGRESS, 50 FEET IN WIDTH AS CREATED BY DECLARATION RECORDED NOVEMBER 8, 1968 AS DOCUMENT 20671343, AND TERMS AND CONDITIONS THEREIN CONTAINED.

(AFFECTS LOTS 1, 4 AND 6 AND OF LINCOLN MALL SUBDIVISION)

(AFFECTS FEE PARCEL 1 AND EASEMENT PARCELS 2, 3 AND 8 AND OTHER LAND NOT NOW IN QUESTION)

NOTE: AMENDED BY DOCUMENT NUMBER 23796658 THROUGH 23796664, 23562217, AND 24060855.

NOTE: DESIGNATION OF EASEMENT RECORDED NOVEMBER 10, 1977 AS DOCUMENT 24188603 AND TERMS CONTAINED THEREIN.

NOTE: SEE SAMPLE OWNERS COMPREHENSIVE ENDORSEMENT ATTACHED.

- AB 25. COVENANTS AND RESTRICTIONS CONTAINED IN THE DECLARATION OF RESTRICTIONS AND EASEMENTS MADE BY AND BETWEEN J. C. PENNEY COMPANY, INC., A CORPORATION OF DELAWARE AND THE EXCHANGE NATIONAL BANK OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 8, 1968 AND KNOWN AS TRUST NUMBER 21912 RECORDED NOVEMBER 8, 1968 AS DOCUMENT 20671343 RELATING TO THE EXTERIOR ARCHITECTURAL DESIGN, USE OF THE LAND, APPROVAL OF ARCHITECTURAL PLANS AND EASEMENTS.

NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION

(AFFECTS ALL) NOTE: SEE SAMPLE OWNERS COMPREHENSIVE ENDORSEMENT ATTACHED.

- AC 26. THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIANS, THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE

PROTECTION WATER STORAGE TANK AND PUMP HOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF COMMON FOUNDATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANGS, AWNINGS, ALARM BELLS, SIGNS, LIGHTS AND LIGHTING DEVICES, UTILITY VAULTS AND OTHER SIMILAR APPURTENANCES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS, CREATED AND GRANTED AS APPURTENANCES TO THE AFORESAID PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972, AND RECORDED ON MARCH 24, 1972 AS DOCUMENT 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, AND WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, IN, ON, OVER, UPON AND UNDER LOTS 1, 3, 4, 5 AND 6 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO SAID RECIPROCAL CONSTRUCTION, OPERATION AND EASEMENT AGREEMENT.

NOTE: IN DOCUMENT 22551241 DATED AUGUST 9, 1973 AND RECORDED NOVEMBER 21, 1973, LINCOLN MALL PROPERTIES, INC., ASSUMED THE TERMS, CONDITIONS, COVENANTS AND AGREEMENTS SET FORTH IN THE AFORESAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT AND IN THE TOTAL SITE AGREEMENTS RECORDED AS DOCUMENTS 21846182 AND 21846183, SAID AGREEMENTS BEING AMENDED BY FIRST AMENDMENT DATED MAY 1, 1977 AND RECORDED SEPTEMBER 9, 1977 AS DOCUMENT 24099069.

(AFFECTS FEE PARCELS 1,9,10 AND 11 AND EASEMENT PARCELS 2, 3, 8,12 AND 13)

- AD 27. THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFORESAID PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57855, IN, ON, OVER, UPON AND UNDER LOTS 1, 3, 4, 5, 8, 9, 10, 11 AND 12 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT.

NOTE: IN DOCUMENT 22551241 DATED AUGUST 9, 1973 AND RECORDED NOVEMBER 21, 1973, LINCOLN MALL PROPERTIES, INC., ASSUMED THE TERMS, CONDITIONS, COVENANTS AND AGREEMENTS SET FORTH IN THE AFORESAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT AND IN THE TOTAL SITE AGREEMENTS RECORDED AS DOCUMENTS 21846182 AND 21846183, SAID AGREEMENTS BEING AMENDED BY FIRST AMENDMENT DATED MAY 1, 1977 AND RECORDED SEPTEMBER 9, 1977 AS DOCUMENT 24099069.

(AFFECTS FEE PARCELS 1,9, 10 AND 11 AND EASEMENT PARCELS 2, 3, 8,12 AND 13)

- AE 28. THIS POLICY DOES NOT INSURE THE EXACT LOCATION OR DIMENSIONS OF THE EASEMENTS DESCRIBED IN PARCELS 2, 3, 8 AND 13
- AF 29. 15 FOOT EASEMENT OVER AND UNDER AND ACROSS THE SPOKE ROAD PORTION OF LOT 5 IN LINCOLN MALL AFORESAID AS SHOWN ON EXHIBIT B ATTACHED TO SAID GRANT FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF WATER LINES, GAS MAINS AND ELECTRICAL POWER LINES (ALL OF SUCH LINES AND MAINS TO BE UNDERGROUND) AS CONTAINED IN TOTAL SITE AGREEMENT DATED MARCH 7, 1972, AND RECORDED MARCH 24, 1972, AS DOCUMENT NO. 21846182, AND TERMS AND CONDITIONS THEREOF.
- (AFFECTS EASEMENT PARCELS 2, 3 AND 8)
- AJ 30. GRANT OF EASEMENT RECORDED SEPTEMBER 2, 1986 AS DOCUMENT 86387407 MADE BY CHICAGO TITLE AND TRUST COMPANY, AN ILLINOIS CORPORATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420 TO THE ILLINOIS BELL TELEPHONE COMPANY, AN ILLINOIS CORPORATION, ITS LICENSEES, SUCCESSORS AND ASSIGNS, AN EASEMENT TO CONSTRUCT, RECONSTRUCT, ADD TO, INSTALL, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME, COMMUNICATION AND ELECTRIC SYSTEMS CONSISTING OF SUCH POLES, ANCHORS, GUYS, CABLES, CONDUITS, WIRES, MANHOLES AND OTHER UNDERGROUND FACILITIES USED FOR THE PURPOSE OF TELECOMMUNICATIONS AND FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY TOGETHER WITH ACCESS TO THE SAME AND THE RIGHT TO CLEAR OBSTRUCTIONS FROM THE SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT IN, OVER, UNDER, ACROSS AND ALONG THE LAND DESCRIBED AS FOLLOWS:.
- THE NORTH 12 FEET OF THE WEST 50 FEET OF THE EAST 200 FEET OF LOT 1, ALL IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTH WEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS
- (AFFECTS PARCEL 1: LOT 1)
- AK 31. GRANT DATED JANUARY 7, 1983 AND RECORDED MAY 3, 1983 AS DOCUMENT 20590374 FROM NATURAL GAS PIPELINE COMPANY OF AMERICA TO THE STATE OF ILLINOIS FOR USE IN ROADWAY CONSTRUCTION, AND TERMS, CONTAINED THEREIN.
- (AFFECTS EASEMENT PARCEL 5)
- AL 32. EASEMENT AGREEMENT DATED MARCH 9, 1984 AND RECORDED MARCH 30, 1984 AS DOCUMENT 27025413 MADE BY ARCO PIPELINE COMPANY AND THE COMMONWEALTH EDISON COMPANY.
- (AFFECTS EASEMENT PARCEL 4)
- A0 33. EASEMENT AGREEMENT DATED SEPTEMBER 7, 1984 AND RECORDED OCTOBER 1, 1984 AS DOCUMENT 27276446 MADE BY NATURAL GAS PIPELINE OF AMERICA AND PIONEER BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 23002.

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(AFFECTS EASEMENT PARCEL 5)

- AZ 34. COVENANTS AND RESTRICTIONS RELATING TO GRANTEE BEING A "PARTY" UNDER TOTAL SITE AGREEMENT RECORDED AS DOCUMENT 21846182 AND AMENDMENT RECORDED AS DOCUMENT 24099069, AND ASSUMING ALL RIGHTS, LIABILITIES, DUTIES AND OBLIGATIONS OF GRANTOR THEREUNDER AND RELATING TO: USE OF THE LAND; SIZE, LOCATION, NUMBER OF SPACES AND CONSTRUCTION OF PARKING AREAS; CONSTRUCTION OF DRIVEWAYS AND ROADWAYS; CONSTRUCTIONS, LOCATION AND SCREENING OF LOADING DOCKS AND SERVICE AREAS, MAXIMUM GROUND COVERAGES OF BUILDINGS; BUILDING LOCATION AND SET BACK REQUIREMENTS; BUILDING DESIGN CRITERIA, LOCATION AND SCREENING OF MECHANICAL EQUIPMENT; SIGN CRITERIA ALL AS CONTAINED IN DEED FROM CHICAGO TITLE AND TRUST COMPANY A CORPORATION OF ILLINOIS AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 KNOWN AS TRUST NUMBER 57855 TO LEHNDORFF USA (CENTRAL) LIMITED CORPORATION OF ILLINOIS, RECORDED JUNE 27, 1984 AS DOCUMENT 27149134.

NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION.

FOR FURTHER PARTICULARS SEE RECORDED INSTRUMENT.

(AFFECTS PARCELS 9, 10 AND 11)

NOTE: SEE SAMPLE OWNERS COMPREHENSIVE ENDORSEMENT ATTACHED. SAID ENDORSEMENT HAS NOT YET BEEN APPROVED

- BF 35. RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER THE FOLLOWING UNRECORDED LEASES AND RIGHTS OF ALL PARTIES CLAIMING BY THRU OR THEREUNDER.

ATTACHED LIST TO COME (SEE RENT ROLL ATTACHED TO CONTRACT AND LABELLED LEASE SCHEDULE)

- BP 36. TERMS AND CONDITIONS OF THE SIGN EASEMENT AGREEMENT BETWEEN PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF COLORADO AND GENERAL CINEMA CORPORATION, A DELAWARE CORPORATION INCLUDING COSTS OF OPERATING, MAINTAINING AND REPAIRING ELECTRICAL SERVICE TO SAID SIGN AS SET FORTH IN INSTRUMENT RECORDED AS DOCUMENT NUMBER 91464389

AFFECTS FEE PARCEL 10 AND EASEMENT PARCEL 3

- BQ 37. DELETED AND MOVED TO SCHEDULE A PARCEL 12

- BV 38. LEASE MADE BY NICAR MANAGEMENT, INC., TO CENTRAL STEAKHOUSE, INC., DOING BUSINESS AS STEAK & POTATO COMPANY DATED JULY 24, 1997, A MEMORANDUM OF WHICH WAS RECORDED AUGUST 1, 1997 AS DOCUMENT NO. 97559945, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING MARCH 15, 1997 AND ENDING JANUARY 31, 2007, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY, SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE.



ASSIGNMENT OF LEASE DATED DECEMBER 20, 1996 AND RECORDED AUGUST 1, 1997 AS DOCUMENT 97559946 BY AND BETWEEN CENTRAL STEAKHOUSE, INC., AN ILLINOIS CORPORATION, DOING BUSINESS AS THE GREAT STEAK & POTATO COMPANY AND INDEPENDENCE FUNDING COMPANY, LLC.

CONSENT TO ASSIGNMENT OF LEASE DATED JULY 10, 1997 AND RECORDED AUGUST 1, 1997 AS DOCUMENT 97559947 BY NICAR MANAGEMENT, INC.

SUBLESSOR'S AGREEMENT DATED DECEMBER 20, 1996 AND RECORDED AUGUST 1, 1997 AS DOCUMENT 97559948 BY AND BETWEEN INDEPENDENCE FUNDING COMPANY, LLC AND CENTRAL STEAKHOUSE, INC., AN ILLINOIS CORPORATION DOING BUSINESS AS, STEAK & POTATO COMPANY.

LESSOR'S AGREEMENT DATED NOVEMBER 18, 1997 AND RECORDED JANUARY 29, 1998 AS DOCUMENT 98076250 BY AND BETWEEN INDEPENDENCE FUNDING COMPANY, LLC AND CENTRAL SEAKHOUSE, AN ILLINOIS CORPORATION ,DOING BUSINESS AS THE GREAT STEAK & POTATO COMPANY.

- CA 39. MEMORANDUM OF AGREEMENT DATED NOVEMBER 3, 1994 AND RECORDED AS DOCUMENT NUMBER 94958824 BY AND BETWEEN PUBLIC EMPLOYEE'S RETIREMENT ASSOCIATION OF COLORADO, AND SEARS, ROEBUCK AND COMPANY, A NEW YORK CORPORATION, WHEREBY THE PARTIES HAVE MADE CERTAIN AGREEMENTS WITH RESPECT TO THE OPERATION AND USE OF THE SHOPPING CENTER AND THE SEARS TRACT INCLUDING PURCHASE OPTIONS.

(AFFECTS FEE PARCEL 1 AND EASEMENT PARCELS 2 AND 3

- CC 40. NOTE: THE FOLLOWING IS PROVIDED FOR YOUR INFORMATION AND IS NOT A PART OF THIS POLICY.

THE FOLLOWING ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY APPEARS OF RECORD WHICH INCLUDES A DESCRIPTION OF THE LAND INSURED OR A PART THEREOF

DOCUMENT NO. 90207757 DATE OF RECORDING: MAY 4, 1990.

- CG 41. EASEMENT BETWEEN UNTION FEDERAL SAVINGS AND LOAN ASSOCIATION OF COOK COUNTY, ILLINOIS AND CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST NUMBER 57855 FOR THE INSTALLATION OPERATION MAINTENANCE AND REMOVAL OF A SANITARY SEWER RECORDED AS DOCUMENT NUMBER 23040099 AFFECTS EASEMENT PARCEL 3

- CK 42. EASEMENT BY GENERAL CINEMA CORPORATION TO COMMONWEALTH EDISON TO CONSTRUCT, OPERATE, MAINTAIN, RENEW RELOCATE AND REMOVE OVERHEAD AND UNDERGROUND TRANSMISSION FACILITIES ET AL ON THE LAND WITH RIGHT OF ACCESS SAID FACILITIES TO RECORDED AS DOCUMENT NUMBER 24751579 AFFECTS EASEMENT PARCEL 3

- CM 43. TERMS PROVISIONS CONDITIONS AND RESTRICTIONS REGARDING USE AND IMPROVEMENTS ETAL INCLUDING EASEMENT RIGHTS RELATING TO STORM SEWERS AND A SANITARY SEWER AND PAYMENT OF THEIR PROPORTIONATE SHARE OF TOTAL SITE AGREEMENTS FEES, IF

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ANY, AS SET FORTH IN TRUSTEES DEED MADE BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST NUMBER 57855 AND GENERAL CINEMA RECORDED ON MARCH 3, 1977 AS DOCUMENT NUMBER 23838535. SEE DOCUMENT FOR PARTICULARS.  
AFFECTS EASEMENT PARCEL 3

- CQ 44. EASEMENT BY LINCON CICERO CORPORATION, A DELAWARE CORPORATION AND UNION FEDERAL SAVINGS AND LOAN ASSOCIATION OF COOK COUNTY ILLINOIS FOR THE INSTALLATION OPERATION MAINTANANCE AND REMOVAL OF A STORM SEWER RECORDED AS DOCUMENT NUMBER 23100174  
AFFECTS EASEMENT PARCEL 2 AND 3
- CT 45. TERMS PROVISIONS AND COVENANTS RELATING TO CONSTRUCTION OF A THEATRE SIGN CONTAINED IN A LEASE BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST NUMBER 57855 AND GENERAL CINEMA CORPORATION A DELAWARE CORPORATIONAS DISCLOSED BY MEMEMORANDUM OF LEASE RECORDED AS DOCUMENT NUMBER 23838536. SEE DOCUMENT FOR RENTAL TERMS ETAL.  
  
AFFECTS FEE PARCEL 10
- CU 46. 30 FT EASEMENT FOR INGRESS AND EGRESS CONTAINED IN THAT INDENTURE BY LENDORFF USA (CENTRAL) LIMITED AND ILLINOIS CORPORATION RECORDED AS DOCUMENT NUMBER 27428449  
  
AFFECTS EASEMENT PARCEL 3
- CV 47. EASEMENT BY CHI CHI'ST OF ILLINOIS INC. A KENTUCKY COMPANY, TO COMMONWEALTH EDISON AND ILLINOIS BELL FOR FACILITIES LOCATED ON THE LAND AND RECORDED AS DOCUMENT NUMBER 85001217  
  
AFFECTS EASEMENT PARCEL 3
- CW 48. GRANT OF EASEMENT MADE BY CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST NUMBER 57420 TO ILLINOIS BELL TELEPHONE COMPANY RECORDED AS DOCUMENT NUMBER 86387407  
AFFECTS FEE PARCEL 1
- DB 49. LIMITATION OF ACCESS RIGHTS BY VIRTUE OF THE EXISTENCE OF THE RETENTION POND BUILDING AND TANK LOCATED ON LOT 6 IN RELATION TO THE ACCESS RIGHTS INSURED HEREIN AS PARCEL 8 AS DEPICTED ON SURVEY MADE BY J.M. HANK DATED JUN 17, 1998 AS ORDER NUMBER 89 2273
- DE 50. EASEMENT RECORDED AS DOCUMENT NUMBER 24883804  
  
AFFECTS EASEMNT PARCEL 3
- DF 51. EASEMENT MADE BY LASALLE NATIONAL BANK AS TRUSTEE UDNER TRUST NUMBER 108924 TO COMMONWEALTH EDISON RECORDED AS DOCUMENT NUMBER 86072687

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AFFECTS EASEMENT PARCEL 3

DG 52. AGREEMENT FOR CURB CUTS AND A MEANS OF DIRECT VEHICULAR PASSAGE FOR THE BENEFIT OF LOT 11 RECORDED AS DOCUMENT NUMBER 25022985

(AFFECTS EASEMENT PARCEL 3)

DH 53. DELETED AND MOVED TO SCHEDULE A: PARCEL 13

DI 54. RECIPROCAL EASEMENT AGREEMENT FOR INGRESS AND EGRESS BY CHICAGO FEDERAL SAVINGS AND LOAN ASSOCIATION AND FIRST PRAIRIE PARTNERS LIMITED, AN ILLINOIS LIMITED PARTNERSHIP, AS RECORDED AS DOCUMENT NUMBER 26589067 FOR INGRESS AND EGRESS

AFFECTS EASEMENT PARCEL 3

DJ 55. EASEMENT BY MATTSON RICHTON BANK, AN ILLINOIS CORPORATION, AS TRUSTEE UNDER TRUST NUMBER 741523 TO COMMONWEALTH EDISON AND ILLINOIS BELL TELEPHONE COMPANY RECORDED AS DOCUMENT NUMBER 86579876 AFFECTS EASEMENT PARCEL 3

DK 56. 10 FOOT STRIP EASEMENT BY MATTSON RICHTON BANK, AN ILLINOIS CORPORATION, AS TRUSTEE UNDER TRUST NUMBER 741523 TO ILLINOIS BELL TELEPHONE AND COMMONWEALTH EDISON COMPANY RECORDED AS DOCUMENT NUMBER 86447806

AFFECTS EASEMENT PARCEL 3

DM 57. ELECTRIC AND TELEPHONE FACILITIES AGREEMENT BY AND BETWEEN PRAIRIE FEDERAL SAVINGS AND LOAN ASSOCIATION AND ILLINOIS BELL TELEPHONE COMPANY AND COMMONWEALTH EDISON COMPANY FOR FACILITIES AS DEPICTED ON PLAT ATTACHED TO DOCUMENT NUMBER 25380230

AFFECTS EASEMENT PARCEL 3

DO 58. RIGHTS OF THE PUBLIC OR QUASI PUBLIC UTILITIES AS DISCLOSED BY SURVEY MADE BY J.M. HANK AND ASSOCIATES DATED JUNE 17, 1998 AS ORDER NUMBER 69 2273 DEPICTING THE FOLLOWING: FIRE HYDRANTS, STORM SEWER MAINS AND MANHOLES, SANITARY SEWER MAINS AND MANHOLES, GAS MAINS, WATER MAINS AND MANHOLES, COMMONWEALTH EDISON CONDUIT OR CABLE AND ILLINOIS BELL TELEPHONE CONDUIT OR CABLE AND CATCH BASINS

DY 59. GRANT OF EASEMENT IN FAVOR OF CHICAGO TITLE AND TRUST LAND TRUST NUMBER 1065939, ITS SUCCESSORS AND ASSIGNS OF A PERPETUAL EASEMENT OVER RING ROAD AS THEN CONSTRUCTED AND SET FORTH IN INSTRUMENT RECORDED AS DOCUMENT NUMBER 24188603

AFFECTS FEE PARCELS 1, 9, 10, AND 11 AND EASEMENT PARCELS 2, 3 AND 8

EC 60. RIGHTS OF THE FOLLOWING QUASI PUBLIC UTILITY COMPANIES:

UNDERGROUND ELECTRICAL FACILITIES (AND AS DEPICTED ON SURVEY MADE BY J.M.

HANK AND ASSOCIATES DATED JUNE 17, 1998) AS DISCLOSED BY LETTER DATED OCTOBER 27, 1998 BY DOUGLAS TARGETT, FIELD AGENT

AERIAL AND UNDERGROUND CABLE TELEVISION FACILITIES RUNNING SOUTH FROM LINCOLN HIGHWAY TO CHI CHI'S RESTAURANT LOCATED ON LOT 1 OF CHI CHI RESUBDIVISION AS DISCLOSED BY UTILITY LETTER DATED OCTOBER 29, 1998 BY NEIL R SULLIVAN VICE PRESIDENT OF OPERATIONS OF CABLE TV FUND 15 -A LTD (ALSO KNOWN AS JONES)

NICOR GS SYSTEMS MAIN FACILITIES AS DEPICTED ON ATLAS AS DISCLOSED BY UTILITY LETTER DATED OCTOBER 9, 1998 BY T;J CONWAY REAL ESTATE AGENT FOR NICOR GAS.

ED 61. ENCROACHMENT OF THE:

1. NORTHWEST CORNER OF BUILDING LOCATED LOT 5 (SEARS) ONTO THE INSURED PREMISES BY .22 FEET (SURVEY: SHEET 3 OF 7)
2. SOUTHEAST CORNER OF BUILDING LOCATED ON LOT 2 (CARSONS) ONTO THE INSURED PREMISES BY .15 FEET (SURVEY: SHEET 3 OF 7)
3. NORTHEAST CORNER OF BUILDING LOCATED ON LOT 2 (CARSONS) ONTO THE INSURED PREMISES BY .08 FEET (SURVEY: SHEET 3 OF 7)
4. ENCROACHMENT OF THE CURBING MAINLY ON LOT 1 ONTO THE NORTHEASTERLY PORTION OF LOT 3 BY AN UNDISCLOSED AMOUNT (SURVEY: SHEET 2 OF 7)

AS DEPICTED ON SURVEY MADE BY J.M. HANKS DATED JUNE 17, 1998 AS ORDER NUMBER 89-2273

EK 62. COVENANTS AND RESTRICTIONS RELATING TO USE OF EASEMENT, REPAIR, MAINTENANCE AND LANDSCAPING AS SET FORTH IN SIGN EASEMENT AGREEMENT DATED SEPTEMBER 18, 1990 AND RECORDED DECEMBER 19, 1990 AS DOCUMENT NUMBER 90616283 MADE BY AND BETWEEN VICORP RESTAURANTS, INC., A COLORADO CORPORATION AND PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OF COLORADO.

AFFECTS PARCELS 1 AND 12

EL 63. PERPETUAL 20 FOOT EASEMENT IN, OVER, UNDER AND ACROSS EASEMENT AREA AS SHOWN ON THE PLAT OF SUBDIVISION FOR INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF UNDER GROUND SANITARY AND STORM SEWER LINES LEADING FROM LOT 2 TO THE SANITARY AND STORM SEWER CONNECTIONS LOCATED ON THE SOUTHERLY SIDE OF THE LAND AS CREATED BY DEED RECORDED AS DOCUMENT 24885811.

AFFECTS EASEMENT PARCEL 12

EP 64. TERMS AND PROVISIONS AS CONTAINED IN RECIPROCAL EASEMENT AGREEMENT DATED MAY 1, 1983 AND RECORDED MAY 2, 1983 AS DOCUMENT 26589067 MADE BY AND BETWEEN CHICAGO FEDERAL SAVINGS AND LOAN ASSOCIATION AND FIRST PRAIRIE PARTNERS LIMITED, AN ILLINOIS LIMITED PARTNERSHIP

(AFFECTS EASEMENT PARCEL 13 AND OTHER LAND)

- EQ 65. EASEMENT IN FAVOR OF THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY FOR UTILITY PURPOSES AS CONTAINED IN ELECTRIC AND TELEPHONE FACILITIES AGREEMENT RECORDED AS DOCUMENT 25380230.
- (AFFECTS EASEMENT PARCEL 13 AND OTHER LAND)
- EU 66. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN SIGN EASEMENT AGREEMENT RECORDED MAY 6, 1992 AS DOCUMENT 92309501, BY BEVERLY TRUST COMPANY AS SUCCESSOR TRUSTEE TO MATTESON RICHTON BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 12, 1986 AND KNOWN AS TRUST NUMBER 741523 TO PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OF COLORADO.
- (AFFECTS EASEMENT PARCEL 13)
- EV 67. EASEMENT IN, UPON, UNDER, OVER AND ALONG THE 10 FOOT STRIP OF THE LAND TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT AS CREATED BY GRANT TO COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY RECORDED OCTOBER 1, 1986 AS DOCUMENT 86447806 FOR EXACT LOCATION, SEE EXHIBIT 'A' ATTACHED THERETO. (AFFECTS EASEMENT PARCEL 13 )
- EZ 68. GRANT RECORDED NOVEMBER 19, 1959 AS DOCUMENT 17716707 TO THE NORTHERN ILLINOIS GAS COMPANY, GRANTING THE RIGHT TO LAY, MAINTAIN, OPERATE, RENEW AND REMOVE A GAS MAIN OVER, UNDER, ALONG AND ACROSS THE NORTH 50 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN.
- (AFFECTS EASEMENT PARCEL 13)

\*\* END \*\*