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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 05/11/2009 08:46 AM Pg: 1 of 4

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT**

**CITY OF CHICAGO, a Municipal
Corporation,**

Plaintiff,

v.

**737 NORTH MICHIGAN AVENUE
INVESTORS, LLC,**

Defendant.

No. 08 M1 403691

Re: 737 North Michigan Avenue

Courtroom 1107

AGREED ORDER OF SETTLEMENT

This case is before the Court to approve the terms of this Agreed Order of Settlement between Plaintiff City of Chicago ("City") and Defendant 737 N. Michigan Avenue Investors LLC ("Defendant").

The parties wish to resolve this case without a trial, and have read and voluntarily agreed to the terms of this Order. The Court makes the following findings of fact and law, and orders Defendant to comply with each of the terms stated in this Order:

1. The Court has *in personam* jurisdiction over the parties and *in rem* jurisdiction over the property commonly known as 737 N. Michigan Ave., Chicago, Illinois ("subject property"), and legally described as:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

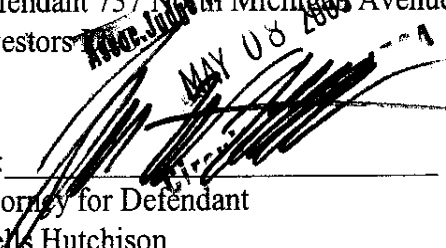
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2. The subject property contains a multi-level commercial building and is located in Planned Development District Number 218.
3. Defendant 737 North Michigan Avenue Investors LLC, is a Delaware limited liability company and the owner of the subject property
4. The City alleges in its Complaint for Equitable and Other Relief that beginning on or about July 25, 2008, the subject property contained insufficient landscaping in violation of Title 17 ("Zoning Ordinance") of the Municipal Code of Chicago.
5. In order to avoid the uncertainty and costs associated with litigation, the parties have agreed to settle the dispute as follows: Defendant agrees to pay the City a fine in the amount of \$500.00 and reimburse the City of the City's litigation costs in the amount of \$99.00. Payment of the \$599.00 shall be made by a certified check or money order payable to the "City of Chicago" and delivered to Kimberly Miller at 30 North LaSalle Street, Suite 700, Chicago, Illinois, 60602, no later than May 26, 2009.
6. Defendant agrees to maintain the subject property's landscaping in compliance with the landscape plan approved by the City and in accordance with the landscape provisions of the Zoning Ordinance.
7. The Court shall retain jurisdiction of the injunctive portions of this Agreed Order solely for the purposes of enforcement or modification of the injunctions, upon proper motion. The Court shall retain jurisdiction of all other portions of this Agreed Order solely for the purpose of enforcement of the terms of this Agreed Order.
8. This is a final order and the Court finds no just reason for delaying enforcement. All parties waive their right to appeal this Order.

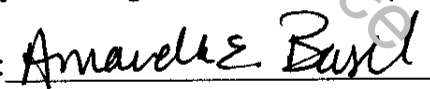
9. This case is dismissed subject to the terms of this agreement.

Agreed to by:

Defendant 737 North Michigan Avenue
Investors

By: 
 Attorney for Defendant
 Wells Hutchison
 Katten Muchin Rosenman LLP
 525 W. Monroe Street
 Chicago, IL 60661
 (312) 902-5468

Plaintiff City of Chicago:
Mara S. Georges, Corporation Counsel
City of Chicago

By: 
 Amanda E. Basil
 Senior Counsel
 30 N. LaSalle Street, Suite 700
 Chicago, IL 60602
 (312) 744-6648
 #90909

ENTERED:

Date

Judge

UNOFFICIAL COPYEXHIBIT ALEGAL DESCRIPTION**08021669**

PARCEL 1:

LOTS 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, 1-H, 1-I, 1-J, 1-K, 2-A, 2-B, 2-C, 2-D, 3-A, 3-B, 3-C, AND 3-D ALL IN OLYMPIA CENTRE SUBDIVISION, A RESUBDIVISION OF THAT PART OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS ONE TRACT, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3 IN LILL'S CHICAGO BREWERY COMPANY'S SUBDIVISION IN BLOCK 54 IN KINZIE'S ADDITION TO CHICAGO, BEING A SUBDIVISION IN SAID SECTION 10; THENCE NORTH 0 DEGREES 10 MINUTES 52 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 3, BEING ALSO THE EAST LINE OF NORTH MICHIGAN AVENUE, A DISTANCE OF 121.60 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 2.20 FEET OF SAID LOT 3; THEN SOUTH 89 DEGREES 54 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 64.20 FEET TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE SOUTH 0 DEGREES 10 MINUTES 52 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 8.00 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 10.20 FEET OF LOT "A" IN LILL'S CHICAGO BREWERY COMPANY'S SUBDIVISION, AFORESAID; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 45.80 FEET TO THE EAST LINE OF THE WEST 45 FEET 9-1/2 INCHES OF SAID LOT "A"; THENCE NORTH 0 DEGREES 10 MINUTES 52 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 10.20 FEET TO A POINT ON THE NORTH LINE OF SAID LOT "A" BEING ALSO THE SOUTHERLY TERMINUS OF A 15 FOOT PUBLIC ALLEY; THENCE SOUTH 89 DEGREES 54 MINUTES 30 SECONDS EAST 15.00 FEET ALONG THE NORTH LINE OF LOT "A" TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 1 IN WARE'S RESUBDIVISION OF LOT 5 IN LILL'S CHICAGO BREWERY COMPANY'S RESUBDIVISION OF LOTS 1 AND 2 IN LILL'S CHICAGO BREWERY COMPANY'S SUBDIVISION IN BLOCK 54 AFORESAID; THENCE NORTH 0 DEGREES 10 MINUTES 52 SECONDS EAST ALONG SAID EXTENDED LINE AND SAID WEST LINE OF LOT 1, BEING ALSO THE EAST LINE OF THE 16 FOOT PUBLIC ALLEY, A DISTANCE OF 149.96 FEET TO THE NORTHWEST CORNER OF LOT 1 IN WARE'S RESUBDIVISION, AFORESAID; THENCE SOUTH 89 DEGREES 47 MINUTES 58 SECONDS EAST ALONG THE NORTH LINE OF LOTS 1, 2, 3 AND 4 OF WARE'S RESUBDIVISION, AND ALONG THE NORTH LINE OF LOTS 11, 12, 13 AND 14 IN LILL'S CHICAGO BREWERY COMPANY'S RESUBDIVISION, AFORESAID, BEING ALSO THE SOUTH LINE OF EAST CHICAGO AVENUE, A DISTANCE OF 175.11 FEET TO THE NORTHEAST CORNER OF LOT 14 IN LILL'S CHICAGO BREWERY COMPANY'S RESUBDIVISION, AFORESAID; THENCE SOUTH 0 DEGREES 10 MINUTES 52 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 14, A DISTANCE OF 130.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 89 DEGREES 47 MINUTES 18 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 12, 13 AND 14 OF LILL'S CHICAGO BREWERY COMPANY'S RESUBDIVISION, BEING ALSO THE NORTH LINE OF A PUBLIC ALLEY, A DISTANCE OF 65.05 FEET TO THE EASTERLY TERMINUS OF AN ALLEY VACATED BY INSTRUMENT RECORDED JANUARY 16, 1974, AS DOCUMENT NUMBER 22596371; THENCE SOUTH 0 DEGREES 10 MINUTES 52 SECONDS WEST ALONG SAID TERMINAL LINE A DISTANCE OF 16.25 FEET; THENCE CONTINUING SOUTH 0 DEGREES 10 MINUTES 52 SECONDS WEST ALONG THE EAST LINE OF A 10 FOOT ALLEY LYING EAST AND ADJOINING LOTS "C" AND 10 IN LILL'S CHICAGO BREWERY COMPANY'S SUBDIVISION, AFORESAID, A DISTANCE OF 126.92 FEET TO THE SOUTHERLY TERMINUS OF SAID 10 FOOT PRIVATE ALLEY; THENCE WEST ALONG SAID TERMINAL LINE AND ALONG THE SOUTH LINE OF LOTS 3 TO 10 IN LILL'S CHICAGO BREWERY COMPANY'S RESUBDIVISION, AFORESAID, BEING ALSO THE NORTH LINE OF EAST SUPERIOR STREET, A DISTANCE OF 235.06 FEET TO THE SOUTHWEST CORNER OF LOT 3, BEING THE POINT OF BEGINNING,



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ACCORDING TO THE PLAT OF SAID OLYMPIA CENTRE SUBDIVISION RECORDED JUNE 21, 1985, AS DOCUMENT NUMBER 85070356, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS FOR INGRESS AND EGRESS, SUPPORT AND UTILITIES INCLUDING EASEMENTS FOR OPERATION, REPAIR, MAINTENANCE AND REPLACEMENT OF ELEVATOR PITS, SHAFTS, EQUIPMENT, ETC., ALL AS DEFINED AND DECLARED IN DECLARATION OF COVENANTS, EASEMENTS CHARGES AND LIENS FOR OLYMPIA CENTRE DATED JUNE 27, 1985 AND RECORDED JUNE 27, 1985 AS DOCUMENT 85080144 OVER AND ACROSS VARIOUS LOTS AND PORTIONS OF LOTS IN OLYMPIA CENTRE SUBDIVISION IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT AND OTHER RIGHTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL ONE AS CREATED BY DECLARATION OF EASEMENTS AND AGREEMENTS DATED JUNE 17, 1981 AND RECORDED JULY 27, 1981 AS DOCUMENT NUMBER 25950376 OVER AND UPON THAT PROPERTY LABELED "VEHICULAR MANEUVERING AREA" ON EXHIBIT J TO SAID DECLARATION IN COOK COUNTY, ILLINOIS.

Common Address

08021669

Olympia Centre
737 North Michigan Avenue
Chicago, Illinois

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