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Doc#: 1010218056 Fee: \$50.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 04/12/2010 04:11 PM Pg: 1 of 8

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After recording mail to:  
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One Bryant Park  
New York, New York 10036  
Attn: Joseph Ginsberg

Mail tax bill to:  
BLDG Management Co., Inc.  
417 5<sup>th</sup> Avenue, 4<sup>th</sup> Floor  
New York, NY 10016

*This space reserved for Recorder's use only.*

J. Fagan

## CORRECTIVE DEED

**THIS CORRECTIVE DEED** is made effective as of the 24th day of July, 2008 by and among (i) **ONE SUPERIOR LLC**, a Delaware limited liability company ("**Grantor**"), (ii) **BLDG DEANS SUPERIOR LLC** ("**BLDG DEANS**"), a Delaware limited liability company, whose mailing address is 417 5th Avenue, 4th Floor, New York, New York 10016, and (iii) **BLDG HH SUPERIOR LLC** ("**BLDG HH**"), a Delaware limited liability company, all of whose mailing addresses are 417 5th Avenue, 4th Floor, New York, New York 10016 (**BLDG DEANS** and **BLDG HH**, together, hereinafter referred to as the "**Grantees**").

### Recitals

A. By Special Warranty Deed made, executed and delivered on July 24, 2008 and recorded in the land records of Cook County Illinois on July 27, 2008 as Document No. \_\_\_\_\_ (the "**Original Deed**") by TISHMAN SPEYER ARCHSTONE-SMITH ONE SUPERIOR PLACE, L.L.C. ("**Original Grantor**"), a Delaware limited liability company, as grantor, **BLDG DEANS** received a 4.43% interest as tenant in common, Grantor received a 71.65% interest as a tenant in common, and **BLDG HH** received a 23.92% interest as a tenant in common in all of **Original Grantor's** right, title, and interest in and to the real property located in the County of Cook and State of Illinois and more particularly described in Exhibit A attached hereto and made a part hereof (the "**Property**") specifically excluding all of the buildings, structures, and other improvements situated on the **Property**; subject, however, to those matters described in Exhibit B attached hereto and made a part hereof for all purposes.

B. The percentage of ownership interests of Grantor and Grantees were incorrectly stated in the Original Deed and Grantor and Grantees wish to correct the same as hereinafter provided.

That, for NO CONSIDERATION, for purposes of correcting the Original Deed, **Grantor** does hereby GRANT, BARGAIN, SELL AND CONVEY with special warranty covenants unto **BLDG DEANS** a 20.57% interest as a tenant in common in the **Property** and unto **BLDG HH** an 11.08% interest as a tenant in common in the **Property**, and their respective successors and assigns, FOREVER such that Grantor and Grantees will hereafter hold title in the **Property** as tenants in common, 40% by **Grantor**, 35% by **BLDG HH**, and 25% by **BLDG DEANS**.

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TO HAVE AND TO HOLD such interests in the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantees and their successors and assigns and to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantees, their successors and assigns, against every person whosoever lawfully claiming, or claim the same, or any part thereof, by through, or under Grantor but not otherwise.

*[signature page follows next]*

Property of Court 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 376729 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.

Property Address: One West Superior Street, Chicago, Illinois 60610

Permanent Real Estate Index Nos.: 17-09-213-025-0000 Vol. 500

17-09-213-026-0000 Vol. 500

17-09-213-027-0000 Vol. 500

17-09-213-028-0000 Vol. 500

17-09-213-029-0000 Vol. 500

17-09-213-030-0000 Vol. 500

17-09-213-031-0000 Vol. 500

17-09-213-032-0000 Vol. 500

17-09-213-033-0000 Vol. 500

17-09-213-034-0000 Vol. 500

17-09-213-035-0000 Vol. 500

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## EXHIBIT B

### PERMITTED EXCEPTIONS

#### ONE WEST SUPERIOR PLACE

1. REAL ESTATE TAXES AND ASSESSMENTS.
2. MATTERS DISCLOSED BY THAT CERTAIN SURVEY MADE BY CHRISTIAN-ROGE & ASSOC., INC., DATED MAY 21, 2007 AND LAST REVISED AUGUST 3, 2007, AND THOSE MATTERS THAT WOULD BE DISCLOSED BY A CURRENT SURVEY.
3. TERMS AND CONDITIONS OF THAT CERTAIN LEASE MADE BY SMITH PROPERTY HOLDINGS SUPERIOR PLACE, L.L.C. TO ONE SUPERIOR OWNER LLC, AS EVIDENCED BY MEMORANDUM OF GROUND LEASE DATED AUGUST 9, 2007, RECORDED AUGUST 21, 2007 AS DOCUMENT NO. 0723303044 AS AFFECTED BY THE ASSIGNMENT AND ASSUMPTION OF SUCH LEASE FROM SMITH PROPERTY HOLDINGS SUPERIOR PLACE, L.L.C. TO TISHMAN SPEYER ARCHSTONE-SMITH ONE SUPERIOR PLACE, L.L.C. RECORDED OCTOBER 15, 2007 AS DOCUMENT NO. 0728834110 (THE "GROUND LEASE").
4. MATTERS ARISING OUT OF THE ACTS OR OMISSIONS OF THE TENANT UNDER THE GROUND LEASE AND PARTIES CLAIMING BY, THROUGH OR UNDER SUCH TENANT.
5. PROPERTY ALTERATION AGREEMENT DATED AS OF AUGUST 8, 2006 BY AND AMONG ARCHSTONE-SMITH TRUST A MARYLAND REAL ESTATE INVESTMENT TRUST, ARCHSTONE-SMITH OPERATING TRUST, A MARYLAND REAL ESTATE INVESTMENT TRUST, EQUAL RIGHTS CENTER, A NOT-FOR-PROFIT CORPORATION, AMERICAN ASSOCIATION OF PEOPLE WITH DISABILITIES, A NOT-FOR PROFIT CORPORATION, AND UNITED SPINAL ASSOCIATION, AND ACKNOWLEDGED BY GRANTOR AND RECORDED AUGUST 21, 2007 AS DOCUMENT NO. 072330342.
6. TERMS AND CONDITIONS AS CONTAINED IN GRANT OF EASEMENT BY AND BETWEEN SMITH PROPERTY HOLDINGS SUPERIOR LLC AND COMCAST OF CHICAGO, INC. RECORDED JULY 25, 2005 AS DOCUMENT NO. 0520603121.
7. COVENANTS AND RESTRICTIONS CONTAINED IN RESTRICTIVE COVENANT BY AND BETWEEN CATHEDRAL PLACE LLC AND COSMOPOLITAN BANK AND TRUST, AS TRUSTEE UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED SEPTEMBER 3, 1974 AND KNOWN AS TRUST NO. 21292 RECORDED SEPTEMBER 26, 1997 AS DOCUMENT NO. 97717657.
8. A SPECIAL SERVICE AREA AS DISCLOSED BY ORDINANCE RECORDED AS DOCUMENT 91075841.

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9. THREE-FOOT PASSAGE CREATED BY PLAT OF SUBDIVISION RECORDED AS 376729 AND LOCATED ALONG THE WESTERN PORTION OF THE LAND.
10. ACTS OF PURCHASER AND PARTIES BY, THROUGH AND UNDER PURCHASER.
11. LEASE MADE BY CATHEDRAL PLACE, L.L.C. TO WHOLE FOODS MARKET GROUP, INC. DATED MAY 9, 1997, A MEMORANDUM OF WHICH WAS RECORDED MARCH 31, 1998 AS DOCUMENT NO. 98251444, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING MAY 9, 1997 AND ENDING 25 YEARS FROM THE COMMENCEMENT DATE, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY, SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE. TOGETHER WITH THE TERMS AND PROVISIONS CONTAINED THEREIN.
12. PARKING LOT LEASE WITH ALLRIGHT PARKING AS DISCLOSED BY INFORMATION CONTAINED IN THE TITLE COMPANY'S RECORDS AND ALL PARTIES CLAIMING THEREBY AND/OR THEREUNDER.
13. ENCROACHMENT OF THE PLANTERS ONTO THE PUBLIC LAND NORTH, SOUTH, EAST AND WEST AND ADJOINING,  
  
AND POSSIBLE ENCROACHMENT OF THE BUILDING ONTO THE LAND NORTH AND ADJOINING BY AN UNDISCLOSED AMOUNT,  
  
AS DISCLOSED BY SURVEY MADE BY CHRISTIAN ROGE & RIBANDO DATED JUNE 1, 1998 AND LAST UPDATED AUGUST 31, 2000 AS ORDER NUMBER 98 056.
14. RIGHTS OF THE PUBLIC OR QUASI PUBLIC UTILITIES AS DISCLOSED BY SURVEY MADE BY CHRISTIAN ROGE & RIBANDO DATED DECEMBER 4, 2000 AS ORDER NUMBER 00 092 DEPICTING THE FOLLOWING: MANHOLE.
15. ENCROACHMENT OF THE CONCRETE WALL ONTO THE LAND SOUTH AND ADJOINING BY VARYING DEGREES WITH A RANGE OF .03 FEET TO .11 FEET AS DISCLOSED BY SURVEY MADE BY CHRISTIAN ROGE & RIBANDO DATED DECEMBER 4, 2000 AS ORDER NUMBER 00 092.
16. ENCROACHMENT OF THE 8 STORY BUILDING ONTO THE 3 FOOT PASSAGE WAY CREATED BY PLAT OF SUBDIVISION RECORDED AS 3762729 AND NOTED HEREIN AT LETTER W.
17. THE RIGHTS OF PARTIES IN POSSESSION, AS TENANTS ONLY, UNDER UNRECORDED LEASES.
18. RIGHTS OF THE FOLLOWING TENANTS:
  - A. MOON KIM AND SANG H. OH DBA ORIENTAL CLEANERS UNDER AN UNRECORDED LEASE DATED SEPTEMBER 15, 1999.

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19. .3 FOOT VIOLATION OF THE 17 FOOT BUILDING SET BACK LINE ALONG NORTH STATE STREET BY THE NORTHEAST CORNER OF THE CONCRETE WALL AS DISCLOSED BY SURVEY MADE BY CHRISTIAN ROGE & RIBANDO DATED DECEMBER 4, 2000 AS ORDER NUMBER 00 092.
20. EXISTING UNRECORDED LEASE IN FAVOR OF BLOCKBUSTER INC., A DELAWARE CORPORATION, AS DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT, RECORDED AUGUST 1, 2001 AS DOCUMENT 0010692468 AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.

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## STATEMENT BY GRANTOR AND GRANTEE

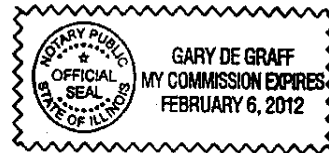
The **grantor** or his agent affirms that, to the best of his knowledge, the name of the **grantee** shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated 4-12, 2010

Signature: [Signature]  
Grantor or Agent

Subscribed and sworn to before me

By the said \_\_\_\_\_  
This 10 day of April, 2010  
Notary Public [Signature]



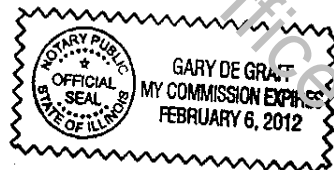
The **grantee** or his agent affirms and verifies that the name of the **grantee** shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Date 4-12, 2010

Signature: [Signature]  
Grantee or Agent

Subscribed and sworn to before me

By the said \_\_\_\_\_  
This 10 day of April, 2010  
Notary Public [Signature]



**Note:** Any person who knowingly submits a false statement concerning the identity of a **Grantee** shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to **deed** or **ABI** to be recorded in Cook County, Illinois if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)