



Doc#: 1410616039 Fee: \$92.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 04/16/2014 12:21 PM Pg: 1 of 10

This Document was prepared by and after  
recording should be returned to:  
**Federal Reserve Bank of Chicago**  
230 S. LaSalle Street  
Chicago, Illinois 60604  
Attention: Legal Department

**Second Amendment**  
**To the Easement Agreement and Declaration of**  
**Covenants, Conditions and Restrictions**

This Second Amendment ("Second Amendment") to the Easement Agreement and Declaration of Covenants, Conditions and Restrictions dated May 6, 2003, as amended by First Amendment dated December 13, 2011 ("Easement Agreement") is made and entered into as of the 14<sup>th</sup> day of Apr, 2014 by and between the Federal Reserve Bank of Chicago, a federally chartered corporation, located at 230 S. LaSalle Street, Chicago, Illinois 60604 ("FRBC") and UST PRIME III HOTEL OWNER, L.P. and UST PRIME III OFFICE OWNER, L.P., each an Illinois limited partnership (collectively "UST/PRIME"), whose addresses are C/O The Prime Group, Inc., 321 N. Clark Street, Suite 2500, Chicago, Illinois 60654. As used herein, the term "Parties" shall mean the FRBC and UST/PRIME.

Whereas UST/PRIME (as successors in interest) and FRBC entered into the above referenced Easement Agreement relating to the Easement Parcel which such Easement Parcel is legally described therein;

Whereas, the Easement Agreement was recorded with the Cook County Recorder of Deeds on August 14, 2003 as document # 0322645090 and on July 30, 2012 as document # 1221210136 (First Amendment);

Whereas FRBC desires to construct a building annex and make other related improvements along the outer perimeter of, and adjacent to, the northeast side of the 230 S. LaSalle Street Chicago, Illinois building (the "Building Annex") a portion of which shall be located on the Easement Parcel; and

Whereas, the Parties agree that it is desirable and beneficial to redefine the Easement Parcel to exclude, from the Easement Parcel, the portion on which the Building Annex is to be located.

Now Therefore, in consideration of the foregoing, the sum of One and 00/100 Dollar (\$1.00), the mutual agreements of UST/PRIME and FRBC contained in this Second Amendment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, UST/PRIME and FRBC hereby agree as follows:

# UNOFFICIAL COPY

1. Each initially capitalized term not defined herein that is defined in the Easement Agreement shall have the same meaning as that ascribed to it in the Easement Agreement.

2. UST/PRIME hereby releases and vacates any right, title or interest whatsoever that UST/PRIME may have in the portion of the Easement Parcel that is depicted and legally described as the "Portion of Vacated W. Quincy Street" in the attached Second Amendment -Attachment 1 which is incorporated herein by reference.

3. The parties agree that Exhibit D to the Easement Agreement – Depiction And Legal Description of Easement Parcel is hereby deleted and replaced with a revised Exhibit D dated Dec. 10, 2013 – Revised Depiction And Legal Description of Easement Parcel which such revised Exhibit D dated Dec. 10, 2013 – Revised Depiction And Legal Description of Easement Parcel is attached hereto as Second Amendment-Attachment 2 and incorporated herein by reference. All references to Exhibit D in the Easement Agreement shall be read to mean the revised Exhibit D dated Dec. 10, 2013 – Revised Depiction And Legal Description of Easement Parcel.

4. UST/PRIME and FRBC each represent and warrant that it has full authority to execute and deliver this Second Amendment.

In Witness Whereof, the Parties, through their duly authorized representatives, have executed this Second Amendment as of the day and year first written above.

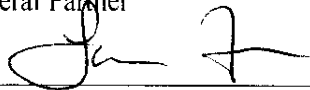
**UST/PRIME:**

**UST PRIME III HOTEL OWNER, L.P.,**  
an Illinois limited partnership

By: UST PRIME III HOTEL GP, LLC,  
an Illinois limited liability company, its General Partner

By: UST PRIME JOINT VENTURE III, L.P.,  
an Illinois limited partnership, its sole Member

By: UST XIX CORPORATION,  
a Florida corporation,  
its General Partner

By:   
Name: Lance Fair  
Title: Vice President

# UNOFFICIAL COPY

**UST PRIME III OFFICE OWNER, L.P.**,  
an Illinois limited partnership

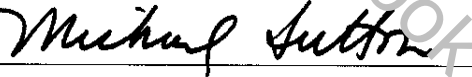
By: UST PRIME III OFFICE GP, LLC,  
A Delaware limited liability company, its General Partner

By: UST PRIME JOINT VENTURE III, L.P.,  
an Illinois limited partnership, its sole Member

By: UST XIX CORPORATION,  
a Florida corporation,  
its General Partner

By:   
Name: Lance Fair  
Title: Vice President

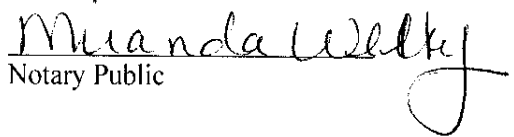
**FRBC:**  
**FEDERAL RESERVE BANK OF CHICAGO**

By:   
Printed Name: Michael Sutton  
Its: Assistant Vice President

STATE OF ~~ILLINOIS~~ Florida )  
COUNTY OF Orange ) ss.:

On this 4<sup>th</sup> day of April, 2014, before me personally came Lance Fair, to me known, who, being by me duly sworn, did depose and say that he is the Vice President of UST XIX CORPORATION, the General Partner of UST PRIME JOINT VENTURE III, L.P., the sole Member of UST PRIME III HOTEL GP, LLC, which is the general partner of UST PRIME III HOTEL OWNER, L.P., described in and which executed the foregoing instrument; and that he signed his name thereto as his own free and voluntary act and the voluntary act of said UST PRIME III HOTEL OWNER, L.P., for the purposes and uses therein set forth.

Given under my hand and Notary Seal this 4<sup>th</sup> day of April, 2014.

  
Notary Public



# UNOFFICIAL COPY

STATE OF ILLINOIS Florida )  
 ) ss.:  
COUNTY OF Orange

On this 4th day of April, 2014, before me personally came Lance Fair, to me known, who, being by me duly sworn, did depose and say that he is the Vice President of UST XIX CORPORATION, the General Partner of UST PRIME JOINT VENTURE III, L.P., the sole Member of UST PRIME III OFFICE GP, LLC, which is the general partner of UST PRIME III OFFICE OWNER, L.P., described in and which executed the foregoing instrument; and that he signed his name thereto as his own free and voluntary act and the voluntary act of said UST PRIME III OFFICE OWNER, L.P., for the purposes and uses therein set forth.

Given under my hand and Notary Seal this 4th day of April, 2014.

Miranda Welky  
Notary Public



STATE OF ILLINOIS )  
 ) ss.:  
COUNTY OF COOK

On this 8th day of April, 2014, before me personally came Michael Sutton, to me known, who, being by me duly sworn, did depose and say that he is the Assistant Vice President of the Federal Reserve Bank of Chicago described in and which executed the foregoing instrument; and that he signed his name thereto as his own free and voluntary act and the voluntary act of said Federal Reserve Bank of Chicago, for the purposes and uses therein set forth.

Given under my hand and Notary Seal this 8th day of April, 2014.

Lori L Chico  
Notary Public



# UNOFFICIAL COPY

## SECOND AMENDMENT – ATTACHMENT 1

DEPICTION AND LEGAL DESCRIPTION OF PORTION OF VACATED W. QUINCY STREET THAT IS BEING  
RELEASED FROM THE EASEMENT AGREEMENT

Property of [REDACTED] County Clerk's Office

UNOFFICIAL COPY

NATIONAL SURVEY SERVICE, INC.

Exhibit

DEC. 10, 2013

SLAVY MC N 128282 SHIRT

KNOWN AS 230 S. LA SALLE STREET, CHICAGO, ILLINOIS.  
SURVEY FOR EXECUTIVE CONSTRUCTION, INC.

230 S. LA SALLE STREET BUILDING

SECTION 904 OF RECORD 17 IN SECTION 36, TOWNSHIP 37 N, RANGE 12 E, CHICAGO

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## PORTION OF VACATED W. QUINCY STREET:

THE SOUTH 11.00 FEET OF THE EAST 110.75 FEET OF THE NORTH 51.60 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF VACATED WEST QUINCY STREET, VACATED PER ORDINANCE PASSED JUNE 4, 2003 AND RECORDED AUGUST 14, 2003 AS DOCUMENT 0322645089, LYING WITHIN BLOCK 97 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID VACATED WEST QUINCY STREET BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 9 IN BLOCK 97 AFORESAID, THENCE NORTH 1 DEGREE 13 MINUTES 45 SECONDS WEST, 66.01 FEET TO THE SOUTHWEST CORNER OF LOT 8 IN BLOCK 97 AFORESAID; THENCE NORTH 89 DEGREES 00 MINUTES 32 SECONDS EAST, ALONG THE SOUTH LINE OF LOTS 1, 2, 3, 4, 5 AND 8 IN BLOCK 97 AFORESAID, BEING ALSO THE NORTH LINE OF VACATED WEST QUINCY STREET AFORESAID, 323.91 FEET TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID LOT 1 AND THE EAST LINE OF THE WEST 10 FEET OF LOT 1 AFORESAID; THENCE SOUTH 0 DEGREES 49 MINUTES 23 SECONDS EAST, 66.01 FEET TO THE POINT OF INTERSECTION OF THE NORTH LINE OF LOT 16 IN BLOCK 97 AFORESAID AND THE WEST LINE OF SOUTH LASALLE STREET AS WIDENED OCTOBER 1855, ASSESSMENT CONFIRMED JUNE 6, 1856; THENCE SOUTH 89 DEGREES 00 MINUTES 32 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 9, 12, 13, 14, 15 AND 16 IN BLOCK 97 AFORESAID, BEING ALSO THE SOUTH LINE OF VACATED WEST QUINCY STREET AFORESAID, 323.45 FEET TO HEREINABOVE DESIGNATED POINT OF BEGINNING, IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS.

AREA = 1218.2 SQUARE FEET OR 0.02797 ACRES

Northern portion of the following

pin # 17-16-221-001  
 17-16-221-002  
 17-16-221-004  
 17-16-221-005

Vacated Quincy Street  
 Chicago, IL

# UNOFFICIAL COPY

## SECOND AMENDMENT – ATTACHMENT 2

Revised Exhibit D dated Dec. 10, 2013- REVISED DEPICTION AND LEGAL DESCRIPTION OF EASEMENT  
PARCEL



Property of Cook County Clerk's Office





# UNOFFICIAL COPY

## EASEMENT AREA:

THE NORTH 51.60 FEET (AS MEASURED PERPENDICULARLY) OF THAT PART OF VACATED WEST QUINCY STREET, VACATED PER ORDINANCE PASSED JUNE 4, 2003 AND RECORDED AUGUST 14, 2003 AS DOCUMENT 0322645089, LYING WITHIN BLOCK 97 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE SOUTH 11.00 FEET OF THE EAST 110.75 FEET OF SAID NORTH 51.60 FEET, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 9 IN BLOCK 97 AFORESAID, THENCE NORTH 1 DEGREE 13 MINUTES 45 SECONDS WEST, 66.01 FEET TO THE SOUTHWEST CORNER OF LOT 8 IN BLOCK 97 AFORESAID; THENCE NORTH 89 DEGREES 00 MINUTES 32 SECONDS EAST, ALONG THE SOUTH LINE OF LOTS 1, 2, 3, 4, 5 AND 8 IN BLOCK 97 AFORESAID, BEING ALSO THE NORTH LINE OF VACATED WEST QUINCY STREET AFORESAID, 323.91 FEET TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID LOT 1 AND THE EAST LINE OF THE WEST 10 FEET OF LOT 1 AFORESAID; THENCE SOUTH 0 DEGREES 49 MINUTES 23 SECONDS EAST, 66.01 FEET TO THE POINT OF INTERSECTION OF THE NORTH LINE OF LOT 16 IN BLOCK 97 AFORESAID AND THE WEST LINE OF SOUTH LASALLE STREET AS WIDENED OCTOBER 1855, ASSESSMENT CONFIRMED JUNE 6, 1856; THENCE SOUTH 89 DEGREES 00 MINUTES 32 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 9, 12, 13, 14, 15 AND 16 IN BLOCK 97 AFORESAID, BEING ALSO THE SOUTH LINE OF VACATED WEST QUINCY STREET AFORESAID, 323.45 FEET TO HEREIN ABOVE DESIGNATED POINT OF BEGINNING, IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS.

AREA = 15,487.9 SQUARE FEET OR 0.35555 ACRES

Northern portion of the following

Pin # 17-16-221-001  
 17-16-221-002  
 17-16-221-004  
 17-16-221-005

VACATED Quincy Street  
 Chicago, IL