



Doc#: 1233416060 Fee: \$68.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 11/29/2012 02:45 PM Pg: 1 of 16

THIS DOCUMENT PREPARED BY AND  
UPON RECORDATION RETURN TO:  
DECHERT LLP  
One Maritime Plaza, Suite 2300  
San Francisco, CA 94111  
Attention: Joseph B. Heil, Esq.  
Loan No. 13-0001254

Chicago, Cook County, Illinois

Street Address: 919 North Michigan Avenue, Chicago, Illinois 60601  
P.I.N.: 17-03-213-018-0000

**ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF LEASES AND RENTS  
AND SECURITY AGREEMENT**

KNOW THAT

**UBS REAL ESTATE INVESTMENTS INC.**, a Delaware corporation, having  
an address at 1285 Avenue of the Americas, 11th Floor, New York, New York  
10019 ("Assignor"),

For valuable consideration given by:

PROPERTY NATIONAL TRUST 999011270

**LASALLE BANK NATIONAL ASSOCIATION, IN ITS CAPACITY AS  
TRUSTEE FOR THE REGISTERED HOLDERS OF UBS  
COMMERCIAL MORTGAGE TRUST 2005-C5 COMMERCIAL  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-C5,**  
having an address at 540 West Madison Street, Mail Code IL 4-540-18-04,  
Chicago, IL, 60661 ("Assignee"),

the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant,  
bargain, sell, convey, assign, transfer, and set over, without recourse, representation and  
warranty, effective as of August 10, 2005, all of Assignor's right, title and interest, of any kind  
whatsoever, in and to the subject note(s) and loan documents, and including that of mortgagee,  
beneficiary, payee, assignee or secured party (as the case may be), in and to the following:

MORTGAGE, ASSIGNMENT OF LEASES AND RENTS AND SECURITY  
AGREEMENT (as same may have been amended) executed by MICHIGAN

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AVENUE RETAIL LLC, a Delaware limited liability company, to Assignor, and recorded on August 4, 2006, as Document Number 0521627070, with the Cook County Recorder of Deeds;

covering the property more specifically described on Exhibit "A", attached hereto and made a part hereof;

TO HAVE AND TO HOLD the same unto the Assignee and to the successors, legal representatives and assigns of the Assignee forever.

**THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK**

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**IN WITNESS WHEREOF**, the Assignor has duly executed, acknowledged and delivered this Assignment dated as of the 3<sup>rd</sup> day of October, 2012.

UBS REAL ESTATE INVESTMENTS INC.,  
a Delaware corporation

By: \_\_\_\_\_

Name: Henry Chung

Title: Executive Director

By: \_\_\_\_\_

Name: Racquel Small

Title: Director


Property of Cook County Clerk's Office

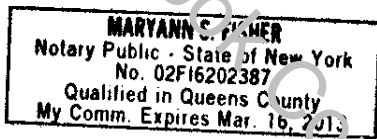
# UNOFFICIAL COPY

STATE OF NEW YORK )  
 ) ss  
COUNTY OF NEW YORK )

On October 3, 2012 before me, Maryann Fisher, personally appeared HENRY CHUNG, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Signature of Notary:  \_\_\_\_\_

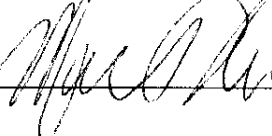


(seal)

STATE OF NEW YORK )  
 ) ss  
COUNTY OF NEW YORK )

On October 3, 2012 before me, Maryann Fisher, personally appeared RACQUEL SMALL, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Signature of Notary:  \_\_\_\_\_



(seal)

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Exhibit A

(Legal Description)



Property of Cook County Clerk's Office

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## EXHIBIT A

### LEGAL DESCRIPTION

PARCEL 1:

1ST FLOOR RETAIL INTERIOR

(INTERIOR SPACE DESCRIBED BY WALL CENTERLINE)

(1ST FLOOR RETAIL CENTERLINE OF EXTERIOR WALL)

ALL THE LAND, PROPERTY AND SPACE LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF 28.58 FEET ABOVE CHICAGO CITY DATUM AND ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 13.35 FEET ABOVE CHICAGO CITY DATUM AND WITHIN THE VERTICAL PROJECTION OF THE BOUNDARY LINE OF FOLLOWING DESCRIBED PARCEL OF LAND:

ALL THAT PART THE NORTH 1/2 OF LOTS 23 TO 31, BOTH INCLUSIVE, TAKEN AS A TRACT, IN ALLMENDINGER'S LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCK 23 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 29; THENCE EAST ALONG THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.03 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR TO THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.04 FEET TO THE POINT OF BEGINNING, POINT ALSO BEING ON THE CENTERLINE OF EXTERIOR WALL OF THE FIRST STORY SECTION OF THE BUILDING AT 919 N. MICHIGAN AVENUE, ALSO KNOWN AS THE PALMOLIVE BUILDING; THENCE EAST, A DISTANCE OF 3.60 FEET ALONG SAID CENTERLINE OF EXTERIOR WALL FOR THE FOLLOWING SIX (6) COURSES AND DISTANCES: THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.00 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 49.36 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 2.89 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.60 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, 0.82 OF A FOOT; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 71.02 FEET; THENCE SOUTH ALONG A LINE ON THE INTERIOR SURFACE OF SAID BUILDING, PERPENDICULAR TO SAID EXTERIOR SURFACE, A DISTANCE OF 52.67 FEET; THENCE WEST, PERPENDICULAR TO THE

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LAST DESCRIBED LINE, A DISTANCE OF 33.10 FEET ALONG SAID INTERIOR LINE, FOR THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 9.00 FEET; THENCE EAST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 31.30 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 11.90 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 22.88 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 27.12 FEET TO SAID CENTERLINE OF EXTERIOR WALL; THENCE WEST ALONG SAID CENTERLINE, HAVING AN ANGLE OF 89 DEGREES, 55 MINUTES, 50 SECONDS TO THE LEFT FROM THE LAST DESCRIBED LINE, A DISTANCE OF 106.87 FEET; THENCE NORTH ALONG SAID CENTERLINE, HAVING AN ANGLE OF 89 DEGREES, 44 MINUTES, 45 SECONDS TO THE LEFT FROM THE LAST DESCRIBED LINE, A DISTANCE OF 98.70 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.00 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.42 FEET TO SAID POINT OF BEGINNING.

## 2ND FLOOR RETAIL INTERIOR PARCEL

(SPACE DESCRIBED BY CENTERLINE OF EXTERIOR WALL)

ALL THE LAND, PROPERTY AND SPACE LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF 43.34 FEET ABOVE CHICAGO CITY DATUM AND ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 28.58 FEET ABOVE CHICAGO CITY DATUM AND WITHIN THE VERTICAL PROJECTION OF THE BOUNDARY LINE OF FOLLOWING DESCRIBED PARCEL OF LAND:

ALL THAT PART THE NORTH 1/2 OF LOTS 23 TO 31, BOTH INCLUSIVE, TAKEN AS A TRACT, IN ALLMENDINGER'S LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCK 13 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 29; THENCE EAST ALONG THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.03 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR TO THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.04 FEET TO THE POINT OF BEGINNING, POINT ALSO BEING ON THE CENTERLINE OF EXTERIOR WALL OF THE SECOND STORY SECTION OF THE BUILDING AT 919 N. MICHIGAN AVENUE, ALSO KNOWN AS THE PALMOLIVE BUILDING; THENCE EAST, A DISTANCE OF 3.60

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FEET ALONG SAID CENTERLINE OF EXTERIOR WALL FOR THE FOLLOWING SIX (6) COURSES AND DISTANCES:

THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.00 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 49.38 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 2.89 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.60 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.82 OF A FOOT; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 79.32 FEET; THENCE SOUTH ALONG A LINE ON THE INTERIOR SURFACE OF SAID BUILDING, PERPENDICULAR TO SAID EXTERIOR SURFACE, A DISTANCE OF 43.91 FEET; THENCE WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.32 FEET, ALONG SAID INTERIOR LINE, FOR THE FOLLOWING 31 COURSES AND DISTANCES: THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 4.62 FEET; THENCE EAST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.86 OF A FOOT; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.50 OF A FOOT; THENCE EAST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.98 OF A FOOT; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.88 OF A FOOT; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.28 OF A FOOT; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 19.50 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 9.42 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.70 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.53 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 8.70 FEET; THENCE EAST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 2.70 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 4.85 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.74 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.56 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 4.80 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.45 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 9.43 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 9.51 FEET; THENCE WEST ALONG SAID



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INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 32.35 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 7.24 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 5.09 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 2.40 FEET; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 2.09 FEET; THENCE NORTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.58 OF A FOOT; THENCE WEST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 17.60 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 8.50 FEET; THENCE EAST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 13.11 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 7.04 FEET; THENCE EAST ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 7.05 FEET; THENCE SOUTH ALONG SAID INTERIOR LINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 7.20 FEET TO THE CENTERLINE OF EXTERIOR WALL OF SAID BUILDING; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.30 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 20.60 FEET; THENCE WEST ALONG SAID CENTERLINE, HAVING AN ANGLE OF 90 DEGREES, 14 MINUTES, 12 SECONDS TO THE LEFT TO THE LAST DESCRIBED LINE, A DISTANCE OF 59.52 FEET; THENCE NORTH ALONG SAID CENTERLINE, HAVING AN ANGLE OF 89 DEGREES, 44 MINUTES, 45 SECONDS TO THE LEFT TO THE LAST DESCRIBED LINE, A DISTANCE OF 98.70 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.00 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 3.42 FEET TO SAID POINT OF BEGINNING.

3RD FLOOR RETAIL INTERIOR PARCEL

(SPACE DESCRIBED BY WALL CENTERLINE)

(3RD FLOOR CENTERLINE OF EXTERIOR WALL)

ALL THE LAND, PROPERTY AND SPACE LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF 53.83 FEET ABOVE CHICAGO CITY DATUM AND ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 43.34 FEET ABOVE CHICAGO CITY DATUM AND WITHIN THE VERTICAL PROJECTION OF THE BOUNDARY LINE OF FOLLOWING DESCRIBED PARCEL OF LAND:

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ALL THAT PART THE NORTH 1/2 OF LOTS 23 TO 31, BOTH INCLUSIVE, TAKEN AS A TRACT, IN ALLMENDINGER'S LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCK 13 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 29; THENCE EAST ALONG THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.59 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR TO THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.46 FEET TO THE POINT OF BEGINNING, POINT ALSO BEING ON THE CENTERLINE OF EXTERIOR WALL OF THE THIRD STORY SECTION OF THE BUILDING AT 919 N. MICHIGAN AVENUE, ALSO KNOWN AS THE PALMOLIVE BUILDING; THENCE EAST, A DISTANCE OF 20.17 FEET ALONG SAID CENTERLINE OF EXTERIOR WALL FOR THE FOLLOWING 65 COURSES AND DISTANCES; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.16 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 20.17 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 17.19 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.27 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.50 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.82 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.50 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.27 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 17.20 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 20.18 FEET; THENCE SOUTH ALONG SAID



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1.40 FEET; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.16 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.10 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 13.54 FEET; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 19.07 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 31.92 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.30 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.30 FEET TO SAID POINT OF BEGINNING.

4TH FLOOR RETAIL INTERIOR PARCEL

(SPACE DESCRIBED BY WALL CENTERLINE)

(4TH FLOOR CENTERLINE OF EXTERIOR WALL)

ALL THE LAND, PROPERTY AND SPACE LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF 65.63 FEET ABOVE CHICAGO CITY DATUM AND ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 53.33 FEET ABOVE CHICAGO CITY DATUM AND WITHIN THE VERTICAL PROJECTION OF THE BOUNDARY LINE OF FOLLOWING DESCRIBED PARCEL OF LAND:

ALL THAT PART THE NORTH 1/2 OF LOTS 23 TO 31, BOTH INCLUSIVE, TAKEN AS A TRACT, IN ALLMENDINGER'S LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCK 13 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 29; THENCE EAST ALONG THE NORTH LINE OF THE NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.59 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR TO THE NORTH LINE OF THE

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NORTH 1/2 OF LOTS 23 TO 31, A DISTANCE OF 4.46 FEET TO THE POINT OF BEGINNING, POINT ALSO BEING ON THE CENTERLINE OF EXTERIOR WALL OF THE FOURTH STORY SECTION OF THE BUILDING AT 919 N. MICHIGAN AVENUE, ALSO KNOWN AS THE PALMOLIVE BUILDING; THENCE EAST, A DISTANCE OF 20.17 FEET ALONG SAID CENTERLINE OF EXTERIOR WALL FOR THE FOLLOWING 64 COURSES AND DISTANCES; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.16 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 20.17 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 17.19 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.27 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.50 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.82 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.50 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.27 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 17.20 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 20.18 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.16 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 20.18 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 17.11 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 22.39 FEET; THENCE SOUTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF



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FACADE, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND PALMOLIVE BUILDING RETAIL, LLC, A DELAWARE LIMITED LIABILITY COMPANY DATED JUNE 11, 2003 AND RECORDED JUNE 16, 2003 AS DOCUMENT 0316732050, FOR THE FOLLOWING PURPOSES:

INGRESS AND EGRESS IN, OVER, ON, ACROSS AND THROUGH PORTIONS OF THE "TOWER PROPERTY"; STRUCTURAL SUPPORT LOCATED IN OR CONSTITUTING A PART OF THE "TOWER PROPERTY"; USE OF FACILITIES LOCATED IN THE "TOWER PROPERTY"; USE AND MAINTENANCE OF THE RETAIL EASEMENT FACILITIES, AS DEFINED THEREIN; UTILITY PURPOSES IN CERTAIN AREAS OF THE "TOWER PROPERTY"; USE AND MAINTENANCE OF ANY OF THE FOLLOWING ROOMS: SYSTEM, GENERATOR, VALVE, MECHANICAL, MACHINE, ELECTRICAL, STAIR, SWITCHGEAR PANEL METER, TRANSFER AREA, EQUIPMENT OR PUMP ROOMS LOCATED IN THE "TOWER PROPERTY"; PERMITTING THE EXISTENCE OF ENCROACHMENTS LOCATED WITHIN THE "TOWER PROPERTY"; USE AND ACCESS TO THE ROOF FOR EXTERIOR MAINTENANCE, WINDOW WASHING, AND FUTURE FACILITIES AS LOCATED IN THE "TOWER PROPERTY"; PERMITTING THE EXISTENCE, ATTACHMENT, USE AND MAINTENANCE OF RETAIL OWNED FACILITIES OR FUTURE FACILITIES, AS DEFINED THEREIN; AND INSTALLATION, USE AND MAINTENANCE OF COMMUNICATION FACILITIES LOCATED ON THE ROOF OF THE "TOWER PROPERTY" AS DEFINED THEREIN.

FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS DATED JULY 7, 2005 BY AND AMONG PALMOLIVE TOWER CONDOMINIUMS, LLC (THE TOWER OWNER) AND PALMOLIVE RETAIL, LLC (THE RETAIL OWNER) AND PALMOLIVE FACADE, LLC (THE FACADE OWNER), RECORDED August 2, 2005, AS DOCUMENT 0521432093.

PARCEL 4:

PRO FORMA SPECIMEN ONLY NOT YET APPROVED

THE RIGHT TO THE USE OF FIVE PARKING RIGHTS TO HAVE A PASSENGER VEHICLE VALET PARKED IN THE PARKING AREA (AS DEFINED IN THAT CERTAIN DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANT AND BY-LAWS) FOR THE PALMOLIVE LANDMARK RESIDENCES, A CONDOMINIUM DATED NOVEMBER 28, 2005, \*AS DOCUMENT 0533510002 IN ACCORDANCE WITH SECTION 2.03 OF THE DECLARATION AND LOCATED AT THE PROPERTY COMMONLY KNOWN AS 159 EAST WALTON PLACE, CHICAGO, IL.

\* AND RECORDED DECEMBER 1, 2005

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LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.30 FEET; THENCE EAST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 16.80 FEET; THENCE WEST ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 1.40 FEET; THENCE NORTH ALONG SAID CENTERLINE, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 18.30 FEET TO SAID POINT OF BEGINNING.

## PARCEL 2:

EASEMENT FOR LIGHT, AIR AND VIEW FOR THE BENEFIT OF PARCEL 1 IN, OVER, ABOVE AND ACROSS THE FOLLOWING DESCRIBED AREA:

COMMENCING AT A HORIZONTAL PLANE PARALLEL TO AND 63 FEET ABOVE CHICAGO CITY DATUM AND EXTENDING VERTICALLY UPWARDS TO THE ZENITH BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL 1, 62 FEET EAST OF THE WESTERLY LINE OF SAID PARCEL 1; THENCE SOUTH ALONG A LINE PARALLEL TO AND 62 FEET EAST OF THE WESTERLY LINE OF LOTS 26 AND 27 IN ALLMENDINGER'S LAKE SHORE DRIVE ADDITION TO CHICAGO AFORESAID (SAID WESTERLY LINE OF LOTS 26 AND 27 AFORESAID BEING A CONTINUATION OF THE WESTERLY LINE OF PARCEL 1 EXTENDED SOUTH), A DISTANCE OF 25 FEET TO A POINT IN SAID LOT 26; THENCE EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF PARCEL 1, A DISTANCE OF 88 FEET EAST TO A POINT IN LOT 24, IN SAID ALLMENDINGER'S LAKE SHORE DRIVE ADDITION TO CHICAGO AFORESAID; THENCE NORTH ALONG A LINE PARALLEL TO THE WESTERLY LINE OF LOTS 26 AND 27 AFORESAID, A DISTANCE OF 25 FEET TO THE SOUTH LINE OF PARCEL 1; THENCE WEST ALONG THE SOUTH LINE OF PARCEL 1, A DISTANCE OF 88 FEET TO THE PLACE OF BEGINNING, AS CREATED BY AGREEMENT BETWEEN THE PALMOLIVE PEET COMPANY, A CORPORATION OF DELAWARE AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 25, 1927 AND KNOWN AS TRUST NUMBER 19104, DATED MARCH 31, 1928 AND RECORDED APRIL 30, 1928 AS DOCUMENT 10005790, AND ALSO RECORDED JUNE 21, 1932 AS DOCUMENT 11106014, AND AS CONTINUED AND PRESERVED BY INSTRUMENT DATED DECEMBER 26, 1958 AND RECORDED DECEMBER 26, 1958 AS DOCUMENT 17413316, IN COOK COUNTY, ILLINOIS.

## PARCEL 3:

PERPETUAL EASEMENT IN FAVOR OF PARCEL 1 AS CREATED BY THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS MADE BY AND BETWEEN PALMOLIVE TOWER CONDOMINIUMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, PALMOLIVE BUILDING