

# UNOFFICIAL COPY

This instrument prepared by and  
after recording return to:

Jeffrey Jahns  
Seyfarth Shaw LLP  
131 South Dearborn Street  
Suite 2400  
Chicago, Illinois 60603



Doc#: 0825518095 Fee: \$48.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/11/2008 03:48 PM Pg: 1 of 7

## CONSENT TO ALTERATIONS

Consent to Alterations (this "Consent") made as of the 29<sup>th</sup> day of August, 2008, by DiamondRock Chicago Owner, LLC ("DiamondRock") and RN 540 Hotel Company L.L.C. ("Macerich").

WHEREAS, DiamondRock is currently the "Hotel Owner" pursuant to that certain Reciprocal Easement Agreement dated January 25, 2000, and recorded on or about January 28, 2000, as Document No. 00072925 with the Cook County Recorder (the "REA"), by reason of its ownership of the Hotel Parcel;

WHEREAS, Macerich is currently the "Retail Owner" pursuant to the REA by reason of its ownership of the Retail Parcel;

WHEREAS, DiamondRock desires to alter the canopy at the Michigan Avenue entrance to the Project Site (consisting of the Retail Parcel and the Hotel Parcel and more fully described on Exhibit A attached hereto), in all material respects in accordance with the plans attached hereto as Exhibit B and including any signage shown on said Exhibit B (the "Canopy Alterations");

WHEREAS, Macerich desires to memorialize its consent to the Canopy Alterations.

NOW, THEREFORE, the parties hereto agree together as follows:

1. The foregoing recitals are incorporated herein by reference. All capitalized terms used herein but not otherwise defined herein shall have the definitions therefor given in the REA.
2. DiamondRock represents and warrants that it is the fee simple titleholder to the Hotel Parcel.
3. Macerich represents and warrants that it is the fee simple titleholder to the Retail Parcel and that its mortgagee's consent is not required in this instance.

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4. DiamondRock has requested consent to the Canopy Alterations, and Macerich hereby grants consent to the Canopy Alterations.

5. The consent given in Paragraph 4 immediately above is given pursuant to and subject to all the terms and conditions of the REA. The parties agree that the revision from time to time of "Marriott" on the canopy as shown on Exhibit B hereto to match the name of the hotel on the Hotel Parcel at such time, should the name of the hotel change in the future, shall not require the consent of the Retail Owner or its Mortgagee.

6. Each of the parties hereto represent and warrant to the others that it is authorized to execute and deliver this Consent.

7. Any non-recordation or incompleteness as to any portion of this document shall not affect any complete portions hereof.


SIGNATURES ARE NEXT

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IN WITNESS WHEREOF, the parties have set their hands as of the date first set forth above.

DIAMONDROCK CHICAGO OWNER,  
LLC

RN 540 HOTEL COMPANY L.L.C.,  
a Delaware limited liability company

By: 

Name: Thomas R. Brennan

Its: Director

~~By: North Bridge Chicago LLC, a  
Delaware limited liability company, its sole  
member~~


~~By: Macerich North Bridge LLC, a  
Delaware limited liability company, its  
managing member~~

~~By: The Macerich Partnership L.P.,  
a Delaware limited partnership,  
its sole member~~

~~By: The Macerich Company, a  
Maryland corporation, its  
General Partner~~

~~By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_~~

By: MACERICH MANAGEMENT COMPANY,  
a California corporation,  
its authorized agent

By:   
Name: STEVE DREISER  
Its: SLP

Property of Cook County Clerk's Office

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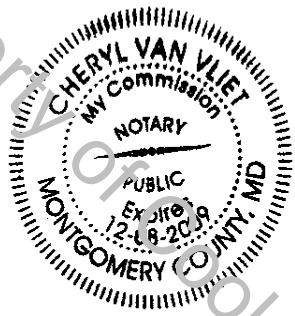
STATE OF MARYLAND )

) ss

COUNTY OF MONTGOMERY )

I, Cheryl Van Vliet, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Thomas R. Brennan, Director of DIAMONDROCK CHICAGO OWNER, LLC, is 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 said instrument as his own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 27th day of August, 2008.



*Cheryl Van Vliet*  
\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )

) ss

COUNTY OF \_\_\_\_\_ )

~~I, \_\_\_\_\_, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_ of The Macerich Company, a Maryland corporation, is 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 \_\_\_\_\_ signed and delivered said instrument as \_\_\_\_\_ own free and voluntary act for the uses and purposes therein set forth.~~

~~GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2008.~~

**SEE ATTACHED**

\_\_\_\_\_  
Notary Public

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## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On September 8, 2008 before me, ALICIA LOPEZ, Notary Public  
Date Here Insert Name and Title of the Officer

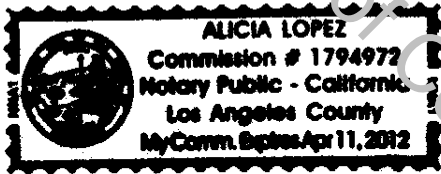
personally appeared STEPHEN SPECTOR  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Alicia Lopez  
Signature of Notary Public



Place Notary Seal Above

### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

#### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

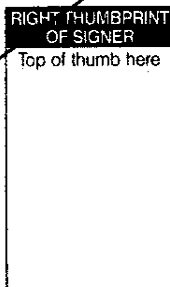
Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

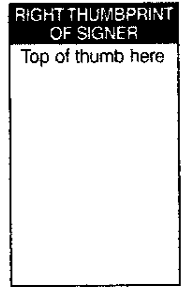
Signer Is Representing: \_\_\_\_\_



Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



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## EXHIBIT A

### LEGAL DESCRIPTION OF PROJECT SITE

BLOCK 22 (EXCEPT THE EAST 75 FEET THEREOF TAKEN FOR THE WIDENING OF NORTH MICHIGAN AVENUE) IN KINZIE'S ADDITION TO CHICAGO, BEING A SUBDIVISION IN THE NORTH FRACTION OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

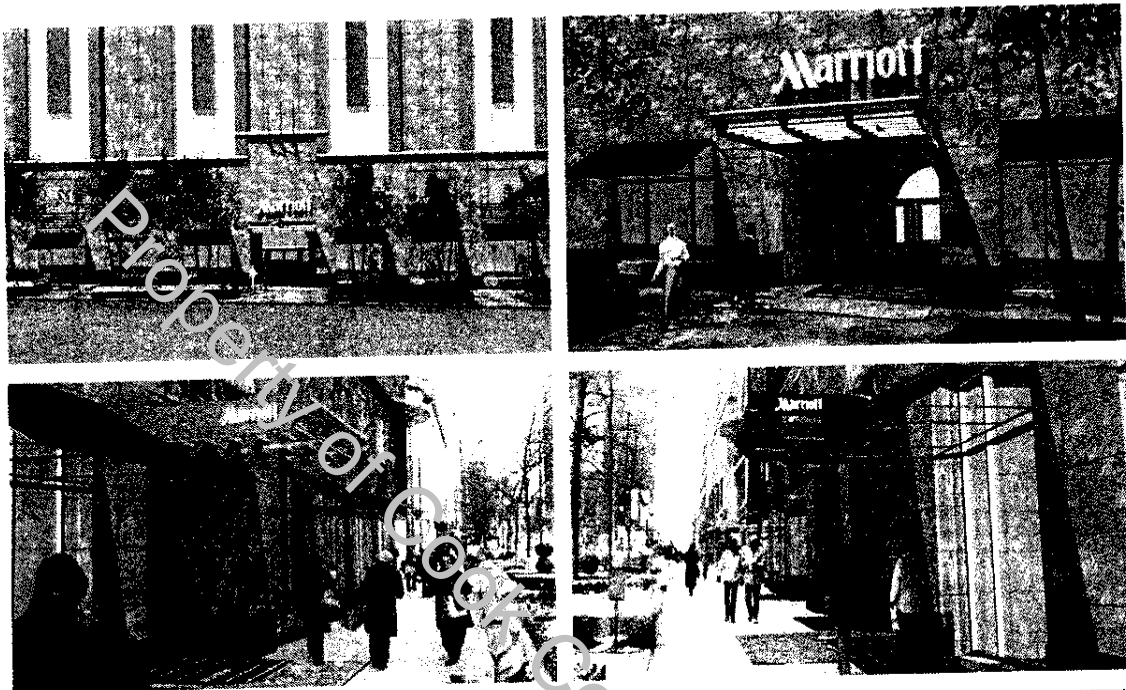
ADDRESS: 520 NORTH MICHIGAN AVENUE, CHICAGO, ILLINOIS.

PIN: 17-10-121-005

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## EXHIBIT B

### THE CANOPY ALTERATIONS PLANS



PROPERTY INFORMATION

PROPERTY ADDRESS: 100 N. LAUREL STREET, CHICAGO, IL 60602  
 PROPERTY TYPE: HOTEL  
 ZONING: C-2  
 PERMIT NUMBER: 123456789

APPLICANT: MARRIOTT INTERNATIONAL  
 PROJECT NAME: CANOPY ALTERATIONS

DATE: 10/15/2024

TIME: 10:30 AM