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Doc#: 0827710039 Fee: \$40.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/03/2008 11:18 AM Pg: 1 of 3

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This instrument was prepared by  
and upon recording mail to:

Shearman & Sterling LLP  
599 Lexington Avenue  
New York, New York 10022  
Attention: Malcolm K. Montgomery (2138/439)

## PARTIAL RELEASE OF MORTGAGE AND ASSIGNMENT OF LEASES AND RENTS (UNIT #37F)

KNOW ALL MEN BY THESE PRESENTS, that **DEUTSCHE BANK TRUST COMPANY AMERICAS**, a New York banking corporation, with a mailing address 60 Wall Street, New York, New York 10005 ("**Lender**"), for ten dollars (\$10.00) paid and for other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, does hereby **RELEASE AND DISCHARGE** of record from the lien of (x) that certain Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Filing (the "**Mortgage**") dated as of February 7, 2005 from Borrower to DBTCA recorded in the Recorder's Office of Cook County, Illinois on February 8, 2005 as Document Number 0503934132, and (y) that certain Assignment of Leases, Rents and Revenues (the "**Assignment of Leases and Rents**") dated as of February 7, 2005 from Borrower to DBTCA recorded in the Recorder's Office of Cook County, Illinois on February 8, 2005 as Document Number 0503934133, that portion of the Mortgaged Property (as defined in the Mortgage) more particularly described on Exhibit A attached hereto and made a part hereof; *provided, however*, that this instrument shall not in any way affect or impair the lien of the Mortgage or the Assignment of Leases and Rents with respect to the remainder of the Mortgaged Property.

IN WITNESS WHEREOF, this instrument is executed as of the 27th day of August, 2008.

### DEUTSCHE BANK TRUST COMPANY AMERICAS

By: [Signature]  
Name: LINDA WANG  
Title: DIRECTOR

By: [Signature]  
Name: Joanna Soliman  
Title: Assistant Vice President

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STATE OF NEW YORK )  
 ) SS.  
COUNTY OF NEW YORK )

I, the undersigned a notary public in and for said County, in the State aforesaid, DO AND HEREBY CERTIFY that Linda Wang, the Director of Deutsche Bank Trust Company Americas, and Joanna Saliman, the A. V. P of Deutsche Bank Trust Company Americas, each personally known to me to be the same person whose name is subscribed to the foregoing instrument, each appeared before me this day in person and acknowledged that as such Director and AVP, respectively, each such person signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation on behalf of said corporation, as their respective free and voluntary acts, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth

GIVEN under my hand and seal this 29<sup>th</sup> day of September, 2008.

ANGELLA DEPASS  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN QUEENS COUNTY  
NO. 01DE5025245  
COMMISSION EXPIRES: MARCH 21, 2010

Angella Depass  
NOTARY PUBLIC

Commission Expires:

[Seal]

Property Clerk's Office  
Cook County Clerk's Office

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## EXHIBIT A

### LEGAL DESCRIPTION

#### PARCEL 1:

UNIT 37F, IN THE 401 NORTH WABASH AVENUE HOTEL CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOT 1 IN TRUMP TOWER SUBDIVISION, A TRACT OF LAND IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0803015063, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

A NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCEL 1, AS GRANTED IN THAT CERTAIN ORDINANCE BY THE CITY OF CHICAGO APPROVED SEPTEMBER 1, 2004 AS PUBLISHED IN JOURNAL PAGES 30411 TO 30458, BOTH INCLUSIVE, FOR THE IMPROVEMENT, USE AND MAINTENANCE OF PUBLIC WAY, TO IMPROVE, MAINTAIN, REPAIR, REPLACE, USE AND OCCUPY FOR PEDESTRIAN PURPOSES, AND NOT VEHICULAR PURPOSES, OVER AND ACROSS CERTAIN TRACTS OF LAND AS DESCRIBED THEREIN;

#### PARCEL 3:

NON-EXCLUSIVE EASEMENTS IN FAVOR OF PARCEL 1 FOR INGRESS, EGRESS, SUPPORT, USE AND ENJOYMENT AS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED AS DOCUMENT NUMBER 0803015062.

GRANTOR ALSO HEREBY GRANTS TO THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS RIGHTS AND EASEMENTS APPURTENANT TO THE ABOVE DESCRIBED REAL ESTATE, THE RIGHTS AND EASEMENTS FOR THE BENEFIT OF SAID PROPERTY SET FORTH IN THE DECLARATION OF CONDOMINIUM, AFORESAID, AND GRANTOR RESERVES TO ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHTS AND EASEMENTS SET FORTH IN SAID DECLARATION FOR THE BENEFIT OF THE REMAINING PROPERTY DESCRIBED THEREIN.

THIS DEED IS SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS CONTAINED IN SAID DECLARATION THE SAME AS THOUGH THE PROVISIONS OF SAID DECLARATION WERE RECITED AND STIPULATED AT LENGTH HEREIN.

Commonly known as Unit 37F (the "Purchased Unit"), 401 North Wabash Avenue, Chicago, Illinois 60611

PIN Nos. 17-10-135-025-0000 and 17-10-136-008-0000