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Doc#: 1323504008 Fee: \$78.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/23/2013 08:20 AM Pg: 1 of 21

*8/23/13
KAM
f-110-2-11*

**This Instrument Prepared by and After
Recording Returned to:**

Katten Muchin Rosenman LLP
525 West Monroe, Suite 1900
Chicago, Illinois 60661
Attn: Marcia W. Sullivan

AMENDMENT TO MORTGAGE, SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND FIXTURE FILING AND ASSIGNMENT OF RENTS AND LEASES

THIS AMENDMENT TO MORTGAGE, SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND FIXTURE FILING (this "Amendment"), dated as of June 12, 2013 effective as of May 31, 2013 (the "Effective Date"), is entered into by and among **318 RETAIL, L.L.C.**, an Illinois limited liability company ("Mortgagor"); and **BIXBY BRIDGE FUND II, LLC**, an Illinois limited liability company (together with its successors and assigns "Mortgagee"), with respect to the following Recitals:

RECITALS

A. Mortgagee made a loan to Mortgagor (the "Loan") in the original principal amount of \$1,350,000.00 pursuant to that certain Loan Agreement dated as of June 12, 2012, between Mortgagor and Mortgagee (as amended herein, the "Loan Agreement"). The Loan is evidenced by that certain Promissory Note (Retail) dated as of June 12, 2012, in the original principal amount of the Loan, executed by Mortgagor, as maker, in favor of Mortgagee, as holder (the "Note"). All initially-capitalized terms not otherwise defined herein shall have the meanings given such terms in the Loan Agreement.

B. The repayment of the Note and the performance of Mortgagor's obligations under the Note and other Loan Documents are secured, inter alia, by that certain Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing dated as of June 12, 2012, executed by Mortgagor to and for the benefit of Mortgagee, encumbering the Project, recorded on June 15, 2012 as Document No. 1216741089 with the Recorder of Deeds Cook County, Illinois (the "Mortgage"), and that certain Assignment of Rents and Leases dated as of June 12, 2012, executed by Mortgagor to and for the benefit of Mortgagee, encumbering the Project,

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recorded on June 15, 2012 as Document No. 1216741090 with the Recorder of Deeds Cook County, Illinois.

C. Mortgagor requested that Mortgagee increase the amount of the Loan to \$1,375,000 which Mortgagee agreed to do on certain terms and conditions set forth in the Amendment to Loan Agreement and Other Loan Documents of even date herewith (the "Amendment").

D. Mortgagor and Mortgagee desire to amend the Mortgage on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the foregoing Recitals, the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals. The foregoing recitals are hereby incorporated by this reference into this Amendment.

2. Amendments to Mortgage. The Mortgage is hereby amended as follows:

a) Any references in the Mortgage to the "Note" shall refer to the Promissory Note (Retail) by Mortgagor in favor of Mortgagee, dated as of even date herewith, in the original principal amount of \$1,350,000.00, as amended in the Amendment to increase the amount thereof to \$1,375,000.00.

b) Any references in the Mortgage to the amount of the Loan shall refer to \$1,375,000.00, and all references to "\$1,350,000" are hereby changed to "\$1,375,000."

c) The Mortgage is further amended to reflect that pursuant to the Amendment, the Maturity Date was extended to November 30, 2013.

3. References. All references in the Mortgage to the Loan Agreement or any of the other Loan Documents shall refer to the Loan Agreement or any of the other Loan Documents as amended by the Amendment (as same may be further amended, restated, replaced, supplemented or otherwise modified from time to time).

4. No Defenses. Mortgagor hereby acknowledges that (i) as of the Effective Date it has no defense, offset or counterclaim with respect to the payment of any sum owed to Mortgagee, or with respect to any covenant in the Loan Documents; (ii) Mortgagee, on and as of the date hereof, has fully performed all obligations to Mortgagor which it may have had or has on and as of the date hereof; and (iii) by entering into this Amendment, Mortgagee does not waive any condition or obligation in the Loan Documents.

5. No Impairment. Nothing herein contained shall impair the Loan Agreement, Amended and Restated Promissory Note or other Loan Documents in any way, nor alter, waive, annul, vary nor affect any provision, condition or covenant therein contained except as expressly herein provided nor affect or impair any right, power or remedy of Mortgagee, it being the intention of the parties hereto that the terms and provisions of the Loan Agreement, Amended

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Promissory Note and other Loan Documents shall continue in full force and effect except as expressly modified in connection herewith.

6. Successors and Assigns. This Amendment shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

7. Reaffirmation. The Mortgagor hereby ratifies and reaffirms the obligations, waivers, indemnities, representations, warranties and covenants made by the Mortgagor in the Mortgage.

8. Continuing Effect. Except as expressly provided herein, all of the terms, provisions, debts, duties, obligations, liabilities, representations and warranties, rights, titles, security interests, liens, powers and privileges existing by virtue of the Mortgage and ARL, as amended or modified hereby, shall be and continue in full force and effect, and are hereby acknowledged by Original Mortgagors to be legal, valid, binding and enforceable in accordance with their terms.

9. Further Assurances. In addition to the documents, instruments and acts described in this Amendment which are to be executed, or delivered or taken pursuant to this Amendment, the Original Mortgagors agree to execute and deliver from time to time upon request by Mortgagee such other documents and instruments, and take such other action, as Mortgagee may request or require to more fully and completely evidence and carry out the transactions contemplated by this Amendment.

10. Counterparts. This Amendment may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument. Signature and acknowledgment pages may be detached from the counterparts and attached to a single copy of this Amendment to physically form one document.

11. No Novation. This Amendment will not constitute a novation or have the effect of discharging any liability or obligation evidenced by the Loan Documents.

12. No Amendment. No extension, change, modification or amendment of any kind or nature whatsoever, to or of this Amendment shall be made or claimed by the Original Mortgagors, and no notice of any extension, change, modification or amendment, made or claimed by the Original Mortgagors shall have any force or effect whatsoever unless the same shall be reduced to writing and signed by the parties.

[remainder of page intentionally blank; signatures follow]


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IN WITNESS WHEREOF, the parties have duly executed and delivered this Amendment as of the Effective Date.

MORTGAGOR:

318 RETAIL, L.L.C.,
an Illinois limited liability company

By: Boulevard Shoppes, L.L.C., an Illinois
limited liability company, its Manager

By: 
Name: Louis D. D'Angelo
Title: Manager

MORTGAGEE:

BIXBY BRIDGE FUND II, LLC, an Illinois
limited liability company

By: _____
Name: Michael Battin
Title: Authorized Signatory

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IN WITNESS WHEREOF, the parties have duly executed and delivered this Amendment as of the Effective Date.

MORTGAGOR:


318 RETAIL, L.L.C.,
an Illinois limited liability company

By: Boulevard Shoppes, L.L.C., an Illinois
limited liability company, its Manager

By: 
Name: Louis D. D'Angelo
Title: Manager

MORTGAGEE:

BIXBY BRIDGE FUND II, LLC, an Illinois
limited liability company

By: 
Name: Michael Battin
Title: Authorized Signatory

Property of COOK County Clerk's Office

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STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

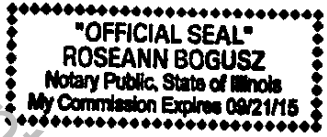
I, the undersigned a Notary Public in and for said County, in the State aforesaid, do hereby certify that Louis D. D'Angelo, the Manager of Boulevard Shoppes, L.L.C., an Illinois limited liability company, the Manager of 318 Retail, L.L.C., an Illinois limited liability company, who is personally known to me, or proved to me on the basis of satisfactory evidence, to be the same person whose name is subscribed to the foregoing instrument as such manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability companies, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 28th day of June, 2013

Roseann Bogusz
 NOTARY PUBLIC

My Commission Expires: 9/21/15

(SEAL)



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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Kimberly M. Banks, a Notary Public in and for said County in the State aforesaid, do hereby certify that Michael Battin, as the Authorized Signatory of Bixby Bridge Fund II, LLC, an Illinois limited liability company, who is personally known to me or proved to me on the basis of satisfactory evidence to be the same person whose name is subscribed to the foregoing instrument as such person, appeared before me this day in person and acknowledged that he/she signed and delivered such instrument as his/her own free and voluntary act and as the free and voluntary act of said limited liability company/partnership/corporation, for the uses and purposes set forth therein.

Given under my hand and notarial seal on ~~June~~ ^{July} 2, 2013.

Kimberly M. Banks
Notary Public
Printed Name Kimberly M. Banks
My Commission Expires 6-13-2016
County of Residence Cook
[SEAL]



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LEGAL DESCRIPTION OF RETAIL REAL ESTATE

318 RETAIL, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY AS TO (I) PARCEL 1, WHICH INCLUDES: PARCELS B1-B-013, R1-B-013, R2-B-013, C3-G-013, C4-G-013, C5-G-013, C6-G-013, C7-G-13 AND AR-C*-013 AND AN UNDIVIDED 3% INTEREST IN THE FOLLOWING PARCELS: S1-F*-013 AND B1-F*-013 (EXCEPT PARCELS B1-A-013, C9-21-AR-C-A6-013, C22-1R-C-A6-13 AND C23-AR-CA6-13), (II) PARCELS 2, 3 AND 4 AND (III) AND PARKING UNIT P3-39 AS MORE PARTICULARLY DESCRIBED AS PART OF PARCELS 5, 6, 7 AND 8 BELOW, ALL OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW:

PARCEL 1:

THAT PART OF THE FOLLOWING LAND: LOTS 1 AND 4 IN BLOCK 8 IN FRACTION SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 310 SOUTH MICHIGAN AVENUE, CHICAGO, ILLINOIS, AND THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15, ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 318 SOUTH MICHIGAN AVENUE DESCRIBED AS FOLLOWS:

PARCEL B1-B-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, BEING ALSO THE WEST LINE OF SOUTH MICHIGAN AVENUE, 19.48 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG SAID EAST LINE, 33.53 FEET TO THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH LINE, 62.86 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 34.11 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 62.83 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +7.06 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +16.00 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

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PARCEL R1-B-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, BEING ALSO THE WEST LINE OF SOUTH MICHIGAN AVENUE, 11.33 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG SAID EAST LINE, 41.67 FEET TO THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH LINE, 67.05 FEET; THENCE NORTH 41 DEGREES 18 MINUTES 25 SECONDS EAST, 7.15 FEET TO A POINT, SAID POINT BEING 533 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 5.68 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, 18.32 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 3.55 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, 47.55 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 0.90 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, 5.42 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 43.97 FEET TO THE NORTH LINE OF LOT 5 AFORESAID, SAID POINT BEING 47.29 FEET (AS MEASURED ALONG SAID NORTH LINE) EAST OF THE NORTHWEST CORNER OF LOT 5 AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 67.30 FEET; THENCE SOUTH 8 DEGREES 29 MINUTES 50 SECONDS EAST, 1.08 FEET; THENCE SOUTH 41 DEGREES 13 MINUTES 48 SECONDS EAST, 6.04 FEET TO A POINT, SAID POINT BEING 5.66 FEET (AS MEASURED PERPENDICULARLY) SOUTH OF THE NORTH LINE OF LOT 5 AFORESAID; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, 13.32 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 45.35 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 8.22 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 42 SECONDS EAST, 16.96 FEET TO THE HEREBY DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +16.00 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +28.30 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL R2-B-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, BEING ALSO THE WEST LINE OF SOUTH MICHIGAN AVENUE,

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12.34 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG SAID EAST LINE, 39.46 FEET TO A POINT, SAID POINT BEING 1.20 FEET (AS MEASURED ALONG THE EAST LINE AFORESAID) NORTH OF THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS WEST, 32.80 FEET; THENCE NORTH 42 DEGREES 03 MINUTES 56 SECONDS WEST, 5.78 FEET TO A POINT, SAID POINT BEING 5.50 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 37 MINUTES 14 SECONDS WEST, 25.57 FEET; THENCE SOUTH 41 DEGREES 18 MINUTES 25 SECONDS WEST, 0.92 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 33.89 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, 24.61 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 2.74 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, 15.03 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, 0.25 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, 23.20 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +28.30 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +39.93 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C3-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +39.93 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +51.04 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C4-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +51.04 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +62.10 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C5-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL

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PLANE OF ELEVATION +62.10 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +73.20 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C6-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +73.20 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +84.30 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C7-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +84.30 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +100.56 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL AR-C*-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15 TOWNSHIP 39 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +123.50 FEET (CHICAGO CITY DATUM) AND HAVING NO UPPER LIMIT.

PARCEL S1-F*-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; SAID PARCEL HAVING NO LOWER LIMIT AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +7.06 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL B1-F*-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 62.82 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

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THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, 53.00 FEET TO THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH LINE, 109.05 FEET TO THE EAST LINE OF THE WEST 9.00 FEET OF LOT 5 AFORESAID, BEING ALSO THE EAST LINE OF PART OF THE EAST 1/2 OF AN 18-FOOT PUBLIC ALLEY IN BLOCK 8 AFORESAID, OPENED BY ORDINANCE CONFIRMED MAY 26, 1851; THENCE NORTH 0 DEGREES 01 MINUTE 34 SECONDS EAST, ALONG SAID EAST LINE, 53.00 FEET TO A POINT, SAID POINT BEING 9.00 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 109.07 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +7.06 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +16.00 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL 2:

PERPETUAL, RECIPROCAL EASEMENT BENEFITING PARCEL 1 FOR CAISSONS TO BE CENTERED ON THE DIVIDING LINE BETWEEN LOTS 4 AND 5 IN BLOCK 8 CREATED BY AGREEMENT DATED MAY 1, 1923 BETWEEN SIMON W. STRAUS AND CHICAGO TITLE AND TRUST COMPANY, TRUSTEE UNDER TRUST NUMBER 11227, RECORDED DECEMBER 26, 1924 AS DOCUMENT NUMBER 8718964.

PARCEL 3:

PERPETUAL EASEMENT BENEFITING PARCEL 1 CREATED BY RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED NOVEMBER 4, 1977 AS DOCUMENT NUMBER 24180486, TO USE OIL TANKS AND RELATED PIPING LINES AND CONDUITS LOCATED IN THE CNA BUILDINGS, AS THEREIN DEFINED, FOR THE PURPOSE OF THE STORAGE OF FUEL OIL AND FOR ENTRY UPON AND FOR INGRESS AND EGRESS FOR MEN, MATERIAL AND EQUIPMENT TO THE EXTENT REASONABLY NECESSARY IN THE PERFORMANCE OF OIL TANK MAINTENANCE, AS THEREIN DEFINED.

PARCEL 4:

NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCELS 1 AS CREATED BY THE RECIPROCAL EASEMENT AGREEMENT RECORDED DECEMBER 17, 2007 AS DOCUMENT NUMBER 0735103077, AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED FEBRUARY 14, 2008 AS DOCUMENT NUMBER 0804531073 AND AS AMENDED BY SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED AUGUST 29, 2008 AS DOCUMENT NUMBER 0824216033, OVER THE LAND DESCRIBED THEREIN, INCLUDING BUT NOT LIMITED TO THOSE CERTAIN EASEMENTS MORE PARTICULARLY GRANTED, DEFINED AND DESCRIBED AS THAT CERTAIN ELECTRICAL SWITCH GEAR AND LOW VOLTAGE EQUIPMENT ROOM EASEMENT, THAT CERTAIN COMMON WALLS, FLOORS AND CEILING

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EASEMENT THAT CERTAIN BLACK IRON GRILL VENTING EASEMENT, THAT CERTAIN 318 RETAIL MECHANICAL ROOMS EASEMENT, THAT CERTAIN 310 SERVICE ELEVATOR EASEMENT, THAT CERTAIN REFUSE CHOTE EASEMENT THAT CERTAIN AIR SHAFTS EASEMENT, THAT CERTAIN 310 RESIDENTIAL FITNESS CENTER EASEMENT, THAT CERTAIN SOUTHERN BERTHS OF LOADING DOCK AREA EASEMENT, THAT CERTAIN NORTHERN BERTHS OF LOADING DOCK AREA EASEMENT, THAT CERTAIN TRASH DUMPSTER EASEMENT, THAT CERTAIN EMERGENCY STAIRWAY EASEMENT, THAT CERTAIN ABANDONED ELEVATOR SHAFTS EASEMENT, THAT CERTAIN GARAGE EASEMENT, THAT CERTAIN FIRE CONTROL PANEL EASEMENT, THAT CERTAIN INGRESS AND EGRESS IN FAVOR OF 318 RETAIL EASEMENT THAT CERTAIN FUTURE DEVELOPMENT EASEMENT, THAT CERTAIN TERRACES EASEMENT, THAT CERTAIN 310 RESIDENTIAL ENCROACHMENT EASEMENT, THAT CERTAIN GARAGE STRUCTURAL SUPPORT EASEMENT, THAT CERTAIN COMMON WALLS, FLOORS AND CEILINGS EASEMENT, THAT CERTAIN WINDOW WASHING EASEMENT, THAT CERTAIN 310 RESIDENTIAL ENCROACHMENTS EASEMENT AND THAT CERTAIN COMMON WALLS, FLOORS AND CEILINGS EASEMENT.

PARCEL 5:

PARKING SPACE UNIT P3-39 IN THE METROPOLITAN TOWER CONDOMINIUM, WHICH PLAT OF SURVEY DELINEATES PART OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

THAT PART OF LOTS 1 THROUGH 5 AND THE NORTH-SOUTH 10 FOOT PRIVATE ALLEY IN THE SUPERIOR COURT PARTITION OF LOT 1 IN BLOCK 8 OF FRACTIONAL SECTION 15 ADDITION TO CHICAGO (SUPERIOR COURT DECREE ENTERED APRIL 8, 1971) TOGETHER WITH LOTS 4 AND 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, ALL IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND IS ATTACHED AS EXHIBIT A TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 17, 2007 AS DOCUMENT NUMBER 0735103078, AS AMENDED FROM TIME TO TIME, TOGETHER WITH SUCH UNITS' UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 6:

PERPETUAL, RECIPROCAL EASEMENT BENEFITING PARCEL 5 FOR CAISSONS TO BE CENTERED ON THE DIVIDING LINE BETWEEN LOTS 4 AND 5 IN BLOCK 8 CREATED BY AGREEMENT DATED MAY 1, 1923 BETWEEN SIMON W. STRAUS AND CHICAGO TITLE AND TRUST COMPANY, TRUSTEE UNDER TRUST NUMBER 11227, RECORDED DECEMBER 26, 1924 AS DOCUMENT NUMBER 8718964.

PARCEL 7:

PERPETUAL EASEMENT BENEFITING PARCEL 5 CREATED BY RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED NOVEMBER 4, 1977 AS

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DOCUMENT NUMBER 24180486, TO USE OIL TANKS AND RELATED PIPING LINES AND CONDUITS LOCATED IN THE CNA BUILDINGS, AS THEREIN DEFINED, FOR THE PURPOSE OF THE STORAGE OF FUEL OIL AND FOR ENTRY UPON AND FOR INGRESS AND EGRESS FOR MEN, MATERIAL AND EQUIPMENT TO THE EXTENT REASONABLY NECESSARY IN THE PERFORMANCE OF OIL TANK MAINTENANCE, AS THEREIN DEFINED.

PARCEL 8:

NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 5 AS CREATED BY THE RECIPROCAL EASEMENT AGREEMENT RECORDED DECEMBER 17, 2007 AS DOCUMENT NUMBER 0735103077, AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED FEBRUARY 14, 2008 AS DOCUMENT NUMBER 0804531073 AND AS AMENDED BY SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED AUGUST 29, 2008 AS DOCUMENT NUMBER 0824216033, OVER THE LAND DESCRIBED THEREIN, AS MORE PARTICULARLY GRANTED, DEFINED AND DESCRIBED THEREIN.

Common Address: 318 and 310 South Michigan Avenue, Chicago, Illinois

Parcel Identification Numbers: 17-15-107-070-0000
17-15-107-054-0000
17-15-107-078-1162

Also Legally Described As:

PARCEL 1:

THAT PART OF THE FOLLOWING LAND:

LOTS 1 AND 4 IN BLOCK 8 IN FRACTION SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 310 SOUTH MICHIGAN AVENUE, CHICAGO, ILLINOIS, AND THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15, ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 318 SOUTH MICHIGAN AVENUE DESCRIBED AS FOLLOWS:

PARCEL B1-B-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, BEING ALSO THE WEST LINE OF SOUTH MICHIGAN AVENUE, 19.48 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED

Legal Description - 7

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PARCEL; THENCE CONTINUING SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG SAID EAST LINE, 33.53 FEET TO THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH LINE, 62.86 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 34.11 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 62.83 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +7.06 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +16.00 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL R1-B-013.

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, BEING ALSO THE WEST LINE OF SOUTH MICHIGAN AVENUE, 11.33 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG SAID EAST LINE, 41.67 FEET TO THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH LINE, 67.05 FEET; THENCE NORTH 41 DEGREES 18 MINUTES 25 SECONDS EAST, 7.15 FEET TO A POINT, SAID POINT BEING 533 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 5.68 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, 18.32 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 3.55 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, 47.55 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 0.90 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, 5.42 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 43.97 FEET TO THE NORTH LINE OF LOT 5 AFORESAID, SAID POINT BEING 47.29 FEET (AS MEASURED ALONG SAID NORTH LINE) EAST OF THE NORTHWEST CORNER OF LOT 5 AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 67.30 FEET; THENCE SOUTH 0 DEGREES 29 MINUTES 50 SECONDS EAST, 1.08 FEET; THENCE SOUTH 41 DEGREES 13 MINUTES 48 SECONDS EAST, 6.04 FEET TO A POINT, SAID POINT BEING 5.66 FEET (AS MEASURED PERPENDICULARLY) SOUTH OF THE NORTH LINE OF LOT 5 AFORESAID; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, 13.32 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 45.35 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 8.22 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 42 SECONDS EAST, 16.96 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A

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HORIZONTAL PLANE OF ELEVATION +16.00 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +28.30 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL R2-B-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 5, BEING ALSO THE WEST LINE OF SOUTH MICHIGAN AVENUE, 12.34 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING SOUTH 0 DEGREES 00 MINUTES, 18 SECONDS WEST, ALONG SAID EAST LINE, 39.46 FEET TO A POINT, SAID POINT BEING 1.20 FEET (AS MEASURED ALONG THE EAST LINE AFORESAID) NORTH OF THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 27 MINUTES 44 SECONDS WEST, 32.80 FEET; THENCE NORTH 42 DEGREES 03 MINUTES 56 SECONDS WEST, 5.78 FEET TO A POINT, SAID POINT BEING 5.50 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 37 MINUTES 14 SECONDS WEST, 25.57 FEET; THENCE SOUTH 41 DEGREES 18 MINUTES 25 SECONDS WEST, 0.92 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 33.89 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, 24.61 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 18 SECONDS EAST, 2.74 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, 15.03 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, 0.25 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 42 SECONDS EAST, 23.20 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +28.30 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +39.93 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS. PARCEL C3-G-013: THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +39.93 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +51.04 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C4-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +51.04 FEET (CHICAGO CITY DATUM) AND HAVING AS AN

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UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +62.10 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C5-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +62.10 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +73.20 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C6-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +73.20 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +84.30 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL C7-G-013:

THE EAST 1.25 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +84.30 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +100.56 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL AR-C*-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +123.50 FEET (CHICAGO CITY DATUM) AND HAVING NO UPPER LIMIT; EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS C9-21-AR-C*-A6-013; C22-AR-C*-A6-013 & C23-AR-C*A6-013:

PARCEL C9-21-AR-C*-A6-013:

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD

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PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF LOT 5 AFORESAID AND THE EAST LINE OF THE NORTH-SOUTH 18 FOOT PUBLIC ALLEY IN BLOCK 8 AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 4.96 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 13.71 FEET; THENCE SOUTH 0 DEGREE 01 MINUTES 34 SECONDS WEST, PARALLEL WITH THE EAST LINE AFORESAID, 0.68 FEET; THENCE SOUTH 20 DEGREES 00 MINUTES 00 SECONDS WEST, 5.76 FEET; THENCE NORTH 70 DEGREES 00 MINUTES 00 SECONDS WEST, 12.50 FEET; THENCE NORTH 0 DEGREE 01 MINUTES 34 SECONDS EAST, PARALLEL WITH THE EAST LINE AFORESAID, 1.70 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +123.50 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +277.44 FEET (CHICAGO CITY DATUM);

AND ALSO EXCEPTING:

PARCEL C22-AR-C*-A6-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF LOT 5 AFORESAID AND THE EAST LINE OF THE NORTH-SOUTH 18 FOOT PUBLIC ALLEY IN BLOCK 8 AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 4.96 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 13.71 FEET; THENCE SOUTH 0 DEGREE 01 MINUTES 34 SECONDS WEST, PARALLEL WITH THE EAST LINE AFORESAID, 0.68 FEET; THENCE SOUTH 20 DEGREES 00 MINUTES 00 SECONDS WEST, 5.76 FEET; THENCE NORTH 70 DEGREES 00 MINUTES 00 SECONDS WEST, 12.50 FEET; THENCE NORTH 0 DEGREE 01 MINUTES 34 SECONDS EAST, PARALLEL WITH THE EAST LINE AFORESAID, 1.70 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +277.44 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +290.04 FEET (CHICAGO CITY DATUM);

AND ALSO EXCEPTING:

PARCEL C23-AR-C*A6-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS

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FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF LOT 5 AFORESAID AND THE EAST LINE OF THE NORTH-SOUTH 18 FOOT PUBLIC ALLEY IN BLOCK 8 AFORESAID; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 4.96 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 13.71 FEET; THENCE SOUTH 0 DEGREE 01 MINUTES 34 SECONDS WEST, PARALLEL WITH THE EAST LINE AFORESAID, 0.68 FEET; THENCE SOUTH 20 THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED DEGREES 00 MINUTES 00 SECONDS WEST, 5.76 FEET; THENCE NORTH 70 DEGREES 00 MINUTES 00 SECONDS WEST, 12.50 FEET; THENCE NORTH 0 DEGREE 01 MINUTES 34 SECONDS EAST, PARALLEL WITH THE EAST LINE AFORESAID, 1.70 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +290.04 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +302.43 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL 2:

AN UNDIVIDED 3% INTEREST IN THE FOLLOWING PARCELS:

PARCEL S1-F*-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; SAID PARCEL HAVING NO LOWER LIMIT AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +7.06 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL B1-F*-013:

THAT PART OF THE NORTH 53 FEET OF LOT 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; COMMENCING AT THE NORTHEAST CORNER OF LOT 5 AFORESAID, THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 62.82 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE SOUTH 0 DEGREES 02 MINUTES 18 SECONDS WEST, 53.00 FEET TO THE SOUTH LINE OF THE NORTH 53.00 FEET OF LOT 5 AFORESAID; THENCE SOUTH 89 DEGREES 30 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH LINE, 109.05 FEET TO THE EAST LINE OF THE WEST 9.00 FEET OF LOT 5 AFORESAID, BEING ALSO THE EAST LINE OF PART OF THE EAST 1/2 OF AN 18-FOOT PUBLIC ALLEY IN BLOCK 8 AFORESAID, OPENED BY ORDINANCE CONFIRMED MAY 26, 1851; THENCE NORTH 0 DEGREES 01 MINUTE 34 SECONDS EAST, ALONG SAID EAST LINE, 53.00 FEET TO A POINT, SAID POINT BEING 9.00 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE, 109.07 FEET TO THE HEREINABOVE

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DESIGNATED POINT OF BEGINNING; SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +7.06 FEET (CHICAGO CITY DATUM) AND HAVING AS AN UPPER LIMIT A HORIZONTAL PLANE OF ELEVATION +16.00 FEET (CHICAGO CITY DATUM); IN COOK COUNTY, ILLINOIS.

PARCEL 3:

PARKING SPACE UNIT P3-39, IN THE METROPOLITAN TOWER CONDOMINIUM, WHICH PLAT OF SURVEY DELINEATES PART OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE: THAT PART OF LOTS 1 THROUGH 5 AND THE NORTH-SOUTH 10 FOOT PRIVATE ALLEY IN THE THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED SUPERIOR COURT PARTITION OF LOT 1 IN BLOCK 8 OF FRACTIONAL SECTION 15 ADDITION TO CHICAGO (SUPERIOR COURT DECREE ENTERED APRIL 8, 1971) TOGETHER WITH LOTS 4 AND 5 IN BLOCK 8 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, ALL IN SECTION 15, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. AND IS ATTACHED AS EXHIBIT A TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 17, 2007 AS DOCUMENT NUMBER 0735103078, AS AMENDED FROM TIME TO TIME, TOGETHER WITH SUCH UNITS' UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 4:

PERPETUAL, RECIPROCAL EASEMENT BENEFITING PARCELS 1, 2 AND 3 FOR CAISSONS TO BE CENTERED ON THE DIVIDING LINE BETWEEN LOTS 4 AND 5 IN BLOCK 8 CREATED BY AGREEMENT DATED MAY 1, 1923 BETWEEN SIMON W. STRAUS AND CHICAGO TITLE AND TRUST COMPANY, TRUSTEE UNDER TRUST NUMBER 11227, RECORDED DECEMBER 26, 1924 AS DOCUMENT NUMBER 8718964.

PARCEL 5:

PERPETUAL EASEMENT BENEFITING PARCELS 1, 2 AND 3 CREATED BY RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED NOVEMBER 4, 1977 AS DOCUMENT NUMBER 24180486, TO USE OIL TANKS AND RELATED PIPING LINES AND CONDUITS LOCATED IN THE CNA BUILDINGS, AS THEREIN DEFINED, FOR THE PURPOSE OF THE STORAGE OF FUEL OIL AND FOR ENTRY UPON AND FOR INGRESS AND EGRESS FOR MEN, MATERIAL AND EQUIPMENT TO THE EXTENT REASONABLY NECESSARY IN THE PERFORMANCE OF OIL TANK MAINTENANCE, AS THEREIN DEFINED.

PARCEL 6:

NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCELS 1, 2 AND 3 AS CREATED BY THE RECIPROCAL EASEMENT AGREEMENT RECORDED DECEMBER 17, 2007 AS DOCUMENT NUMBER 0735103077, AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED FEBRUARY 14, 2008 AS DOCUMENT NUMBER 0804531073 AND AS AMENDED BY SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED

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AUGUST 29, 2008 AS DOCUMENT NUMBER 0824216033, OVER THE LAND DESCRIBED THEREIN, INCLUDING BUT NOT LIMITED TO THOSE CERTAIN EASEMENTS MORE PARTICULARLY GRANTED, DEFINED AND DESCRIBED AS THAT CERTAIN ELECTRICAL SWITCH, GEAR AND LOW VOLTAGE EQUIPMENT ROOM EASEMENT, THAT CERTAIN COMMON WALLS, FLOORS AND CEILING EASEMENT, THAT CERTAIN BLACK IRON GRILL VENTING EASEMENT, THAT CERTAIN 318 RETAIL MECHANICAL ROOMS EASEMENT, THAT CERTAIN 310 SERVICE ELEVATOR EASEMENT, THAT CERTAIN REFUSE CHUTE EASEMENT, THAT CERTAIN AIR SHAFTS EASEMENT, THAT CERTAIN 310 RESIDENTIAL FITNESS CENTER EASEMENT, THAT CERTAIN SOUTHERN BERTHS OF LOADING DOCK AREA EASEMENT, THAT CERTAIN NORTHERN BERTHS OF LOADING DOCK AREA EASEMENT, THAT CERTAIN TRASH DUMPSTER EASEMENT, THAT CERTAIN EMERGENCY STAIRWAY EASEMENT, THAT CERTAIN ABANDONED ELEVATOR SHAFTS EASEMENT, THAT CERTAIN GARAGE EASEMENT, THAT CERTAIN FIRE CONTROL PANEL EASEMENT, THAT CERTAIN INGRESS AND EGRESS IN FAVOR OF 318 RETAIL EASEMENT THAT CERTAIN FUTURE DEVELOPMENT EASEMENT, THAT CERTAIN TERRACES EASEMENT, THAT CERTAIN 310 RESIDENTIAL ENCROACHMENT EASEMENT, THAT CERTAIN GARAGE STRUCTURAL SUPPORT EASEMENT, THAT CERTAIN COMMON WALLS, FLOORS AND CEILINGS EASEMENT, THAT CERTAIN WINDOW WASHING EASEMENT, THAT CERTAIN 310 RESIDENTIAL ENCROACHMENTS EASEMENT AND THAT CERTAIN COMMON WALLS, FLOORS AND CEILINGS EASEMENT.

Common Address: 318 and 310 South Michigan Avenue, Chicago, Illinois

Parcel Identification Numbers: 17-15-107-070-0000
17-15-107-054-0000
17-15-107-078-1162