

# UNOFFICIAL COPY 09194354

This Instrument Prepared By:

9839/0079 41 001 Page 1 of 19  
1999-12-27 15:49:01  
Cook County Recorder 57.50

Irwin I. Gzesh, Esq.  
Neal, Gerber & Eisenberg  
Suite 2200  
2 North LaSalle  
Chicago, IL 60602



## MODIFICATION AND JOINDER

This Modification and Joinder is made and entered into as of March 26, 1999 by and between Woodfield Financial Consortium, L.P., a Delaware limited partnership ("Lender") and 1800 Partners Limited Partnership, an Illinois limited partnership ("Beneficiary")

## RECITALS

A. Lender is the present legal and equitable owner and holder of that certain loan (the "First Loan") evidenced by Promissory Note No. 1 in the original principal amount of \$31,000,000 dated April 15, 1980, made by LaSalle National Bank as Trustee ("Original Trustee") under the trust created by Trust Agreement dated March 21, 1979 and known as Trust No. 101568 (the "Trust") and originally payable to the order of Aetna Life Insurance Company, a Connecticut corporation ("Aetna") (the "Original Note"), as amended by a Modification Agreement between Aetna and LaSalle National Trust, N.A., as Successor Trustee to Original Trustee ("Successor Trustee") dated as of June 1, 1988 and recorded on August 16, 1991 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 91418492 ("Modification Agreement"), which Original Note was assigned to Lender pursuant to Assignment of Note and Liens between Aetna and Lender dated as of December 30, 1994 and recorded on December 30, 1994 in the Office

of the Recorder of Deeds of Cook County, Illinois as Document No. 04086148 (the Original Note, as amended by said Modification Agreement and by this Modification and Joinder, being referred to herein as the "First Note").

B. The sole beneficiary under the Trust was 1800 Partners Limited Partnership, an Illinois limited partnership (the "Beneficiary").

C. The First Note is secured by, among other things, the security documents described in Exhibit A attached hereto and made a part hereof (the "First Security Documents").

D. Lender is the present legal and equitable owner and holder of that certain loan (the "Second Loan") evidenced by Secured Promissory Note in the original principal amount of \$7,000,000 dated December 19, 1996, made by Successor Trustee, on behalf of the Trust and payable to the order of Lender (the "Second Note").

E. The Second Note is secured by, among other things, the security documents described in Exhibit B attached hereto and made a part hereof (the "Second Security Documents").

F. Pursuant to Subordination Agreement between Lender and Successor Trustee on behalf of the Trust dated December 17, 1996 and recorded on February 11, 1997 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 97099670 ("Subordination Agreement"), the lien of the First Security Documents were subordinated to the lien of the Second Security Documents.

G. Pursuant to Trustee's Deed dated March 19, 1999 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 26, 1999 as Document No. 99296355, Successor Trustee conveyed to Beneficiary the title to the real estate legally described on Exhibit C attached hereto and made a part hereof (the "Premises"), which is the real estate encumbered by the liens of the First Security Documents and the Second Security Documents.

H. In consideration of Lender's waiver of its right to enforce the due-on-sale provisions contained in the First Security Documents and the Second Security Documents in connection with the aforementioned conveyance of the Premises to the Beneficiary, Beneficiary has agreed to join into the Note as a co-maker thereunder and to join into the First Security Documents and Second Security Documents, all in accordance with the provision hereof.

NOW, THEREFORE, for and in consideration of the foregoing recitals (which are incorporated herein by this reference and made a part hereof), the mutual covenants contained herein, the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Lender hereby consents to the conveyance of the Premises to Beneficiary.
2. Beneficiary hereby joins into each of the First Note and

the Second Note as a co-maker under each of the same subject to the condition that its liability thereunder shall be limited on the same terms and conditions and to the same extent as the liability of the Original Trustee and the Successor Trustee are limited thereunder. Additionally, Beneficiary hereby joins into each of the First Security Documents and Second Security Documents jointly and severally with and to the extent that Original Trustee and Successor Trustee (as the case may be) are parties thereto, subject to the condition that Beneficiary's liability thereunder shall be limited on the same terms and to the same extent as the liability of the Original Trustee and the Successor Trustee are limited thereunder. Each reference to the First Note and the Second Note in the First Security Documents and Second Security Documents, as the case may be, shall be deemed references to the First Note and Second Note as modified by this Modification and Joinder and each of the First Security Documents and Second Security Documents is hereby modified accordingly.

3. Each of the First Security Documents and Second Security Documents as modified by this Modification and Joinder and the indebtedness evidenced by the First Note and the Second Note and the security provided by the First Security Documents and Second Security Documents, are hereby ratified and confirmed in each and every provision, covenant, condition, obligation, right and power contained in and under or existing in connection with the same. Each of the First Note, Second Note, First Security Documents and Second Security Documents, as modified by this Modification and

Joinder, shall continue in full force and effect. This Modification and Joinder is not intended to, and shall not be construed to, effect a novation. In the event of any conflicts between the terms and provisions of the First Note, Second Note, First Security Documents and Second Security Documents prior to giving effect to this Modification and Joinder and the terms and provisions of this Modification and Joinder, the terms and provisions of this Modification and Joinder shall prevail.

4. The headings of paragraphs and sections of this Modification and Joinder are for convenience of reference only, are not to be considered a part of this Modification and Joinder and shall not limit, expand or otherwise effect any of the terms of this Modification and Joinder.

5. This Modification and Joinder may be executed in multiple counterparts each of which shall be deemed an original but all of which taken together shall constitute only one instrument.

6. This Modification and Joinder shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the undersigned have executed this Modification and Joinder effective as of the date first above written.

LENDER:

BENEFICIARY:

WOODFIELD FINANCIAL CONSORTIUM L.P., a Delaware limited partnership

1800 PARTNERS LIMITED PARTNERSHIP

By: WOODFIELD FINANCIAL, INC., a Delaware limited partnership, its general partner

By: 101 Venture Limited Partnership, an Illinois limited partnership, its general partner

By: Ceres Holdings, Ltd., a Delaware corporation, its general partner

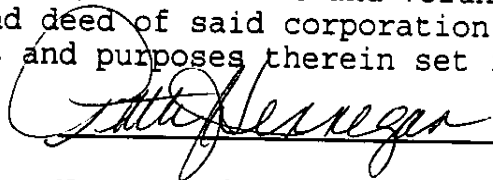
By: [Signature]  
Its: VP

By: [Signature]  
Its: VP

Property of Cook County Clerk's Office

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

The foregoing instrument was acknowledged before me this 26, day of March, 1999, by Glen Miller, VP of Woodfield Financial, Inc., acting in its capacity as general partner of Woodfield Financial Consortium, L.P., as his free and voluntary act and as the free and voluntary act and deed of said corporation and of said limited partnership for the uses and purposes therein set forth.



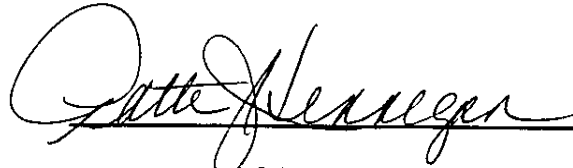
Notary Public  
My Commission Expires:



Property of Cook County Clerk's Office

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

The foregoing instrument was acknowledged before me this 26 day of March, 1999, by Simon Zucaron, VP of Ceres Holdings, Ltd., acting in its capacity as general partner of 101 Ventures Limited Partnership, acting in its capacity as general partner of 1800 Partners Limited Partnership, as his free and voluntary act and as the free and voluntary act and deed of said corporation and of both of the referenced limited partnerships for the uses and purposes therein set forth.



Notary Public  
My Commission Expires:



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## EXHIBIT A

First Security Documents

1. Mortgage, Assignment of Rents and Security Agreement dated April 15, 1980 and recorded on June 18, 1980 as Document No. 25489773 in the Office of the Recorder of Deeds of Cook County, Illinois, as supplemented by Supplemental Mortgage dated November 25, 1981 and recorded on November 25, 1981 as Document No. 26070574 in said Office and re-recorded on November 30, 1981 as Document No. 26072949 in said Office, as amended by Modification Agreement dated as of June 1, 1988 and recorded on August 16, 1991 as Document No. 91U18492 in said Office (the "Modification Agreement").
2. First Assignment of Rents and Leases dated April 15, 1980 and recorded on June 18, 1980 as Document No. 2549773 in the Office of the Recorder of Deeds of Cook County, Illinois, as modified by the Modification Agreement.
3. UCC-1 Financing Statement from LaSalle National Trust, N.A., Trustee under Trust No. 101568, Debtor, to Aetna Life Insurance Company, Secured Party, recorded on August 16, 1991 as Document No. 91U14399 in the Office of the Recorder of Deeds of Cook County, Illinois.
4. UCC-1 Financing Statement from LaSalle National Trust, N.A., Trustee under Trust No. 101568, Debtor, to Aetna Life Insurance Company, Secured Party, recorded on August 16, 1991 as Document No. 91U14400 in the Office of the Recorder of Deeds of Cook County, Illinois.
5. UCC-1 Financing Statement from 1800 Partners Limited Partnership, Debtor, to Aetna Life Insurance Company, Secured Party, recorded on August 16, 1991 as Document No. 91U14398 in the Office of the Recorder of Deeds of Cook County, Illinois.
6. UCC-1 Financing Statement from 1800 Partners Limited Partnership, Debtor, to Aetna Life Insurance Company, Secured Party, recorded on August 16, 1991 as Document No. 91U14401 in the Office of the Recorder of Deeds of Cook County, Illinois.
7. UCC-1 Financing Statement Filing No. 2885974 from LaSalle National Trust, N.A., Trustee under Trust No. 101568, Debtor, to Aetna Life Insurance Company, Secured Party, filed in the Office of the Secretary of State of the State of Illinois on August 21, 1991.
8. UCC-1 Financing Statement Filing No. 2886092 from LaSalle National Trust, N.A., Trustee under Trust No. 101568, Debtor, to Aetna Life Insurance Company, Secured Party, filed in the Office of the Secretary of State of the State of Illinois on August 21, 1991.
9. UCC-1 Financing Statement Filing No. 2885972 from 1800 Partners Limited Partnership, Debtor, to Aetna Life Insurance Company,

Secured Party, filed in the Office of the Secretary of State of the State of Illinois on August 21, 1991.

10. UCC-1 Financing Statement Filing No. 2885973 from 1800 Partners Limited Partnership, Debtor, to Aetna Life Insurance Company, Secured Party, filed in the Office of the Secretary of State of the State of Illinois on August 21, 1991.

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EXHIBIT B

Second Security Documents

1. Mortgage, Assignment of Rents and Security Agreement from LaSalle National Trust, N.A., Trustee under Trust No. 101568 in favor of Woodfield Financial Consortium, L.P. dated December 19, 1996 and recorded on January 13, 1997 as Document No. 97-026047 in the office of the Recorder of Deeds of Cook County, Illinois.
2. UCC-1 Financing Statement from LaSalle National Trust, N.A., Trustee under Trust No. 101568, Debtor, to Woodfield Financial Consortium, L.P., filed on January 16, 1997 as Document No. 360498 in the Office of the Secretary of State of Illinois.
3. UCC-1 Financing Statement from 1800 Partners Limited Partnership, Debtor, to Woodfield Financial Consortium, L.P., filed on January 16, 1997 as Document No. 3640189 in the Office of the Secretary of State of Illinois.
4. UCC-2 Financing Statement from LaSalle National Trust, N.A., Trustee under Trust No. 101568, Debtor, to Woodfield Financial Consortium, L.P., recorded on January 14, 1997 as Document No. 97U00604 in the Office of the Recorder of Deeds of Cook County, Illinois.
5. UCC-2 Financing Statement from 1800 Partners Limited Partnership, Debtor, to Woodfield Financial Consortium, L.P., recorded on January 14, 1997 as Document No. 97U00605 in the Office of the Recorder of Deeds of Cook County, Illinois.

## LEGAL DESCRIPTION

### PARCEL 1:

THAT PART OF THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTHERLY LINE OF GOLF ROAD, AS WIDENED AS SHOWN ON DOCUMENT 20885775, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF GOLF ROAD, AFORESAID, AND A LINE, 68.43 FEET EAST, ([AS MEASURED ALONG THE SOUTH LINE THEREOF), OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE WESTERLY ALONG THE NORTHERLY LINE OF GOLF ROAD, 68.43 FEET TO AN ANGLE POINT IN SAID ROAD; THENCE CONTINUE WESTERLY, ALONG THE NORTHERLY LINE THEREOF, 510.23 FEET TO ITS INTERSECTION, WITH A LINE, DRAWN AT RIGHT ANGLES TO THE SOUTH LINE OF THE SAID SOUTH EAST 1/4, THROUGH A POINT 508.96 FEET WEST, (AS MEASURED ALONG THE SOUTH LINE THEREOF), OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 12, AFORESAID; THENCE NORTHERLY ALONG THE LAST RIGHT ANGLES LINE HEREIN DESCRIBED, 1240.38 FEET TO ITS INTERSECTION, WITH THE NORTH LINE OF THE SOUTH 1364.64 FEET OF THE SOUTH EAST 1/4 OF SECTION 12, AFORESAID; THENCE EASTERLY, ALONG THE SAID LINE, 507.42 FEET TO ITS INTERSECTION, WITH THE HEREINBEFORE MENTIONED LINE, 68.43 FEET, EAST OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 12; THENCE SOUTHERLY, ALONG THE SAID LINE, 1224.67 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTING FROM THE FOREGOING, THE FOLLOWING DESCRIBED PORTION THEREOF DEDICATED FOR ROADWAY AND LIKE PURPOSES PURSUANT TO PLAT OF DEDICATION RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 25489772, TO WIT:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 291.0 FEET OF THE SOUTH EAST 1/4 AFORESAID, AND A LINE 68.43 FEET EAST (AS MEASURED ALONG THE SOUTH LINE THEREOF) OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE NORTHERLY ALONG THE LAST DESCRIBED LINE TO THE NORTH LINE OF THE SOUTH 197.00 FEET OF THE SOUTH EAST 1/4, AFORESAID; THENCE WESTERLY ALONG SAID LINE TO ITS INTERSECTION WITH A LINE DRAWN AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SOUTH EAST 1/4 THROUGH A POINT 248.32 FEET WEST, (AS MEASURED ALONG THE SOUTH LINE THEREOF) OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 12, AFORESAID; THENCE SOUTHERLY ALONG THE LAST RIGHT ANGLE LINE HEREIN DESCRIBED 224.70 FEET TO THE AFOREMENTIONED NORTH LINE OF GOLF ROAD; THENCE EASTERLY ALONG SAID NORTH LINE OF GOLF ROAD TO INTERSECTION WITH A LINE DRAWN AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SOUTH EAST 1/4 THROUGH A POINT 146.33 FEET WEST (AS MEASURED ALONG THE SOUTH LINE

THEREOF OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE NORTHERLY ALONG THE LAST RIGHT ANGLE LINE HEREIN DESCRIBED 159.61 FEET TO THE NORTH LINE OF THE SOUTH 291 FEET; AFORESAID THENCE EASTERLY ALONG SAID LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT APPURTEMENT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED IN RECIPROCAL GRANT ROADWAYS EASEMENTS RECORDED NOVEMBER 25, 1981 IN THE OFFICE OF THE RECORDER OF DEEDS, COOK COUNTY, ILLINOIS AS DOCUMENT NO. 26070371, AND RE-RECORDED NOVEMBER 10, 1981 AS DOCUMENT NO. 26072946 IN, ON, OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

EASEMENT PARCEL "E":

AN EASEMENT, 24.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 80.43 FEET; THENCE NORTH 00 DEGREES, 25 MINUTES, 17 SECONDS EAST ALONG A LINE 80.43 FEET EAST (AS MEASURED AFORESAID) OF AND PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12 A DISTANCE OF 357.01 FEET TO A POINT ON THE NORTH LINE THE SOUTH 357.00 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 (ALSO BEING THE NORTH RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD) FOR ITS POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 25 MINUTES, 17 SECONDS EAST A DISTANCE OF 720.29 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1077.27 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 581.58 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12 FOR ITS POINT OF TERMINATION, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "G":

AN EASEMENT, 24.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 00.43 FEET; THENCE NORTH 00 DEGREES, 25 MINUTES, 17 SECONDS EAST ALONG A LINE 80.43 FEET EAST (AS MEASURED AFORESAID) OF AND PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12 A DISTANCE OF 1077.30 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH

1077.27 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 FOR ITS POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 25 MINUTES, 17 SECONDS EAST A DISTANCE OF 163.22 FEET TO A POINT ON A LINE 1240.49 FEET NORTH (AS MEASURED AT RIGHT ANGLES) ON AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 12 FOR ITS POINT OF TERMINATION, SAID POINT OF TERMINATION ALSO BEING 581.41 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT APPURTEMENT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT OF EASEMENTS FOR SANITARY SEWER AND WATER MAIN, RECORDED NOVEMBER 25, 1981 IN THE OFFICE OF THE RECORDED OF DEEDS, COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 26070572, AND RE-RECORDED NOVEMBER 30, 1981 AS DOCUMENT NO. 26072967 IN, ON, OVER AND ACROSS THE FOLLOWING RECORDED PROPERTY:

EASEMENT PARCEL "D":

AN EASEMENT, 10.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 121.16 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 140.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 937.27 FEET OF THE SOUTH 1077.27 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 (ALSO BEING THE NORTH LINE OF GOLF ROAD AS WIDENED PER DOCUMENT NO. 20989779) FOR ITS POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 151.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 291.00 FEET OF THE SOUTH EAST 1/4 OF SECTION 12 (ALSO BEING THE SOUTH RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD) 543.78 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12 FOR ITS POINT OF TERMINATION, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "I":

AN EASEMENT, 10.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING ON THE SOUTH LINE OF SAID SECTION 12 (SAID SOUTH LINE HAVING A BEARING OF SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST) 144.59 FEET WEST (AS MEASURED ALONG THE SOUTH LINE OF SAID SECTION 12) OF THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE NORTH 09 DEGREES, 10 MINUTES, 18 SECONDS EAST A DISTANCE OF 361.97 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH 357.00 FEET OF THE SOUTH

EAST 1/4 OF SAID SECTION 12 (ALSO BEING THE NORTH RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD) FOR ITS POINT OF BEGINNING; THENCE CONTINUING NORTH 09 DEGREES, 30 MINUTES, 38 SECONDS EAST A DISTANCE OF 159.00 FEET; THENCE SOUTH 89 DEGREES, 43 MINUTES, 52 SECONDS EAST A DISTANCE OF 9.96 FEET TO ITS POINT OF TERMINATION ON THE WESTERLY LINE OF THE PERMANENT EASEMENT TO THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO AS PER DOCUMENT NO. 21391850, SAID POINT OF TERMINATION BEING 514.56 FEET NORTH (AS MEASURED AT RIGHT ANGLES) OF THE SOUTH LINE OF SAID SECTION 12 AND 51.49 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 1:

EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RECIPROCAL GRANT OF EASEMENTS FOR STORM SEWER AND WATER DETENTION RECORDED NOVEMBER 29, 1981 IN THE OFFICE OF THE RECORDER OF DEEDS, COOK COUNTY, ILLINOIS AS DOCUMENT NO. 26070573, AND RE-RECORDED NOVEMBER 10, 1981 AS DOCUMENT 26072348 IN, ON, OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

EASEMENT PARCEL "A":

AN EASEMENT 10.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41, SOUTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 12, (SAID SOUTH LINE HAVING A BEARING OF SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST) 322.30 FEET WEST (AS MEASURED ALONG SAID SOUTH LINE) OF THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 291.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 01 MINUTES, 00 SECONDS EAST A DISTANCE OF 39.37 FEET TO A POINT OF THE NORTH LINE OF THE SOUTH 291.00 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 (ALSO BEING THE SOUTH RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD) 325.14 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12 FOR ITS POINT OF TERMINATION, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "B":

AN EASEMENT 10.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 68.41 FEET; THENCE NORTH 00 DEGREES, 25 MINUTES, 17 SECONDS EAST ALONG A LINE 68.43 FEET EAST (AS MEASURED AFORESAID) OF AND PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF

THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12 A DISTANCE OF 699.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 25 DEGREES, 22 MINUTES, 50 SECONDS EAST A DISTANCE OF 74.48 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 229.30 FEET TO ITS POINT OF TERMINATION OF THE WEST LINE OF EASEMENT PARCEL "C" (HEREINAFTER DESCRIBED), SAID POINT OF TERMINATION BEING 632.09 FEET NORTH (AS MEASURED AT RIGHT ANGLES) OF THE SOUTH LINE OF SAID SECTION 12 AND 332.31 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "C":

AN EASEMENT, 10.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 12 (SAID SOUTH LINE HAVING A BEARING OF SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST) 323.30 FEET WEST (AS MEASURED ALONG THE SOUTH LINE OF SAID SECTION 12) OF THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 357.00 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH 357.00 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 (ALSO BEING THE NORTH RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD) FOR ITS POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 720.27 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH 1077.27 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 12 330.14 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12 FOR ITS POINT OF TERMINATION, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "J"

AN EASEMENT, 10.00 FEET IN WIDTH, IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, OF WHICH THE CENTER LINE IS DESCRIBED AS FOLLOWS:

COMMENCING ON THE SOUTH LINE OF SAID SECTION 12 (SAID SOUTH LINE HAVING A BEARING OF SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST) 158.91 FEET WEST (AS MEASURED ALONG THE SOUTH LINE OF SAID SECTION 12) OF THE SOUTH EAST CORNER OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 140.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 937.27 FEET OF THE SOUTH 1077.27 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 (ALSO BEING THE NORTH LINE OF GOLF ROAD AS WIDENED PER DOCUMENT NO. 20885775) FOR ITS POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 35.00 FEET TO A POINT ON A LINE 175.00 FEET NORTH (AS MEASURED AT RIGHT ANGLES OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 12 FOR ITS POINT OF TERMINATION, SAID POINT OF TERMINATION ALSO BEING 150.02 FEET WEST



(AS MEASURED AT RIGHT ANGLES) OF THE EAST LINE OF SAID SECTION 12, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "K":

AN EASEMENT IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 12 (SAID BEARING OF SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST) 123.54 FEET WEST (AS MEASURED ALONG THE SOUTH LINE OF SAID SECTION 12) OF THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE NORTH 06 DEGREES, 29 MINUTES, 12 SECONDS EAST A DISTANCE OF 140.95 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 937.27 FEET OF THE SOUTH 1077.27 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12 ( ALSO BEING THE NORTH LINE OF GOLF ROAD AS WIDEN PER DOCUMENT 20885775) AND THE POINT BEGINNING; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS ALONG THE LAST DESCRIBED LINE A DISTANCE OF 429.73 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 136.00 FEET TO A POINT 276.00 FEET NORTH OF SOUTH LINE OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG A LINE 276.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 445.91 FEET; THENCE SOUTH 06 DEGREES, 39 MINUTES, 12 SECONDS WEST A DISTANCE OF 136.92 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

THE SOUTH EAST 1/4 OF SAID SECTION 12, THENCE NORTH 00 DEGREES, 25 MINUTES, 17 SECONDS EAST ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12 A DISTANCE OF 140.00 FEET TO A POINT ON THE NORTHERLY LINE OF GOLF ROAD AS WIDENED PER DOCUMENT NO. 20885775 FOR THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES, 13 MINUTES, 56 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID GOLF ROAD A DISTANCE OF 149.43 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE EAST RIGHT OF WAY LINE OF SAID HARTLEY ROAD A DISTANCE OF 14061 FEET TO A POINT 276.00 FEET NORTH (AS MEASURED AT RIGHT ANGLES) OF THE SOUTH LINE OF SAID SECTION 12; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG A LINE 276.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 218.90 FEET TO A POINT 68.43 FEET EAST (AS MEASURED ALONG SAID SOUTH LINE OF SAID SECTION 12) OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE SOUTH 00 DEGREES, 25 MINUTES, 17 SECONDS WEST 00 DEGREES, 25 MINUTES, 17 SECONDS WEST ALONG A LINE 68.43 FEET EAST (AS MEASURED AFORESAID) OF THE WEST LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12 A DISTANCE OF 136.00 FEET TO A POINT ON THE NORTH LINE OF SAID GOLF ROAD (ALSO BEING THE SOUTH LINE OF

THE NORTH 937.27 FEET OF THE SOUTH 1077.27 FEET OF THE SOUTH EAST 1/4 OF SAID SECTION 12); THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST ALONG THE NORTH LINE OF SAID GOLF ROAD A DISTANCE OF 68.43 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL "M":

AN EASEMENT IN THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH WEST CORNER OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 12; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 248.33 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF THE PUBLIC ROADWAY KNOWN AS HARTLEY ROAD EXTENDED SOUTH; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG THE SOUTH EXTENSION OF THE WEST LINE OF SAID HARTLEY ROAD A DISTANCE OF 132.30 FEET TO A POINT IN THE NORTHERLY LINE OF GOLF ROAD AS WIDENED PER DOCUMENT NO. 20885775 FOR THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES, 18 MINUTES, 56 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID GOLF ROAD A DISTANCE OF 260.75 FEET, THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG A LINE 260.75 FEET WEST (AS MEASURED AFORESAID) AND PARALLEL WITH THE WEST RIGHT OF WAY LINE OF SAID HARTLEY ROAD A DISTANCE OF 143.70 FEET; THENCE NORTH 88 DEGREES, 13 MINUTES, 56 SECONDS EAST ALONG A LINE 143.70 FEET NORTH (AS MEASURED AFORESAID) OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID GOLF ROAD A DISTANCE OF 260.75 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID HARTLEY ROAD, THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST ALONG THE WEST RIGHT OF WAY LINE OF SAID HARTLEY ROAD A DISTANCE OF 143.70 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO AND FROM SAID EASEMENTS OVER AND ACROSS THE ADJACENT LAND FOR THE PURPOSES THEREIN GRANTED, SAID RIGHT OF INGRESS AND EGRESS TO BE EXERCISED IN A REASONABLE MANNER SO AS NOT TO INTERFERE WITH THE BUSINESS OF HOTEL ON PARCEL 1.

(AFFECTS PARCEL 1)

THE PROPERTY AND THE BUILDINGS AND IMPROVEMENTS THEREON ARE LOCATED AT THE FOLLOWING STREET ADDRESS:

1800 EAST GOLF ROAD  
SCHAUMBURG, ILLINOIS

PIN: 07-12-400-010-0000  
07-12-400-001-0000