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Akin Gump Strauss Hauer & Feld, LLP
1333 New Hampshire Avenue, NW
Washington, D.C. 20036
Attention: Roberta F. Colton, Esquire



Doc#: 0820739043 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/25/2008 01:23 PM Pg: 1 of 4

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MEMORANDUM OF TENANCY IN COMMON AGREEMENT

THIS MEMORANDUM OF TENANCY IN COMMON AGREEMENT is executed this 21st day of July, 2008, by and among BLDG DEANS SUPERIOR LLC, a Delaware limited liability company, BLDG HH SUPERIOR LLC, a Delaware limited liability Company, and ONE SUPERIOR LLC, a Delaware limited liability company (collectively, the "**Owners**").

AGREEMENT

In consideration of the covenants and agreements contained in that certain Tenancy in Common Agreement entered into by the Owners and dated as of the date hereof (the "**TICA**"), the Owners have entered into the TICA for purposes of setting forth certain agreements (i) regarding that certain real property commonly known as and located at One West Superior Place, Chicago, Illinois (the "**Property**"), the legal description of which is set forth on Exhibit A hereto, (ii) their obligations as co-mortgagors under certain documents (the "**Loan Documents**") evidencing, securing or otherwise relating to a first mortgage loan encumbering the Property which was made by Landesbank Hessen-Thüringen Girozentrale, as Agent (the "**Lender**") for certain Banks, (iii) the management, operation, leasing, financing, and sale of the Property, and (iv) certain other agreements regarding the rights and interests of the Owners with respect to the Property.

It is understood and agreed that this Memorandum of Tenancy in Common Agreement is executed solely for the purpose of giving notice to the public of the existence of the TICA, the terms and conditions of which are expressly incorporated herein by reference for all purposes as though fully set forth herein, including, without limitation, that the TICA is subordinate to the Mortgage, Assignment of Rents and Leases, Security Agreement and Fixture filing recorded on July 24, 2008, as document no. 0820739040 and each Owner has a certain buy-out option as set forth more fully therein.

The term of the TICA expires on the sooner to occur of (i) unanimous agreement of the Owners and during any Third Party Partition Restriction Period (as defined in the TICA), if required by any of the Loan Documents, the Lender, (ii) final disposition of the entire Property

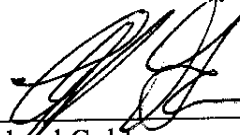
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by agreement of all Owners and distribution of the proceeds thereof to each Owner, (iii) any Owner acquiring all of the undivided interests in the Property, or (iv) December 31, 2108.

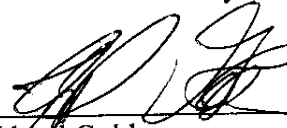
If there is any inconsistency between the terms of this instrument and the TICA, the terms of the TICA shall prevail.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Tenancy in Common Agreement as of the day and year first written above.

BLDG DEANS SUPERIOR LLC
a Delaware limited liability company

By: 
Lloyd Goldman
President

BLDG HH SUPERIOR LLC
a Delaware limited liability company

By: 
Lloyd Goldman
President

ONE SUPERIOR LLC
a Delaware limited liability company

By: 
Lloyd Goldman
President

STATE OF NEW YORK
COUNTY OF NEW YORK

} ss.
}

On July 23 2008, before me, Donald J. Olenick personally appeared Lloyd Goldman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signatures on the instrument the entities upon behalf of which he acted executed the instrument.

WITNESS my hand and official seal.

Signature  (This area for official notarial seal)

Error! Unknown document property name.

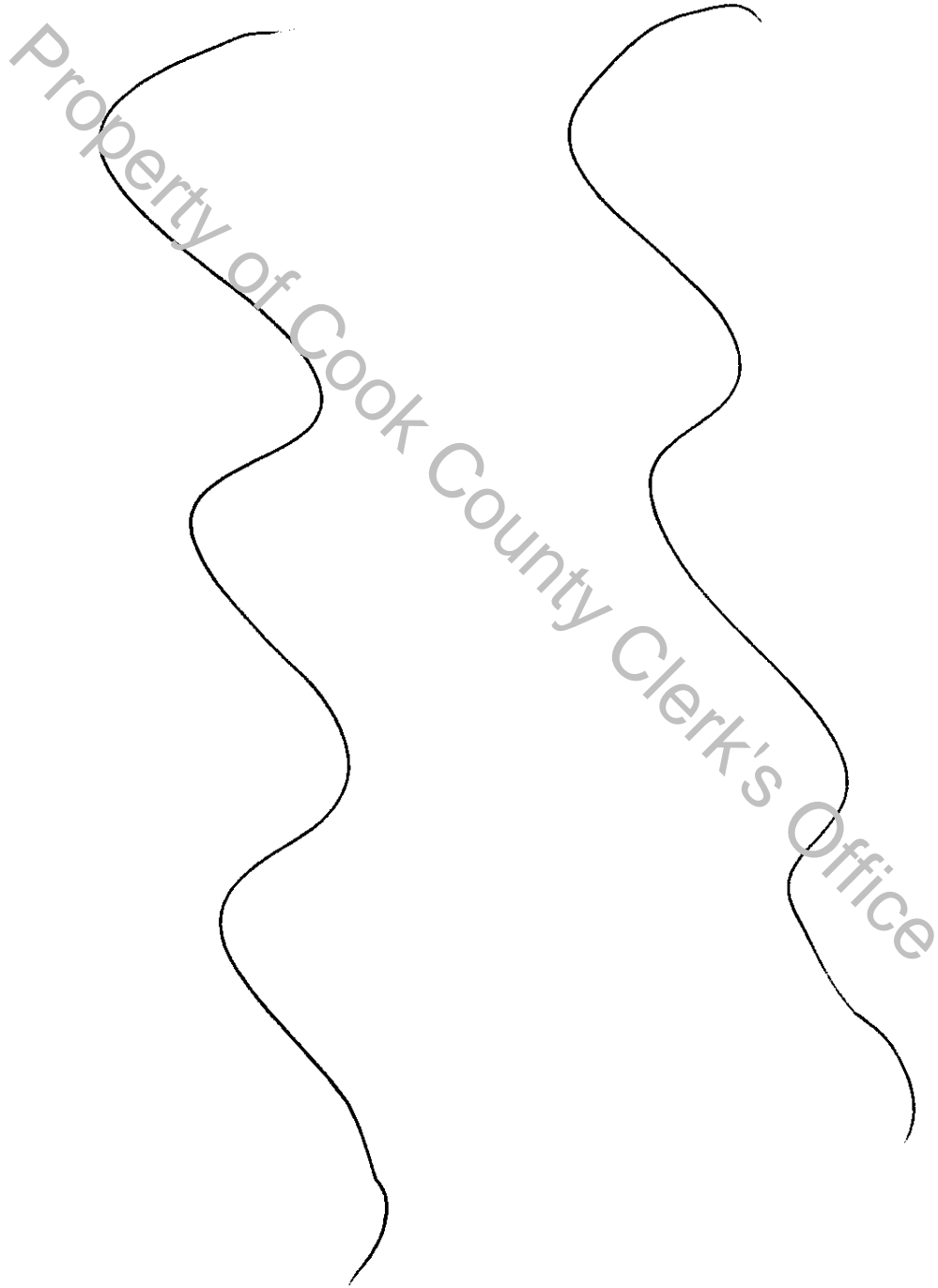
DONALD J. OLENICK
Notary Public, State of New York
No. 02OL4989218
Qualified in Kings County
Commission Expires July 10, 2010

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EXHIBIT A TO MEMORANDUM OF TENANCY IN COMMON AGREEMENT

PROPERTY LEGAL DESCRIPTION

Property of Cook County Clerk's Office



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EXHIBIT A

LEGAL DESCRIPTION

LOTS 1,2,3 AND 4 IN ERNEST HESS' SUBDIVISION AS PER PLAT OF SAID SUBDIVISION RECORDED AS DOCUMENT 3 76729 AND

LOTS 8 TO 15, BOTH INCLUSIVE, IN THE SUBDIVISION OF PLAT OF BLOCK 32 AND ALL OF BLOCK 49 IN WOLCOTT'S SUBDIVISION AS PER PLAT RECORDED AS DOCUMENT 52658 AND

LOTS 1,2,3 AND 4 (EXCEPT THE NORTH 5.0 FEET OF THE WEST 76.00 FEET THEREOF) AND LOTS 5 AND 6 (EXCEPT THE WEST 76.00 FEET OF LOTS 5 AND 6) AND LOT 7, ALL IN THE SUBDIVISION OF PART OF BLOCK 32 AS PER PLAT RECORDED AS DOCUMENT 26207, ALSO

ALL OF THE PUBLIC ALLEYS, VACATED BY ORDINANCE RECORDED JANUARY 12, 1976 AS DOCUMENT 23351728, ALL IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: One West Superior Place, Chicago, Illinois

PIN: 17-09-213-025-0000; 17-09-213-026-0000;
17-09-213-027-0000; 17-09-213-028-0000;
17-09-213-029-0000; 17-09-213-030-0000;
17-09-213-031-0000; 17-09-213-032-0000;
17-09-213-033-0000; 17-09-213-034-0000;
17-09-213-035-0000