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Doc#: 1229201042 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/16/2012 10:06 AM Pg: 1 of 4

This document was prepared by
and after recording mailed to:

Arnold E. Karolewski
Chuhak & Tecson, P.C.
30 S. Wacker Drive, Suite 2600
Chicago, Illinois 60606-7413

The street address of the property is:
1400 West 44th Street, Chicago, Illinois

PINS: 20-05-300-020-0000, 20-05-300-
021-0000 and 20-05-300-030-0000

1/13 Hynes # 88-88-945-21

POWER OF ATTORNEY


THIS POWER OF ATTORNEY is executed by James E. Fitzgerald, individually and also in his capacity as the sole Manager of 44th Street Property, LLC, an Illinois limited liability company ("Company"), and also in his capacity as the Trustee of James E. Fitzgerald Trust dated February 16, 2000, which is the sole member of the Company. The undersigned, having been duly sworn and under oath, hereby states, represents and agrees as follows:

1. The Company is in the process obtaining one or more loans from FirstMerit Bank ("Loan") for purposes of, in part, refinancing the existing indebtedness affecting the property located at 1400 West 44th Street in Chicago.
2. The Company and the undersigned as the sole manager of the Company and as the sole Member of the Company and the undersigned individually hereby appoints Terry Heilman as its and his attorney and agent in fact with respect to the execution of any and all documents necessary or otherwise appropriate for the aforescribed loan transaction and with respect to taking any and all other action as said individual deems necessary or otherwise appropriate relative to the Loan. Such acts may include, but shall not be limited to, the execution of any and all Loan documents including personal guaranties of the undersigned.
3. This Power of Attorney shall become effective upon the execution hereof.
4. This Power of Attorney shall cease on the fifth business day following the date of the closing of said Loan transaction.

THIS POWER OF ATTORNEY has been executed as of this 17th day of September, 2012.

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James E. Fitzgerald, individually and
as the sole Manager of the Company

Sole Member

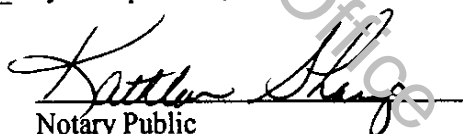
James E. Fitzgerald Trust dated
February 16, 2000

By: 
James E. Fitzgerald, Trustee

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, KATHLEEN SHARP, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that James E. Fitzgerald, Manager of 44th Street Property, LLC, an Illinois limited liability company, who is personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument individually, as such Manager and as Trustee aforesaid for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 19th day of September, 2012.


Notary Public

My Commission Expires:

May 9, 2015



UNOFFICIAL COPY**Exhibit A****LEGAL DESCRIPTION****PARCEL 1:**

THE SOUTH 198.40 FEET OF THE NORTH 228.40 FEET OF THE WEST 364.20 FEET OF THE EAST 394.20 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THAT PART TAKEN FOR WEST 43RD STREET BY ORDINANCE PASSED MARCH 26, 1968 AND RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON OCTOBER 9, 1968 AS DOCUMENT NUMBER 20640183, SAID PART BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING ON THE SOUTH LINE OF THE NORTH 30 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, AT A POINT WHICH IS 394.20 FEET WEST FROM THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5 AND RUNNING THENCE SOUTH ALONG THE WEST LINE OF THE EAST 394.20 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, A DISTANCE OF 50 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE SOUTH LINE OF THE NORTH 80 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE EAST ALONG THE SOUTH LINE OF THE NORTH 80 FEET AFORESAID, A DISTANCE OF 66.49 FEET TO A POINT OF CURVE; THENCE NORTHEASTWARDLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 640 FEET, A DISTANCE OF 165.71 FEET TO A POINT OF REVERSE CURVE WHICH IS 18.67 FEET SOUTH FROM THE NORTH LINE AND 163.84 FEET WEST FROM THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE NORTHEASTWARDLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 560 FEET, (THE EASTERLY TERMINUS OF WHICH ARC IS A POINT 40 FEET SOUTH FROM THE NORTH LINE AND 20.45 FEET WEST FROM THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5), A DISTANCE OF 135.45 FEET TO THE POINT OF INTERSECTION OF SAID ARC WITH THE WEST LINE OF THE EAST 30 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE NORTH ALONG THE WEST LINE OF THE EAST 30 FEET AFORESAID, A DISTANCE OF 10.08 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 30 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; AND THENCE WEST ALONG THE SOUTH LINE OF THE NORTH 30 FEET AFORESAID, A DISTANCE OF 364.20 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS;

PARCEL 2:

THE SOUTH 400 FEET OF THE NORTH 628.40 FEET OF THE WEST 364.20 FEET OF THE EAST 394.20 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE LINE 366.50 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SOUTH ASHLAND AVENUE AS WIDENED (SAID EAST STREET LINE BEING A LINE 50 FEET EAST FROM AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5) WITH THE NORTH LINE OF WEST 44TH STREET AS SHOWN ON THE PLAT OF DEDICATION FOR PUBLIC STREET CERTAIN PARCELS IN THE WEST 1/2 OF SAID SECTION 5, RECORDED DECEMBER 31, 1969, IN THE COOK COUNTY

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RECORDER'S OFFICE AS DOCUMENT NUMBER 21048001, AND RUNNING THENCE NORTH ALONG THE LINE 366.50 FEET EAST FROM AND PARALLEL WITH THE SAID EAST LINE OF SOUTH ASHLAND AVENUE, AS WIDENED, A DISTANCE 310.35 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 314.13 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE EAST ALONG THE SAID SOUTH LINE OF THE NORTH 314.13 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 212.63 FEET TO AN INTERSECTION WITH A LINE 33 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE NORTH ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 234.13 FEET TO AN INTERSECTION WITH A LINE 80 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE EAST ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 51.76 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUING EAST ALONG SAID PARALLEL LINE A DISTANCE OF 249.15 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST 394.20 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE SOUTH ALONG SAID WEST LINE OF THE WEST 394.20 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, A DISTANCE OF 542.40 FEET TO AN INTERSECTION WITH THE NORTH LINE OF AFORESAID WEST 44TH STREET AS SHOWN ON SAID PLAT OF DEDICATION, SAID POINT BEING 622.40 FEET SOUTH FROM THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE WEST ALONG A STRAIGHT LINE, BEING THE NORTH LINE OF AFORESAID WEST 44TH STREET AS SHOWN ON SAID PLAT OF DEDICATION, A DISTANCE OF 242.13 FEET; THENCE NORTH, A DISTANCE OF 543.43 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 4:

THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE LINE 366.50 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SOUTH ASHLAND AVENUE AS WIDENED (SAID EAST STREET LINE BEING A LINE 50 FEET EAST FROM AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5) WITH THE NORTH LINE OF WEST 44TH STREET AS SHOWN ON THE PLAT ON DEDICATION FOR PUBLIC STREETS OF CERTAIN PARCELS IN THE WEST 1/2 OF SAID SECTION 5, RECORDED DECEMBER 31, 1969, IN THE COOK COUNTY RECORDER'S OFFICE AS DOCUMENT NUMBER 21048001, AND RUNNING THENCE NORTH ALONG THE LINE 366.50 FEET EAST FROM AND PARALLEL WITH THE SAID EAST LINE OF SOUTH ASHLAND AVENUE, AS WIDENED, A DISTANCE OF 310.35 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 314.13 FEET OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE EAST ALONG THE SAID SOUTH LINE OF THE NORTH 314.13 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 212.69 FEET TO AN INTERSECTION WITH A LINE 33 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE NORTH ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 234.13 FEET TO AN INTERSECTION WITH A LINE 80 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5; THENCE EAST ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 51.76, THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 89 DEGREES 14 MINUTES 44 SECONDS FROM EAST TO SOUTHEASTERLY WITH LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 543.43 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID WEST 44TH STREET; THENCE WESTERLY ALONG THE NORTH LINE OF SAID WEST 44TH STREET, A DISTANCE OF 271.77 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.