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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/03/2015 09:26 AM Pg: 1 of 37

THIRD AMENDMENT TO 108 NORTH STATE STREET REDEVELOPMENT AGREEMENT

(Above Space for Recorder's Use Only)

This Third Amendment to 108 North State Street Redevelopment Agreement ("Third Amendment") is made as of January 30, 2015, by and between the City of Chicago, an Illinois municipal corporation and home rule unit of government (the "City"), acting by and through its Department of Planning and Development ("DPD"), 108 North State Street (Chicago) Owner LLC, a Delaware limited liability company ("Retail Owner"), and North State Street Air Rights (Chicago) Owner, LLC, a Delaware limited liability company ("Air Rights Owner" and together with Retail Owner, the "Owners").

RECITALS

A. Capitalized terms not otherwise defined in Exhibit A or elsewhere in this Third Amendment shall have the meanings given to such terms in the 2005 Redevelopment Agreement and the Assumption Agreement (taking into account the principles of construction set forth in Section 2 of the Assumption Agreement).

B. The 2005 Redevelopment Agreement required the Original Developer Parties to construct the Phase I Project described therein, which generally consisted of three components: (i) construction of the CBS Base Building and Office Project; (ii) construction of the retail/entertainment Base Building; and (iii) construction of certain Below Grade Improvements. Although not contractually required, the 2005 Redevelopment Agreement also contemplated the future construction of a hotel project on the Northwest Pad and a residential project on the Northeast Pad.

C. The closing under the 2005 Redevelopment Agreement occurred in November 2005 and the Original Developer Parties thereafter began to construct the Phase I Project. In October 2006, the Original Developer Parties sold the first component of the Phase I Project – the CBS Base Building and Office Project – to the Golub Office Developer. The Golub Office Developer successfully completed the CBS Base Building (which is now occupied by CBS) and the Office Project (which is now occupied by Morningstar), as well as certain related streetscape improvements.

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D. In 2007, the parent company of the Original Developer Parties, The Mills Corporation, experienced financial difficulties and was acquired by Simon Property Group, Inc. Such financial difficulties and acquisition led the Original Developer Parties to sell their interest in the remaining two Phase I Project components and the Air Rights APC Properties to the Freed Developer Parties.

E. After 2007, the Freed Developer Parties continued to construct the second component of the Phase I Project – the retail/entertainment Base Building – but the Freed companies eventually experienced financial difficulties as well.

F. In 2009, BOA, as agent for a multi-party bank group, filed to foreclose the mortgage loan such lenders had made to the Freed Developer Parties (or certain of such parties), which mortgage loan was secured by the Retail Property.

G. In 2011, BOA, through its affiliate, North State Street Retail Syndicated Holdings, LLC, an Illinois limited liability company, acquired title to the Retail Property pursuant to that certain sheriff's deed dated April 27, 2011, and recorded on April 28, 2011, in the Recorder's Office as Document No. 111229061.

H. In 2009, US Bank filed to foreclose the separate mortgage loan that it had made to the Freed Developer Parties (or certain of such parties), which mortgage loan was secured by the Air Rights APC Properties. In 2011, US Bank, through its affiliate, acquired title to the Air Rights APC Properties pursuant to that certain Judicial Sale Deed dated August 25, 2011, and recorded on September 20, 2011, in the Recorder's Office as Document No. 1126322003.

I. In April 2012, Retail Owner acquired the Retail Property from BOA by Quitclaim Deed recorded as Document No. 1210118078, and the City and Retail Owner executed a Consent and Assumption in connection therewith (the "Retail Consent").

J. In September 2012, Air Rights Owner acquired the Air Rights APC Properties from US Bank by Quitclaim Deed recorded as Document No. 1227901023, and the City and Air Rights Owner executed a Consent and Assumption in connection therewith (the "Air Rights Consent").

K. The Retail Property, including the pedway located therein, has been open to the public since 2009 and, except for construction of a required green roof, is Substantially Complete.

L. The changes in ownership and defaults described in the foregoing recitals have, among other things, previously resulted in the severance of ownership between the Retail Property and the Air Rights APC Properties, prevented the issuance of a Phase I Project Certificate, and raised questions as to the current applicability of certain Redevelopment Agreement provisions in light of such changed circumstances. Because of such events, and because the Owners have now once again consolidated ownership of the Retail Property and the Air Rights APC Properties in affiliated entities, the City and the Owners have agreed to enter into this Third Amendment to further amend the Redevelopment Agreement in order to confirm the Owners' obligations under the Redevelopment Agreement and to set forth certain additional

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agreements of the parties that will facilitate the Owners' financing and development of the Retail Property and the Air Rights APC Properties.

M. The City Council, pursuant to an ordinance adopted on December 10, 2014, and published at pages 100406 through 100440 in the Journal of such date, authorized the execution of this Third Amendment.

NOW, THEREFORE, in consideration of 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. **Incorporation of Recitals; Defined Terms**. The foregoing recitals are hereby incorporated into this Third Amendment by reference and constitute a material part of this Third Amendment.
2. **City Approval**. Notwithstanding anything to the contrary contained in the Redevelopment Agreement, whenever either Owner is obligated under Sections 3.03, 3.04, 3.07A, 3.09, 6.01 or 6.02 of the Redevelopment Agreement to obtain the City's approval of any matter (including, without limitation, the APC Project Budget, the APC P&S, the APC G/C or any Change Order), the City shall have ten (10) business days from receipt of a written request for approval, together with any applicable documents, to approve or disapprove the same (with a brief written explanation given of any disapproval). If the City does not respond to such Owner's request within such 10-day period, the City shall be deemed to have approved the request.
3. **Public Benefit Payment**. Section 8.19 and Exhibit L of the 2005 Redevelopment Agreement obligate Retail Owner to make public benefit payments in the amount of \$525,000 in three installments to support organizations, groups and programs listed on Exhibit L. The first two installments representing 50% of the amount due have been paid. The final installment for the remaining 50%, or \$262,500, remains due and payable. The 2005 Redevelopment Agreement is hereby amended to provide that Retail Owner shall make the final installment payment in the amount of \$262,500 to the City simultaneously with the execution of this Third Amendment to fund public improvements in the Central Business District, as determined by the Commissioner of DPD in the Commissioner's sole discretion.
4. **Approved Tenants Leasing Covenant**. Section 8.20 of the Redevelopment Agreement and Exhibit E to the Redevelopment Agreement are hereby deleted in their entirety.
5. **Section 10 Close-Out**. During the pendency of the BOA foreclosure proceeding, and during BOA's period of ownership of the Retail Property, BOA, through its property manager, submitted to the monitoring and compliance unit of DHED such available records as BOA was able to obtain from the Original Developer Parties and the Freed Developer Parties with respect to such parties' performance of the Section 10 employment obligations applicable to the Phase I Project. Retail Owner has also cooperated in making all such records available to the City. However, because the Original Developer Parties and the Freed Developer Parties did not maintain sufficient records to establish compliance with the Section 10 obligations, the City is unable to establish such compliance, which is a condition precedent to the issuance of a Phase I Project Certificate under the Redevelopment Agreement. The City has previously retained Three Hundred Seventy-Five Thousand and No/100 Dollars

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(\$375,000) of the Five Hundred Thousand Dollar (\$500,000) Performance Deposit originally deposited under the Redevelopment Agreement as damages for such Section 10 default. Retail Owner, in the Retail Consent, has waived any claim to the recovery of such portion of the Performance Deposit, which would otherwise have been refunded to Retail Owner upon the issuance of a Phase I Project Certificate. Additionally, Retail Owner now agrees that the City shall be entitled to retain the remaining One Hundred Twenty-Five Thousand Dollars (\$125,000) of such Performance Deposit as damages for such Section 10 default, and that, notwithstanding Section 7.02 of the 2005 Redevelopment Agreement, no such amount shall be refunded upon the issuance of the final APC Certificate. Based on the foregoing damage payments to the City, the City agrees to issue the Phase I Project Certificate notwithstanding the inability of the Owners' to establish the prior developers' compliance with their Section 10 obligations with respect to the Base Building project, subject to the satisfaction of the other conditions precedent to the issuance of such Phase I Project Certificate.

6. **Green Roof Requirement.** Section 7.01(a) of the Redevelopment Agreement requires Retail Owner as current Developer of the Phase I Project to complete construction of a green roof on the Base Building prior to the issuance of a Phase I Project Certificate (the "**Green Roof Requirement**"). Air Rights Owner has acquired the Air Rights APC Properties and intends to develop the air rights parcels. Owners' have indicated that the roof of the Base Building will serve as a construction staging area for the development. The City and Owners agree that it would be wasteful to install a green roof in an area to be covered with concrete and used for construction staging. In order to facilitate the development of the Air Rights APC Properties, the City has agreed to amend the Green Roof Requirement as follows:

Retail Owner shall commence construction of the green roof in accordance with the plan attached hereto as Exhibit E (the "**Approved Green Roof Plan**"), or another plan approved by the City in its reasonable discretion, promptly following Substantial Completion of the APC Properties and shall complete the work in a diligent manner. Air Rights Owner understands and agrees that the City will not issue an APC Certificate of Completion pursuant to Section 7.01(a) of the Redevelopment Agreement until Retail Owner has completed the green roof on the Base Building and Air Rights Owner has also satisfied the green roof and LEED certification obligations specifically applicable to the APC Properties.

7. **APC Purchase Price Payment.** Air Rights Owner has elected to self-develop the Air Rights APC Properties, thereby triggering Air Rights Owner's obligation to make an APC Purchase Price Payment to the City. Pursuant to Section 8.21 of the Redevelopment Agreement, as amended, the maximum APC Purchase Price Payment for both pads (the Northeast Pad at State & Randolph and the Northwest Pad at Dearborn & Randolph) is \$1.5 million. The formula for calculating the APC Purchase Price Payment for each pad is set forth below, and is based upon the value of the APC Air Rights Properties. The Redevelopment Agreement permits the parties to mutually agree upon such value or to obtain an independent thirty-party appraisal of the value. In consideration of the City's agreement to modify the Redevelopment Agreement as set forth herein, and in order to expedite the calculation of the payment due, Air Rights Owner has agreed to waive the option of obtaining an appraisal and, in lieu thereof, has agreed to make a payment to the City in the amount of \$737,500 (the "**APC Funds**") in full satisfaction of its APC Purchase Price Payment obligation. This amount translates to a value of approximately \$14.2 million for the air rights above both pads pursuant

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to the formulas set forth below. Air Rights Owner has placed the APC Funds in escrow with the City and agrees that such amount shall be released to the City without further action upon the City's execution of this Third Amendment and the issuance of a Certificate of Completion to Retail Owner for Phase I.

<u>Location</u>	<u>Formula</u>
Northeast Pad:	Value of APC (appraised or agreed) - <u>\$7,554,468</u> (Allocable Infrastructure Cost Amount) = Net Transfer Proceeds × 27.5% (on first \$9M)
Northwest Pad:	Value of APC (appraised or agreed) - <u>\$3,923,274</u> (Allocable Infrastructure Cost Amount) = Net Transfer Proceeds × 27.5% (on first \$8M)

8. **Business Relationships.** Each Owner acknowledges (a) receipt of a copy of Section 2-156-030 (b) of the Municipal Code of Chicago, (b) that it has read such provision and understands that pursuant to such Section 2-156-030 (b) it is illegal for any elected official of the City, or any person acting at the direction of such official, to contact, either orally or in writing, any other City official or employee with respect to any matter involving any person with whom the elected City official or employee has a "Business Relationship" (as defined in Section 2-156-080 of the Municipal Code of Chicago), or to participate in any discussion in any City Council committee hearing or in any City Council meeting or to vote on any matter involving the person with whom an elected official has a Business Relationship, and (c) notwithstanding anything to the contrary contained in the Redevelopment Agreement, that a violation of Section 2-156-030 (b) by an elected official, or any person acting at the direction of such official, with respect to any transaction contemplated by the Redevelopment Agreement shall be grounds for termination of the Redevelopment Agreement and the transactions contemplated hereby. Each Owner hereby represents and warrants that no violation of Section 2-156-030 (b) has occurred with respect to the Redevelopment Agreement or the transactions contemplated hereby as a result of any actions by such Owner or its affiliates.

9. **Patriot Act Certification.** Each Owner represents and warrants that neither it nor any Affiliate (as hereafter defined) thereof is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury, the Bureau of Industry and Security of the U.S. Department of Commerce or their successors, or on any other list of persons or entities with which the City may not do business under any applicable Laws: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List. As used in this Section 4.B, an "Affiliate" shall be deemed to be a person or entity related to such Owner that, directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with such Owner, and a person or entity shall be deemed to be controlled by another person or entity, if controlled in any manner whatsoever that results in control in fact by that other person or entity (or that other person or entity and any persons or entities with whom that other person or entity is acting jointly or in concert), whether directly or indirectly and whether through share ownership, a trust, a contract or otherwise.

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10. Mayoral Executive Order 2011-4.

Each Owner agrees that neither it nor any person or entity who directly or indirectly has an ownership or beneficial interest in such Owner of more than 7.5 percent ("Entity Owners"), spouses and domestic partners of such Entity Owners, such Owner's contractors (i.e., any person or entity in direct contractual privity with such Owner regarding the subject matter of the Redevelopment Agreement) ("Contractors"), any person or entity who directly or indirectly has an ownership or beneficial interest in any Contractor of more than 7.5 percent ("Sub-owners") and spouses and domestic partners of such Sub-owners (each such Owner and all the other preceding classes of persons and entities are together the "Identified Parties"), shall not make a contribution of any amount to the Mayor of the City of Chicago (the "Mayor") or to his political fundraising committee (a) after execution of this Third Amendment, (b) while the Redevelopment Agreement or any Other Contract (as hereinafter defined) is executory, (c) during the Term of the Agreement or any Other Contract, or (d) during any period while an extension of the Redevelopment Agreement or any Other Contract is being sought or negotiated. This provision shall not apply to contributions made prior to May 16, 2011, the effective date of Executive Order 2011-4.

Each Owner represents and warrants that from the later of (a) May 16, 2011, or (b) the date the City approached such Owner, or the date such Owner approached the City, as applicable, regarding the Redevelopment Agreement, no Identified Parties have made a contribution of any amount to the Mayor or to his political fundraising committee.

Each Owner agrees that it shall not: (a) coerce, compel or intimidate its employees to make a contribution of any amount to the Mayor or to the Mayor's political fundraising committee; (b) reimburse its employees for a contribution of any amount made to the Mayor or to the Mayor's political fundraising committee; or (c) bundle or solicit others to bundle contributions to the Mayor or to his political fundraising committee.

Each Owner agrees that the Identified Parties must not engage in any conduct whatsoever designed to intentionally violate this provision or Mayoral Executive Order No. 2011-4 or to entice, direct or solicit others to intentionally violate this provision or Mayoral Executive Order No. 2011-4.

Notwithstanding anything to the contrary contained herein, Each agrees that a violation of, non-compliance with, misrepresentation with respect to, or breach of any covenant or warranty under this Section 4.C or violation of Mayoral Executive Order No. 2011-4 constitutes a breach and default under the Redevelopment Agreement with respect to such Owner, and under any Other Contract for which no opportunity to cure will be granted, unless the City, in its sole discretion, elects to grant such an opportunity to cure. Such breach and default entitles the City to all remedies (including, without limitation, termination for default) under the Redevelopment Agreement with respect to such Owner, and under any Other Contract, at law and in equity. This provision amends any Other Contract and supersedes any inconsistent provision contained therein.

If either Owner intentionally violates this provision or Mayoral Executive Order No. 2011-4 prior to the execution of this Third Amendment, the City may elect to decline to close the transaction contemplated by this Third Amendment.

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For purposes of this provision:

(a) “Bundle” means to collect contributions from more than one source, which contributions are then delivered by one person to the Mayor or to his political fundraising committee.

(b) “Other Contract” means any other agreement with the City to which an Owner is a party that is (i) formed under the authority of Chapter 2-92 of the Municipal Code of Chicago; (ii) entered into for the purchase or lease of real or personal property; or (iii) for materials, supplies, equipment or services which are approved or authorized by the City Council.

(c) “Contribution” means a “political contribution” as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

(d) Individuals are “domestic partners” if they satisfy the following criteria:

(i) they are each other’s sole domestic partner, responsible for each other’s common welfare; and

(ii) neither party is married; and

(iii) the partners are not related by blood closer than would bar marriage in the State of Illinois; and

(iv) each partner is at least 18 years of age, and the partners are the same sex, and the partners reside at the same residence; and

(v) two of the following four conditions exist for the partners:

(1) The partners have been residing together for at least 12 months.

(2) The partners have common or joint ownership of a residence.

(3) The partners have at least two of the following arrangements:

(A) joint ownership of a motor vehicle;

(B) joint credit account;

(C) a joint checking account;

(D) a lease for a residence identifying both domestic partners as tenants.

(4) Each partner identifies the other partner as a primary beneficiary in a will.

(e) “Political fundraising committee” means a “political fundraising committee” as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

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11. **Failure to Maintain Eligibility to Do Business With the City.** Failure by an Owner or any controlling person (as defined in Section 1-23-010 of the Municipal Code of Chicago) thereof to maintain eligibility to do business with the City of Chicago as required by Section 1-23-030 of the Municipal Code of Chicago shall be grounds for termination of the Redevelopment Agreement with respect to such Owner and the transactions contemplated thereby. Each Owner shall at all times comply with Section 2-154-020 of the Municipal Code of Chicago.

12. **Inspector General and Legislative Inspector General.** It is the duty of every officer, employee, department, agency, contractor, subcontractor, developer and licensee of the City, and every applicant for certification of eligibility for a City contract or program, to cooperate with the City's Legislative Inspector General and with the City's Inspector General in any investigation or hearing undertaken pursuant to Chapter 2-55 and Chapter 2-56, respectively, of the Municipal Code of Chicago. Each Owner understands and will abide by all provisions of Chapters 2-55 and 2-56 of the Municipal Code of Chicago.

13. **2011 City Hiring Plan Prohibitions.**

(a) The City is subject to the June 24, 2011 "City of Chicago Hiring Plan" (the "2011 City Hiring Plan") entered in *Shekman v. Democratic Organization of Cook County*, Case No 69 C 2145 (United States District Court for the Northern District of Illinois). Among other things, the 2011 City Hiring Plan prohibits the City from hiring persons as governmental employees in non-exempt positions on the basis of political reasons or factors.

(b) Each Owner is aware that City policy prohibits City employees from directing any individual to apply for a position with such Owner, either as an employee or as a subcontractor, and from directing such Owner to hire an individual as an employee or as a subcontractor. Accordingly, each Owner must follow its own hiring and contracting procedures, without being influenced by City employees. Any and all personnel provided by each Owner under this Agreement are employees or subcontractors of such Owner, not employees of the City of Chicago. This Agreement is not intended to and does not constitute, create, give rise to, or otherwise recognize an employer-employee relationship of any kind between the City and any personnel provided by such Owner.

(c) Each Owner will not condition, base, or knowingly prejudice or affect any term or aspect of the employment of any personnel provided under this Agreement, or offer employment to any individual to provide services under this Agreement, based upon or because of any political reason or factor, including, without limitation, any individual's political affiliation, membership in a political organization or party, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such individual's political sponsorship or recommendation. For purposes of this Agreement, a political organization or party is an identifiable group or entity that has as its primary purpose the support of or opposition to candidates for elected public office. Individual political activities are the activities of individual persons in support of or in opposition to political organizations or parties or candidates for elected public office.

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(d) In the event of any communication to an Owner by a City employee or City official in violation of Section 13(b) above, or advocating a violation of Section 13(c) above, such Owner will, as soon as is reasonably practicable, report such communication to the Hiring Oversight Section of the City's Office of the Inspector General ("OIG Hiring Oversight"), and also to the Commissioner of DPD. Each Owner will also cooperate with any inquiries by OIG Hiring Oversight.

14. Full Force and Effect. Except as amended hereby, the terms and conditions of the Redevelopment Agreement are hereby ratified and confirmed and shall remain in full force and effect.

15. Conflict. In case of a conflict between the terms and conditions of the Redevelopment Agreement and this Third Amendment, the terms and conditions of this Third Amendment shall govern and control.

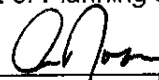
16. Counterparts. This Third Amendment may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.
SIGNATURE PAGE FOLLOWS.]


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IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to be executed on or as of the day and year first above written.

CITY OF CHICAGO, a municipal corporation, and home rule unit of government, acting by and through its Department of Planning and Development

By: 
Andrew J. Mooney
Commissioner

108 NORTH STATE STREET (CHICAGO) OWNER, LLC, a Delaware limited liability company

By: 
Eric Rubinfeld
Its Vice President & Secretary

NORTH STATE STREET AIR RIGHTS (CHICAGO) OWNER, LLC, a Delaware limited liability company

By: 
Eric Rubinfeld
Its Vice President & Secretary

THIS INSTRUMENT WAS PREPARED BY, AND AFTER RECORDING, PLEASE RETURN TO:

Lisa Misher
City of Chicago Department of Law
121 North LaSalle Street, Suite 600
Chicago, Illinois 60602
(312) 742-3932

Property of Cook County Clerk's Office

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)
COUNTY OF Los Angeles)

On 1/22/2015 before me, Ellen Jo Rose, Notary Public, personally appeared ERC RUBENFELI

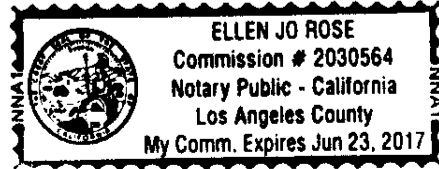
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY, under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

[Handwritten Signature]



This area for official notarial seal.

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____

DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

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EXHIBIT A

DEFINED TERMS

In addition to the terms defined elsewhere in this Third Amendment, the following capitalized words shall have the following meanings:

“108 North State Street Redevelopment Agreement” means that certain 108 North State Street Redevelopment Agreement dated as of October 15, 2005, and recorded in the Recorder’s Office on November 14, 2005, as Document No. 0531834078.

“2005 Redevelopment Agreement” means, collectively, the 108 North State Street Redevelopment Agreement and the Original Limited Joinder.

“Air Rights APC Properties” means the air rights development parcels associated with the Northwest Pad and the Northeast Pad. The Air Rights APC Properties are legally described on Exhibit C to this Third Amendment.

“Air Rights Consent” means that certain Consent to Assignment and Assumption of 108 North State Street Redevelopment Agreement dated September 27, 2012. An incorrect version of the Consent was recorded on November 21, 2012, as Document No. 1232639046. The City re-recorded the Consent on January 16, 2013, as Document No. 1301634043, attaching the correct pages to the original recorded document.

“Assumption Agreement” means that certain Consent to Assignment and Assumption of 108 North State Street Redevelopment Agreement by and between the City and the Freed Developer Parties, dated April 13, 2007, and recorded in the Recorder’s Office on April 24, 2007, as Document No. 0711441143.

“BOA” means Bank of America, N.A., as agent for a multi party bank group.

“Freed Developer Parties” means, collectively, 108 N. State Retail, LLC, an Illinois limited liability company, 108 N. State Transit LLC, an Illinois limited liability company, and 108 N. State Residential LLC, an Illinois limited liability company

“Golub Office Developer” means GD 22 Washington LLC, a Delaware limited liability company.

“Northeast Pad” means the top of the Base Building at the corner of N. State Street and W. Randolph Street.

“Northwest Pad” means the top of the Base Building at the corner of N. Dearborn Street and W. Randolph Street.

“Original CTA Developer” means 108 North State Street II, L.L.C., a Delaware limited liability company.

“Original Developer” means Block 37, L.L.C., a Delaware limited liability company.

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"Original Developer Parties" means, collectively, the Original Developer, the Original Office Developer and the Original CTA Developer.

"Original Limited Joinder" means that certain Limited Joinder dated November 8, 2005, executed by the Original Office Developer and the Original CTA Developer.

"Original Office Developer" means Block 37 Office, L.L.C., a Delaware limited liability company.

"Recorder's Office" means the Office of the Recorder of Deeds of Cook County, Illinois.

"Related Documents" means, collectively: (i) that certain letter dated October 19, 2005, from the City to DLA Piper Rudnick Gray Cary US, LLP, concerning certain MBE/WBE calculations; (ii) that certain letter dated November 8, 2005, from the Original Developer to the City concerning certain clarifications under the 2005 Redevelopment Agreement; (iii) the Limited Joinder to the 108 North State Street Redevelopment Agreement by and between the City and the Golub Office Developer, dated October 27, 2006, and recorded in the Recorder's Office on November 6, 2006, as Document No. 0631041143; (iv) the Assumption Agreement; (v) the Assignment of Development Rights by and between Block 37 Residual, L.L.C., a Delaware limited liability company, and 108 N. State Residential LLC, dated April 13, 2007, and recorded in the Recorder's Office on April 24, 2007, as Document No. 0711441152; (vi) the Second Amendment to 108 North State Street Redevelopment Agreement by and between the City and the Freed Developer Parties dated as of December 30, 2008, and recorded December 31, 2008, as Document No. 0836611088; (vii) the Retail Consent; and (viii) the Air Rights Consent.

"Redevelopment Agreement" means, collectively, the 2005 Redevelopment Agreement together with the Related Documents, as further amended by this Third Amendment.

"Retail Consent" means that certain Consent to a and Assumption of 108 North State Street Redevelopment Agreement by and between Retail Owner and the City dated as of April 5, 2012, and recorded in the Recorder's Office on April 10, 2012, as Document No. 1210118077.

"Retail Property" means the real property legally described on Exhibit B to this Third Amendment.

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EXHIBIT B

LEGAL DESCRIPTION

(Retail Parcel)

Main Tract: At-Grade Legal Description

A tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845.

Excepting therefrom that part described as follows:

That part of the South half of the vacated West Court Place lying North of and adjoining the North line of lot 5 in block 37 in the Original Town of Chicago, and, that part of Lot 5 in block 37 in Original Town of Chicago, lying North of a line described as follows: Beginning at a point on the West line of said lot 5 which is 55 feet 10 inches South from the Northwest corner of said lot 5 and running thence East along a straight line to a point on the East line of said lot 5 which is 54 feet 6 inches South from the Northeast corner of said lot 5; excepting from said part of lot 5 that part thereof which is described as follows: Commencing at a point on the West line of said lot 5, which is 55 feet 10 inches South of the Northwest corner of said lot; thence East for a distance of 54 feet along a straight line, which if extended, would intersect the East line of said lot 5 at a point 54 feet 6 inches South of the Northeast corner of said lot; thence North, 4 feet 8 inches; thence West, 54 feet to the West line of said lot; thence South, 4 feet 8 inches to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P1 (Below Grade on West Randolph Street):

That part of West Randolph Street and that part of North State Street and that part of North Dearborn Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries, projected vertically and described as follows: Beginning at the Northwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South 89°08'58" East, along the North line of block 37, aforesaid, and the Easterly extension thereof, 324.63 feet to the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 89°08'58" East, along said Easterly extension, 16.00 feet to a point on a line drawn 16.00 feet East of and parallel with the West line of State Street, aforesaid; thence North 00°00'00" East, along said parallel line, 16.31 feet to a point on a line drawn 16.31 feet North of and parallel with the North line of said block 37; thence North 89°08'58" West, along the last mentioned parallel line, 356.92 feet to a point on a line drawn 16.29 feet West of and parallel with the West line of said block 37; thence South 00°01'10" West, along the last mentioned parallel line, 16.31 feet to a point on the Westerly extension of the North line of said block 37; thence South 89°08'58" East, along said Westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois;

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together with

(Main Tract Continued) P2 (Below Grade on North State Street):

That part of North State Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Beginning at the point of intersection of the Easterly extension of the North line of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9 with the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South $89^{\circ}09'58''$ East, along said Easterly extension, 16.00 feet to a point on a line drawn 16.00 feet East of and parallel with the West line of State Street, aforesaid; thence South $00^{\circ}00'00''$ West, along said parallel line, 384.07 feet to the Easterly extension of the South line of said block 37; thence North $88^{\circ}54'02''$ West, along the last mentioned Easterly extension, 16.00 feet to the West line of State Street, aforesaid; thence North $00^{\circ}00'00''$ East, along the West line of State Street, aforesaid, 384.00 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P3 (Below Grade on West Washington Street):

That part of West Washington Street and that part of North State Street and that part of North Dearborn Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Beginning at the Southwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South $88^{\circ}54'02''$ East, along the South line of block 37, aforesaid, and the Easterly extension thereof, 324.79 feet to the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South $88^{\circ}54'02''$ East, 16.00 feet to a point on a line drawn 16.00 feet East of and parallel with the West line of State Street, aforesaid; thence South $00^{\circ}00'00''$ West, along said parallel line, 16.00 feet to a point on a line drawn 16.00 feet South of and parallel with the South line of said block 37; thence North $88^{\circ}54'02''$ West, along the last mentioned parallel line, 357.09 feet to a point on a line drawn 16.29 feet West of and parallel with the West line of said block 37; thence North $00^{\circ}01'10''$ East, along the last mentioned parallel line, 16.00 feet to a point on the Westerly extension of the South line of said block 37; thence South $88^{\circ}54'02''$ East, along said Westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P4 (Below Grade on North Dearborn Street South of Commonwealth Edison Substation Property):

That part of North Dearborn Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Beginning at the Southwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence North $00^{\circ}01'10''$ East, along the West line of block 37, aforesaid, 131.13 feet to a point which is 51.16 feet South of the Northwest corner of lot 5 in block 37, aforesaid, as measured along the West line of said lot 5; thence North $89^{\circ}58'46''$ West, 16.29 feet to a line drawn 16.29 feet West of and parallel with the West line of said block 37; thence South $00^{\circ}01'10''$ West, along said parallel line, 130.82 feet to the Westerly extension of the South line of said block 37; thence South $88^{\circ}54'02''$ East along said Westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois;

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together with

(Main Tract Continued) P5 (Below Grade on North Dearborn Street North of Commonwealth Edison Substation Property):

That part of North Dearborn Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Beginning at the Northwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South 00°01'10" West, along the West line of block 37, aforesaid, 200.29 feet to the Northwest corner of lot 5 in block 37, aforesaid; thence North 89°01'30" West, 16.29 feet to a line drawn 16.29 feet West of and parallel with the West line of said block 37; thence North 00°01'10" East, along said parallel line, 200.26 feet to the Westerly extension of the North line of said block 37; thence South 89°08'58" East along said Westerly extension, 16.29 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P6 (Lower Level Above Grade (Approximately 0 to 15 Feet) on West Randolph Street):

That part of West Randolph Street and that part of North State Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +29.50 Chicago City Datum and lying above a horizontal plane having an elevation of +14.50 Chicago City Datum and lying within its horizontal boundaries project vertically and described as follows: Beginning at the Northwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South 89°08'58" East, along the North line of block 37, aforesaid, and the Easterly extension thereof, 324.63 feet to the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 89°08'58" East, along said Easterly extension, 1.50 feet to a point on a line drawn 1.50 feet East of and parallel with the West line of State Street, aforesaid; thence North 00°00'00" East, along said parallel line, 1.50 feet to a point on a line drawn 1.50 feet North of and parallel with the North line of said block 37; thence North 89°08'58" West, along the last mentioned parallel line, 326.13 feet to the Northerly extension of the West line of said block 37; thence South 00°01'10" West, along said Northerly extension, 1.50 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P7 (Lower Level Above Grade (Approximately 0 to 15 Feet) on North State Street):

That part of North State Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +29.50 Chicago City Datum and lying above a horizontal plane having an elevation of +14.50 Chicago City Datum and lying within its horizontal boundaries project vertically and described as follows: Beginning at the point of intersection of the Easterly extension of the North line of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9 with the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 89°08'58" East, along said Easterly extension, 1.50 feet to a point on a line drawn 1.50 feet East of and parallel with the West line of State Street, aforesaid; thence South 00°00'00" West, along said parallel line, 384.00 feet to the Easterly extension of the South line of said block 37; thence North 88°54'02" West, along the last mentioned Easterly extension, 1.50 feet to the West line of State Street, aforesaid; thence North 00°00'00" East, along the West line of State Street, aforesaid, 384.00 feet to the point of beginning, in Cook County, Illinois;

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together with

(Main Tract Continued) P8 (Upper Level Above Grade {Above Approximately 15 Feet} on West Randolph Street):

That part of West Randolph Street and that part of North State Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +689.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries project vertically and described as follows: Beginning at the Northwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South 89°08'58" East, along the North line of block 37, aforesaid, and the Easterly extension thereof, 324.63 feet to the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 89°08'58" East, along said Easterly extension, 5.00 feet to a point on a line drawn 5.00 feet East of and parallel with the West line of State Street, aforesaid; thence North 00°00'00" East, along said parallel line, 5.00 feet to a point on a line drawn 5.00 feet North of and parallel with the North line of said block 37; thence North 89°08'58" West, along the last mentioned parallel line, 329.63 feet to the Northerly extension of the West line of said block 37; thence South 00°01'10" West, along said Northerly extension, 5.00 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P9 (Upper Level Above Approximately 15 Feet) on North State Street):

That part of North State Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +689.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries project vertically and described as follows: Beginning at the point of intersection of the Easterly extension of the North line of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9 with the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 89°08'58" East, along said Easterly extension, 5.00 feet to a point on a line drawn 5.00 feet East of and parallel with the West line of State Street, aforesaid; thence South 00°00'00" West, along said parallel line, 384.02 feet to the Easterly extension of the South line of said block 37; thence North 88°54'02" West, along the last mentioned Easterly extension, 5.00 feet to the West line of State Street, aforesaid; thence North 00°00'00" East, along the West line of State Street, aforesaid, 384.00 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P10 (Upper Level Above Grade {Above Approximately 15 Feet} on West Washington Street):

That part of West Washington Street and that part of North State Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +689.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries project vertically and described as follows: Beginning at the Southwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South 88°54'02" East, along the South line of block 37, aforesaid, and the Easterly extension thereof, 324.79 feet to the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 88°54'02" East, 5.00 feet to a point on a line drawn 5.00 feet East of and parallel with the West line of State Street, aforesaid; thence South 00°00'00" West, along said parallel line, 4.00 feet to a point on a line drawn 4.00 feet South of and parallel with the South line of said block 37; thence North 88°54'02" West, along the last mentioned parallel line, 329.79 feet to the Southerly extension of the West line of said block 37;

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thence North 00°01'10" East, along said Southerly extension, 4.00 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P11 (Below Grade on North State Street):

That part of North State Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the North line of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9 with the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence South 89°08'58" East, along said Easterly extension, 16.00 feet to a point on a line drawn 16.00 feet East of and parallel with the West line of State Street, aforesaid; thence South 00°00'00" West, along said parallel line, 299.07 feet to the point of beginning; thence South 90°00'00" East, 4.00 feet; thence South 00°00'00" West, 101.08 feet to a point on a line drawn 16.00 feet South of and parallel with the South line of said block 37; thence North 88°54'02" West, along the last mentioned parallel line, 4.00 feet to a point on the line drawn 16.00 feet East of and parallel with the West line of State Street, aforesaid; thence North 00°00'00" East, along the line drawn 16.00 feet East of and parallel with the West line of State Street, aforesaid, 101.00 feet to the point of beginning, in Cook County, Illinois;

together with

(Main Tract Continued) P12 (Upper Level Above Grade {Above Approximately 15 Feet} on West Washington Street):

That part of West Washington Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +689.50 Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Southwest corner of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of said Section 9; thence South 00°01'10" West, along the Southerly extension of the West line of block 37, aforesaid, 4.00 feet to a point on a line drawn 4.00 feet South of and parallel with the South line of said block 37, said point being the point of beginning; thence South 88°54'02" East, along the last mentioned parallel line, 26.03 feet; thence North 89°55'59" West, 26.02 feet to the point of intersection with the Southerly extension of the West line of said block 37, aforesaid; thence North 00°01'10" East, along the Southerly extension of the West line of block 37, aforesaid, 0.50 feet to the point of beginning, in Cook County, Illinois;

Except the Media Tower Parcels from the Main Tract:

Media Tower Parcels

Parcel MT-1 (Upper Limit -85.50 C.C.D. and No Lower Limit)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, all taken as a tract lying below a horizontal

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plane having an elevation of -85.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Beginning at the Southwest corner of block 37, aforesaid; thence North 00°01'10" East, along the West line thereof, 131.13 feet to the property line of the Commonwealth Edison Company; the next 3 courses being along said Commonwealth Edison Company Property line and the Easterly extension thereof; thence South 89°58'46" East, 54.00 feet; thence South 00°01'22" East, 4.67 feet; thence South 89°58'46" East, 21.82 feet; thence South 50°07'57" East, 28.58 feet; thence South 90°00'00" East, 71.66 feet; thence South 41°59'02" East, 34.44 feet; thence South 34°03'23" East, 10.33 feet; thence South 43°07'59" East, 37.49 feet; thence South 00°00'00" West, 50.89 feet to a point on the South line of block 37, aforesaid; thence North 88°54'02" West, along the South line of block 37, aforesaid, a distance of 223.96 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-2 (Upper Limit -0.50 C.C.D. Lower Limit -85.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with the adjoining vacated portions of West Washington Street and North Dearborn Street all taken as a tract lying below a horizontal plane having an elevation of -0.50 feet Chicago City Datum and lying above a horizontal plane having an elevation of -85.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of block 37, aforesaid; thence South 00°01'10" West, Along the Southward extension of the West line of block 37, aforesaid, 16.00 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation -85.50 Chicago City Datum; thence North 88°54'02" West, along the aforementioned South line, 16.29 feet to a point on the West line of that part of North Dearborn Street heretofore vacated between elevation -85.05 Chicago City Datum and Elevation +14.50 Chicago City Datum, said point being the point of beginning; thence North 00°00'10" East, along the West line of that part of North Dearborn Street heretofore vacated, aforesaid, 146.82 feet to the Westerly extension of the property line of the Commonwealth Edison Company; the next 3 courses being along the Commonwealth Edison Company property line and the Westerly and Easterly extensions thereof; thence South 89°58'46" East, 70.29 feet; thence South 00°01'22" East, 4.67 feet; thence South 89°58'46" East, 21.82 feet; thence South 50°07'57" East, 28.58 feet; thence South 90°00'00" East, 71.66 feet; thence South 41°59'02" East, 34.44 feet; thence South 34°03'23" East, 10.33 feet; thence South 43°07'59" East, 37.49 feet; thence South 00°00'00" West, 66.89 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 240.25 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-3 (Upper Limit +14.50 C.C.D. Lower Limit -0.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with the adjoining vacated portions of West Washington Street and North Dearborn Street all taken as a tract lying below a horizontal plane having an elevation of +14.50 feet Chicago City Datum and lying above a horizontal plane having an elevation of -0.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of block 37, aforesaid; thence South 00°01'10" West, along the Southward extension of the West line of block 37, aforesaid, 16.00 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation -85.50 Chicago City Datum and elevation +14.50 Chicago City Datum; thence North

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88°54'02" West, along the aforementioned South line, 16.29 feet a point on the West Line of that Part of North Dearborn Street heretofore vacated between elevation -85.50 Chicago City Datum and elevation +14.50 Chicago City Datum, said point being the point of beginning; thence North 00°01'10" East, along the West line of that part of North Dearborn Street heretofore vacated, aforesaid, 146.82 feet to the Westerly extension of the property line of the Commonwealth Edison Company; the next 3 courses being along the Commonwealth Edison Company property line and the Westerly and Easterly extensions thereof; thence South 89°58'46" East, 70.29 feet; thence South 00°01'22" East, 4.67 feet; thence South 89°58'46" East, 26.91 feet; thence South 00°00'00" West, 6.35 feet; thence South 90°00'00" East, 100.29 feet; thence South 00°00'00" West, 18.20 feet; thence South 90°00'00" East, 28.35 feet; thence South 45°00'00" East, 34.69 feet; thence South 00°00'00" West, 97.85 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 250.47 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-4 (Upper Limit +29.50 C.C.D. Lower Limit +14.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, all taken as a tract lying below a horizontal plane having an elevation of +29.50 feet Chicago City Datum and lying above a horizontal plane having an elevation of +14.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Beginning at the Southwest corner of block 37, aforesaid; thence North 00°01'10" East, along the West line thereof, 89.92 feet; thence South 90°00'00" East, 70.52 feet; thence North 58°10'30" East, 55.15 feet; thence South 90°00'00" East, 26.31 feet; thence South 00°00'00" West, 6.46 feet; thence South 90°00'00" East, 50.50 feet; thence South 00°00'00" West, 10.32 feet; thence South 90°00'00" East, 15.05 feet; thence South 45°00'00" East, 35.16 feet; thence South 00°00'00" West, 77.94 feet; thence South 90°00'00" East, 0.42 feet; thence South 00°00'00" West, 3.92 feet to a point on the South line of block 37, aforesaid; thence North 88°54'02" West, along the South line of block 37, aforesaid, a distance of 234.59 feet to the point of beginning, in Cook County, Illinois,

together with

Parcel MT-5 (Upper Limit +34.50 C.C.D. Lower Limit +29.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, all taken as a tract lying below a horizontal plane having an elevation of +34.50 feet Chicago City Datum and lying above a horizontal plane having an elevation of +29.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of block 37, aforesaid; thence South 00°01'10" West, along the Southerly extension of the West line of block 37, aforesaid, 4.50 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation +29.50 Chicago City Datum and elevation +689.50 Chicago City Datum, said point being the point of beginning; thence North 00°01'10" East, along the West line of said block 37, and its Southerly extension, 94.42 feet; thence South 90°00'00" East, 70.52 feet; thence North 58°10'30" East, 55.15 feet; thence South 90°00'00" East, 26.31 feet; thence South 00°00'00" West, 6.46 feet; thence South 90°00'00" East, 50.50 feet; thence South 00°00'00" West, 10.32 feet; thence South 90°00'00" East, 15.05 feet; thence South 45°00'00" East, 35.16 feet; thence South 00°00'00" West, 77.94 feet; thence South 90°00'00" East, 0.42 feet; thence South 00°00'00" West, 7.92 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid;

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thence North 88°54'02" West, along the aforementioned South line, 208.56 feet; thence North 89°59'59" West, along the aforementioned South line, 26.02 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-6 (Upper Limit +52.50 C.C.D. Lower Limit +34.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with the adjoining vacated portion of West Washington Street all taken as a tract lying below a horizontal plane having an elevation of +52.50 feet Chicago City Datum and lying above a horizontal plane having an elevation of +34.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of Block 37, aforesaid; thence South 00°01'10" West, along the Southerly extension of the West line of Block 37, aforesaid, 4.50 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation +29.50 Chicago City Datum and elevation +689.50 Chicago City Datum, said point being the point of beginning; thence North 00°01'10" East, along the West line of said Block 37, and its Southerly extension, 94.42 feet; thence South 90°00'00" East, 70.52 feet; thence North 58°10'30" East, 55.15 feet; thence South 90°00'00" East, 26.31 feet; thence South 00°00'00" West, 6.46 feet; thence South 90°00'00" East, 50.50 feet; thence South 00°00'00" West, 2.88 feet; thence South 90°00'00" East, 39.92 feet; thence South 00°00'01" West, 110.25 feet; thence South 90°00'00" East, 0.42 feet; thence South 00°00'00" West, 7.92 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 208.56 feet; thence North 89°59'59" West, along the aforementioned South line, 26.02 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-7 (Upper Limit +103.83 C.C.D. Lower Limit +52.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with the adjoining vacated portion of West Washington Street all taken as a tract lying below a horizontal plane having an elevation of +103.83 feet Chicago City Datum and lying above a horizontal plane having an elevation of +52.50 feet Chicago City Datum and lying above a horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of block 37, aforesaid; thence South 00°01'10" West, along the Southerly extension of the West line of block 37, aforesaid, 4.50 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation +29.50 Chicago City Datum and elevation +689.50 Chicago City Datum, said point being the point of beginning; thence North 00°01'10" East, along the West line of said block 37, and its Southerly extension, 123.50 feet; thence South 90°00'00" East, 234.09 feet; thence South 00°00'00" West, 119.58 feet; thence South 90°00'00" East, 0.42 feet; thence South 00°00'00" West, 7.92 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 208.56 feet; thence North 89°59'59" West, along the aforementioned South line, 26.02 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-8 (Upper Limit +117.83 C.C.D. Lower Limit +103.83 C.C.D.)

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That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with the adjoining vacated portion of West Washington Street all taken as a tract lying below a horizontal plane having an elevation of +117.83 feet Chicago City Datum and lying above a horizontal plane having an elevation of +103.83 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of block 37, aforesaid; thence South 00°01'10" West, along the Southerly extension of the West line of block 37, aforesaid, 4.50 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation +29.50 Chicago City Datum and elevation +689.50 Chicago City Datum, said point being the point of beginning; thence North 00°01'10" East, along the West line of said block 37, and its Southerly extension, 123.50 feet; thence South 90°00'00" East, 234.50 feet; thence South 00°00'00" West, 32.64 feet; thence North 90°00'00" West, 3.58 feet; thence South 00°00'00" West, 90.20 feet; thence South 90°00'00" East, 1.75 feet; thence South 00°00'00" West, 4.63 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 206.73 feet; thence North 89°59'59" West, along the aforementioned South line, 26.02 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-9 (Upper Limit +689.50 C.C.D. Lower Limit +117.83 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with the adjoining vacated portion of West Washington Street all taken as a tract lying below a horizontal plane having an elevation of +689.50 feet Chicago City Datum and lying above a horizontal plane having an elevation of +117.83 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Commencing at the Southwest corner of block 37, aforesaid; thence South 00°01'10" West, along the Southerly extension of the West line of block 37, aforesaid, 4.50 feet to a point on the South line of that part of West Washington Street heretofore vacated between elevation +29.50 Chicago City Datum and elevation +689.50 Chicago City Datum, said point being the point of beginning; thence North 00°01'10" East, along the West line of said block 37, and its Southerly extension, 123.50 feet; thence South 90°00'00" East, 234.50 feet; thence South 00°00'00" West, 127.50 feet to a point on the South line of that part of West Washington Street heretofore vacated, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 208.56 feet; thence North 89°59'59" West, along the aforementioned South line, 26.02 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel MT-10 (No Upper Limit Lower Limit +689.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, all taken as a tract lying above a horizontal plane having an elevation of +689.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Beginning at the Southwest corner of block 37, aforesaid; thence North 00°01'10" East, along the West line of said block 37, 119.00 feet; thence South 90°00'00" East, 234.50 feet; thence South 00°00'00" West, 123.50 feet to a point on the South line of block 37, aforesaid; thence North 88°54'02" West, along the aforementioned South line, 234.59 feet to the point of beginning, in Cook County, Illinois;

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Also, except the CTA Parcels from the main tract:

CTA Parcels

CTA Parcel B1-1

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +13.97 Chicago City Datum and lying above a horizontal plane having an elevation of -4.86 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845, aforesaid; thence South 00°00'00" West, along said West line, 1.00 feet to the point of beginning; thence North 88°53'55" West, 90.62 feet; thence North 00°00'00" East, 25.87 feet; thence South 90°00'00" East, 12.21 feet; thence North 00°00'00" East, 9.31 feet; thence North 90°00'00" West, 2.21 feet; thence North 00°00'00" East, 8.53 feet; thence North 89°59'59" West, 10.00 feet; thence North 00°00'00" East, 39.14 feet; thence North 45°00'00" West, 34.69 feet; thence North 90°00'00" West, 28.35 feet; thence North 00°00'00" East, 18.20 feet; thence North 90°00'00" West, 54.43 feet; thence North 00°00'00" East, 8.00 feet; thence South 90°00'00" East, 10.25 feet; thence North 00°00'00" East, 4.42 feet; thence North 44°58'05" West, 22.89 feet; thence North 00°00'00" East, 11.30 feet; thence North 44°58'35" East, 20.51 feet; thence South 84°52'58" East, 104.19 feet; thence North 05°07'02" East, 2.14 feet; thence South 90°00'00" East, 34.20 feet; thence South 00°02'31" West, 7.04 feet; thence South 90°00'00" East, 45.09 feet; thence North 00°00'00" East, 15.88 feet; thence South 90°00'00" East, 4.93 feet; thence North 00°00'00" East, 0.50 feet; thence South 90°00'00" East, 2.98 feet; thence South 00°00'00" West, 5.45 feet; thence North 89°59'57" East, 7.33 feet; thence North 00°00'00" East, 6.28 feet; thence South 90°00'00" East, 5.07 feet; thence North 00°00'00" East, 15.94 feet; thence South 90°00'00" East, 1.83 feet; thence South 00°00'00" West, 21.88 feet; thence North 90°00'00" West, 5.00 feet; thence South 00°00'00" West, 52.64 feet; thence South 90°00'00" East, 5.00 feet to a point on an East line of that part of vacated North State Street, aforesaid; thence South 00°00'00" West, along the last mentioned East line, 38.00 feet; thence North 90°00'00" West, 5.00 feet; thence South 00°00'00" West, 2.64 feet; thence South 28°49'46" East, 9.40 feet; thence South 00°00'00" West, 77.59 feet; thence North 88°53'55" West, 15.53 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B1-2A

That part of vacated North Dearborn Street lying West and adjoining block 37 of Original Town of Chicago, in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -13.75 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" West, along the West line thereof, 161.29 feet; thence North 89°01'30" West, 9.25 feet; thence South 00°00'00" West, 1.31 to the point of beginning; thence South 00°00'00" West, 9.42 feet; thence North 90°00'00" West, 5.54 feet; thence North 00°00'00" East, 9.42 feet; thence South 90°00'00" East, 5.54 feet to the point of beginning, in Cook County, Illinois;

together with

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CTA Parcel B1-2B

That part of vacated North Dearborn Street lying West and adjoining block 37 of Original Town of Chicago, in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +13.75 Chicago City Datum and lying above a horizontal plane having an elevation of -4.86 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" West, along the West line thereof, 161.29 feet to the point of beginning; thence South 00°01'10" West, along the West line of block 37, aforesaid, 30.00 feet to a point on the North line of the Commonwealth Edison Property; thence North 89°01'30" West, along the last mentioned North line, 16.29 feet to a point on the West line of that part of vacated North Dearborn Street, aforesaid; thence North 00°01'10" East, along the last mentioned West line, 30.00 feet; thence South 89°01'30" East, 16.29 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B1-3A

That part of Block 37 of Original Town of Chicago together with that part of vacated North Dearborn Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -4.86 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" West, along the West line thereof, 14.70 feet to the point of beginning; thence South 90°00'00" East, 1.98 feet; thence South 00°03'05" West, 1.64 feet to the point of beginning; thence South 00°03'05" West, 33.19 feet; thence South 89°58'50" East, 9.80 feet; thence North 00°00'00" East, 33.19 feet; thence North 89°58'50" West, 9.77 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B1-3B

That part of Block 37 of Original Town of Chicago together with that part of vacated North Dearborn Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -3.79 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" West, along the West line thereof, 14.70 feet to the point of beginning; thence South 90°00'00" East, 1.98 feet; thence South 00°03'05" West, 36.50 feet; thence South 89°59'53" West, 18.25 feet; thence North 00°01'10" East, 36.50 feet; thence South 90°00'00" East, 16.29 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B1-4

That part of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +14.50 Chicago City Datum and lying above a horizontal plane having an elevation of -4.86 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" West, along the West line thereof, 157.01 feet to the point of beginning; thence

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South 00°01'10" West, along the last mentioned West line, 15.28 feet; thence South 89°57'47" East, 34.07 feet; thence North 00°02'13" East, 15.28 feet; thence North 89°57'47" West, 34.08 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B1-5

That part of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 north, Range 14 East of the Third Principal Meridian, lying being a horizontal plane having an elevation of +12.75 Chicago City Datum and lying above a horizontal plane having an elevation of -4.86 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" west, along the west line thereof, 172.29 feet to the point of beginning; thence South 00°01'10" West, along the last mentioned West line, 19.00 feet to a point on the North line of the Commonwealth Edison Property; thence South 89°01'30" East, along the last mentioned North line, 4.06 feet; thence North 00°00'05" West, 19.06 feet; thence North 89°57'47" West, 4.05 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B2-1

That part of Block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said Block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -4.86 Chicago City Datum and lying above a horizontal plane having an elevation of -14.66 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845, aforesaid; thence North 89°54'02" West, along the South line of Block 37 and its Easterly extension, aforesaid, 10.58 feet; thence North 01°05'55" East, 19.83 feet to the point of beginning; thence North 90°00'00" West, 18.95 feet; thence North 44°58'05" West, 80.54 feet; thence South 00°00'04" East, 28.53 feet; thence North 90°00'00" West, 5.20 feet; thence North 00°00'04" West, 23.33 feet; thence South 45°01'55" West, 8.90 feet; thence North 44°58'05" West, 6.83 feet; thence South 45°01'55" West, 10.84 feet; thence North 43°07'59" West, 23.97 feet; thence North 34°03'23" West, 10.33 feet; thence North 41°59'02" West, 34.44 feet; thence North 90°00'00" West, 71.66 feet; thence North 50°07'57" West, 18.15 feet; thence South 90°00'00" East, 25.60 feet; thence South 44°58'05" East, 1.12 feet; thence South 89°58'05" East, 4.24 feet; thence North 45°01'55" East, 1.13 feet; thence South 90°00'00" East, 8.72 feet; thence North 00°00'00" East, 25.82 feet; thence North 44°58'05" West, 46.99 feet; thence North 90°00'00" West, 10.73 feet to a point on the East line of the Commonwealth Edison Property; thence North 00°01'45" East, along the last mentioned East line, 11.11 feet to the Northeast corner of the Commonwealth Edison Property; thence North 89°01'30" West, along the North line of the Commonwealth Edison Property, 77.21 feet; thence North 00°28'45" East, 91.43 feet; thence North 89°58'50" West, 1.80 feet; thence North 00°01'10" East, 100.33 feet; thence South 45°00'00" East, 61.75 feet; thence South 80°27'33" East, 0.51 feet; thence South 45°00'00" East, 2.44 feet; thence South 09°32'27" East, 0.51 feet; thence South 45°00'00" East, 8.76 feet; thence South 52°32'05" East, 6.28 feet; thence South 44°58'05" East, 7.95 feet; thence North 45°01'55" East, 8.91 feet; thence South 46°09'20" East, 7.33 feet; thence South 45°01'55" West, 9.06 feet; thence South 44°58'05" East, 36.37 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 38.43 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 38.43 feet; thence South 45°01'55" West,

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1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 17.52 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 16.95 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 2.14 feet; thence South 90°00'00" East, 16.18 feet; thence South 44°58'05" East, 61.69 feet; thence South 85°28'06" East, 1.31 feet; thence South 45°10'10" East, 15.06 feet; thence South 89°19'29" East, 2.80 feet; thence North 00°00'00" East, 10.63 feet; thence South 90°00'00" East, 8.33 feet; thence South 00°00'00" West, 32.96 feet; thence South 22°34'50" East, 13.01 feet; thence North 69°00'22" East, 17.42 feet; thence North 89°59'56" East, 31.42 feet; thence South 00°00'00" West, 91.84 feet; thence South 45°01'55" West, 13.95 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B2-2

That part of Block 37 of Original Town of Chicago, in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -4.86 Chicago City Datum and lying above a horizontal plane having an elevation of -14.66 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of Block 37, aforesaid, with the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence North 88°54'02" West, along the South line of block 37 and its Easterly extension, aforesaid, 37.84 feet; thence North 01°05'58" East, 5.35 feet to the point of beginning; thence North 90°00'00" West, 6.65 feet; thence North 44°58'05" West, 24.37 feet; thence North 45°01'55" East, 11.05 feet; thence South 44°58'05" East, 22.18 feet; thence South 00°00'00" West, 8.97 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B2-3

That part of block 37 of Original Town of Chicago, together with that part of vacated West Washington Street in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -4.86 Chicago City Datum and lying above a horizontal plane having an elevation of -14.66 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845; thence North 88°54'02" West, along the South line of block 37 and its Easterly extension, aforesaid, 80.70 feet to the point of beginning; thence South 00°00'00" West, 1.00 feet; thence North 88°54'02" West, 9.67 feet; thence North 00°00'02" West, 8.53 feet; thence South 90°00'00" East, 9.67 feet; thence South 00°00'00" West, 7.71 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B3-1

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -14.66 Chicago City Datum and lying above a

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horizontal plane having an elevation of -25.66 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of Block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845, aforesaid; thence North 88°54'02" West, along the South line of block 37 and its Easterly extension, aforesaid, 100.83 feet to the point of beginning; thence North 00°00'00" East, 50.89 feet; thence North 43°07'59" West, 37.49 feet; thence North 34°03'23" West, 10.33 feet; thence North 41°59'02" West, 34.44 feet; thence North 90°00'00" West, 71.66 feet; thence North 50°07'57" West, 18.15 feet; thence South 90°00'00" East, 40.06 feet; thence North 00°00'00" East, 25.98 feet; thence North 45°01'24" West, 50.21 feet; thence North 90°00'00" West, 8.33 feet to a point on the East line of the Commonwealth Edison Property; thence North 00°01'45" East, along the last mentioned East line, 8.71 feet to the Northeast corner of the Commonwealth Edison Property; thence North 89°01'30" West, along the North line of the Commonwealth Edison Property, 77.21; thence North 00°28'45" East, 89.80 feet; thence South 89°58'50" East, 1.39 feet; thence North 00°03'05" East, 110.34 feet; thence South 89°17'41" East, 17.27 feet; thence South 00°00'00" West, 31.59 feet; thence South 44°58'05" East, 4.62 feet; thence North 45°01'55" East, 7.44 feet; thence South 44°58'05" East, 29.28 feet; thence North 45°01'55" East, 20.48 feet; thence South 44°58'05" East, 6.67 feet; thence South 45°01'55" West, 20.48 feet; thence South 44°58'05" East, 26.36 feet; thence South 45°01'55" West, 1.49 feet; thence South 44°58'05" East, 7.25 feet; thence South 45°01'55" West, 2.78 feet; thence South 44°58'05" East, 30.17 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 1.50 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 13.39 feet; thence North 45°01'55" East, 1.17 feet; thence South 44°58'05" East, 2.75 feet; thence South 45°01'55" West, 1.17 feet; thence South 44°58'05" East, 1.38 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°01'55" East, 1.50 feet; thence South 44°58'05" East, 16.95 feet; thence South 45°01'55" West, 1.50 feet; thence South 44°58'05" East, 4.00 feet; thence North 45°02'34" East, 2.14 feet; thence South 90°00'00" East, 16.18 feet; thence South 44°58'05" East, 61.87 feet; thence South 90°00'00" East, 23.00 feet; thence South 00°00'00" West, 19.20 feet; thence South 45°01'55" West, 14.79 feet; thence South 44°58'05" East, 52.35 feet; thence South 90°00'00" East, 11.17 feet; thence North 00°00'00" East, 5.67 feet; thence South 90°00'00" East, 25.31 feet; thence South 00°00'00" West, 21.95 feet; thence South 90°00'00" East, 5.26 feet; thence South 00°45'20" West, 79.04 feet; thence North 88°25'23" West, 116.07 feet; thence North 00°00'00" East, 0.29 feet to the point of beginning, (Except that part of block 37 of Original Town of Chicago, in the East part of the Southeast Quarter of Section 9, Township 33 North, Range 14 East of the Third Principal Meridian, described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845, aforesaid; thence North 88°54'02" West, along the South line of block 37 and its Easterly extension, aforesaid, 78.89 feet; thence North 01°05'58" East, 25.10 feet to the point of beginning; thence North 90°00'00" West, 12.54 feet; thence North 00°00'00" East, 17.83 feet; thence South 90°00'00" East, 10.33 feet; thence South 00°00'00" West, 8.53 feet; thence South 90°00'00" East, 2.21 feet; thence South 00°00'00" West, 9.31 feet to the point of beginning), in Cook County, Illinois;

together with

CTA Parcel B4-1A

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -25.66 Chicago City Datum and lying above a horizontal plane having an elevation of -45.00 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845,

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aforesaid; thence South 00°00'00" west, along the west line of North State Street, aforesaid, 1.13 feet to the point of beginning; thence North 88°25'23" West, 32.24 feet; thence North 44°58'05" West, 245.03 feet; thence South 45°01'55" West, 6.58 feet; thence North 44°58'05" West, 18.14 feet; thence North 45°01'55" East, 6.58 feet; thence North 44°58'05" West, 14.33 feet; thence South 45°01'55" West, 4.41 feet; thence North 90°00'00" West, 12.58 feet; thence North 00°00'00" East, 18.83 feet; thence North 44°58'05" West, 107.08 feet; thence North 00°03'05" East, 94.60 feet; thence South 44°58'05" East, 58.35 feet; thence North 45°01'55" East, 3.58 feet; thence South 44°58'05" East, 196.72 feet; thence South 90°00'00" East, 17.08 feet; thence South 44°58'05" East, 61.87 feet; thence South 90°00'00" East, 23.00 feet; thence South 00°00'00" West, 19.33 feet; thence South 45°06'56" West, 14.44 feet; thence South 44°46'36" East, 74.81 feet; thence South 90°00'00" East, 26.82 feet; thence South 00°45'20" West, 79.38 feet; thence North 88°25'23" West, 15.22 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-1B

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -4.97 Chicago City Datum and lying above a horizontal plane having an elevation of -45.00 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Beginning at the point of intersection of the South line of that part of vacated West Washington Street, aforesaid, with the East line of that part of vacated North State Street, aforesaid; thence North 88°54'02" West, along the last mentioned South line, 52.35 feet; thence North 00°00'00" East, 12.14 feet; thence South 88°25'23" East, 50.54 feet; thence North 00°45'20" East, 53.12 feet; thence South 90°00'00" East, 1.13 feet; thence South 00°00'00" West, 64.87 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-1C

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -14.17 Chicago City Datum and lying above a horizontal plane having an elevation of -32.22 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845, aforesaid; thence South 00°00'00" West, along the West line of North State Street, aforesaid, 1.13 feet; thence South 88°25'23" East, 7.35 feet to the point of beginning; thence South 01°34'37" West, 3.00 feet; thence North 88°25'23" West, 25.72 feet; thence North 01°34'37" East, 3.00 feet; thence South 88°25'23" East, 25.72 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-1D

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That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -14.17 Chicago City Datum and lying above a horizontal plane having an elevation of -32.22 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845, aforesaid; thence South 00°00'00" West, along the West line of North State Street, aforesaid, 1.13 feet; thence South 88°25'23" East, 15.22 feet; thence North 00°45'20" East, 14.11 feet to the point of beginning; thence North 00°45'20" East, 24.54 feet; thence South 89°14'40" East, 3.00 feet; thence South 00°45'20" West, 24.54 feet; thence North 89°14'40" West, 3.00 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-1E

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, all taken as a tract, lying below a horizontal plane having an elevation of -3.79 Chicago City Datum and lying above a horizontal plane having an elevation of -45.00 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Beginning at the intersection of the North line of that part of vacated West Randolph Street, aforesaid, with the West line of that part of vacated North Dearborn Street, aforesaid; thence South 89°08'58" East, along the last mentioned North line, 18.29 feet; thence South 00°03'05" West, 110.73 feet; thence North 90°00'00" West, 18.23 feet to a point on the last mentioned West line; thence North 00°01'10" East, 111.01 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-1F

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, all taken as a tract, lying below a horizontal plane having an elevation of -14.17 Chicago City Datum and lying above a horizontal plane having an elevation of -32.22 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the intersection of the North line of that part of vacated West Randolph Street, aforesaid, with the West line of that part of vacated North Dearborn Street, aforesaid; thence South 89°08'58" East, along the last mentioned North line, 18.29 feet; thence South 00°03'05" West, 24.34 feet to the point of beginning; thence South 00°03'05" West, 28.75 feet; thence South 89°56'55" East, 3.00 feet; thence North 00°03'05" East, 28.75 feet; thence North 89°56'55" West, 3.00 feet to the point of beginning, in Cook County, Illinois;

together with

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CTA Parcel B4-1G

That part of block 37 of Original Town of Chicago, together with a strip of land lying East of and adjoining said block 37 and West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, together with that part of vacated North State Street, together with that part of vacated West Washington Street, together with that part of vacated North Dearborn Street, together with that part of vacated West Randolph Street, all taken as a tract in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, all taken as a tract, lying below a horizontal plane having an elevation of -14.17 Chicago City Datum and lying above a horizontal plane having an elevation of -32.22 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the intersection of the North line of that part of vacated West Randolph Street, aforesaid, with the West line of that part of vacated North Dearborn Street, aforesaid; thence South 89°08'59" East, along the last mentioned North line, 18.29 feet; thence South 00°03'05" West, 77.71 feet to the point of beginning; thence South 00°03'05" West, 24.53 feet; thence South 89°56'55" East, 3.00 feet; thence North 00°03'05" East, 24.53 feet; thence North 89°56'55" West, 3.00 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-2

That part of vacated North Dearborn Street lying West and adjoining block 37 of Original Town of Chicago, in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -4.86 Chicago City Datum and lying above a horizontal plane having an elevation of -45.00 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the Northwest corner of block 37, aforesaid; thence South 00°01'10" West, along the West line thereof, 161.29 feet; thence North 89°01'30" West, 0.44 feet to the point of beginning; thence South 00°28'45" West, 30.00 feet to a point on the North line of the Commonwealth Edison Property extended West; thence North 89°01'30" West, along the last mentioned North line extended West, 15.61 feet to a point on the West line of that part of vacated North Dearborn Street, aforesaid; thence North 00°01'10" East, along the last mentioned West line, 30.00 feet; thence South 89°01'30" East, 15.85 feet to the point of beginning, in Cook County, Illinois;

together with

CTA Parcel B4-3

That part of block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, lying below a horizontal plane having an elevation of -25.66 Chicago City Datum and lying above a horizontal plane having an elevation of -45.00 Chicago City Datum and lying within its horizontal boundaries projected vertically and described as follows: Commencing at the point of intersection of the Easterly extension of the South line of block 37, aforesaid, with the West line of North State Street as established by act of legislature on March 3, 1845; thence North 88°54'02" West, along the South line of block 37 and its Easterly extension, aforesaid, 190.04 feet; thence North 01°05'58" East, 122.36 feet to the point of beginning; thence North 90°00'00" West, 10.25 feet; thence North 00°00'00" East, 8.33 feet; thence South 90°00'00" East, 10.25 feet; thence South 00°00'00" West, 8.33 feet to the point of beginning, in Cook County, Illinois;

Also Except the Air Rights Parcels from the Main Tract:

Air Rights Parcels

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Parcel 1 (Part Between +92.50 C.C.D. to +689.50 C.C.D.)

That part of vacated West Randolph Street together with that part of vacated North State Street together with that part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, all taken as a tract, lying below a horizontal plane having an elevation of +689.50 feet Chicago City Datum and above a horizontal plane having an elevation of +92.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Beginning at the Northwest corner of block 37, aforesaid; thence North 00°01'10" East, along the Westerly line of that part of vacated West Randolph Street, aforesaid, 5.00 feet to the Northwest corner thereof; thence South 89°08'58" East, along the Northerly line of that part of vacated West Randolph Street, aforesaid, 329.63 feet to the Easterly line of that part of vacated North State Street, aforesaid; thence South 00°00'00" West, along the Easterly line of that part of vacated North State Street, aforesaid, 89.12 feet; thence North 90°00'00" West, 229.85 feet; thence South 12°36'25" West, 46.74 feet; thence South 15°39'45" West, 41.34 feet.; thence North 90°00'00" West, 78.44 feet to the West line of block 37, aforesaid; thence North 00°01'10" East, along the west line of block 37, aforesaid 174.43 feet to the point of beginning, in Cook County, Illinois;

together with

Parcel 2 (Part Above +689.50 C.C.D.)

That part of a tract of land consisting of all lots, streets and alleys within block 37 of Original Town of Chicago in the East part of the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, together with a strip of land lying East of and adjoining said block 37 and West of the West line of State Street as established by an act of the legislature of the State of Illinois, approved March 3, 1845, all taken as a tract, lying above a horizontal plane having an elevation of +689.50 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows: Beginning at the Northwest corner of block 37, aforesaid; thence South 89°08'58" East, along the North of said block 37 and the Easterly extension thereof, 329.63 feet to the West line of State Street as established by an act of the legislature of the state of Illinois, aforesaid; thence South 00°00'00" West, along said West line, 84.19 feet; thence North 90°00'00" West, 224.85 feet; thence South 12°36'25" West, 46.74 feet; thence South 15°39'45" West, 41.34 feet; thence North 90°00'00" West, 78.44 feet to the West line of block 37, aforesaid; thence North 00°01'10" East, along the West line of block 37, aforesaid 174.43 feet to the point of beginning, in Cook County, Illinois.

Address: Block 37 Retail Shopping Center
108 North State Street
Chicago, IL

Permanent Index Number: 17-09-451-024-0000 Vol. 510
17-09-451-025-0000 Vol. 510
17-09-451-026-0000 Vol. 510
17-09-451-027-0000 Vol. 510

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EXHIBIT C

LEGAL DESCRIPTION

PARCEL 1: (PART BETWEEN +92.50 C.C.D. TO +689.50 C.C.D.)

THAT PART OF VACATED WEST RANDOLPH STREET TOGETHER WITH THAT PART OF VACATED NORTH STATE STREET TOGETHER WITH THAT PART OF A TRACT OF LAND CONSISTING OF ALL LOTS, STREETS AND ALLEYS WITHIN BLOCK 37 OF ORIGINAL TOWN OF CHICAGO IN THE EAST PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH A STRIP OF LAND LYING EAST OF AND ADJOINING SAID BLOCK 37 AND WEST OF THE WEST LINE OF STATE STREET AS ESTABLISHED BY AN ACT OF THE LEGISLATURE OF THE STATE OF ILLINOIS, APPROVED MARCH 3, 1845, ALL TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +689.50 FEET CHICAGO CITY DATUM AND ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +92.50 FEET CHICAGO CITY DATUM AND LYING WITHIN ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF BLOCK 37, AFORESAID; THENCE NORTH 00°01'10" EAST, ALONG THE WESTERLY LINE OF THAT PART OF VACATED WEST RANDOLPH STREET, AFORESAID, 5.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°08'58" EAST, ALONG THE NORTHERLY LINE OF THAT PART OF VACATED WEST RANDOLPH STREET, AFORESAID, 329.63 FEET TO THE EASTERLY LINE OF THAT PART OF VACATED NORTH STATE STREET, AFORESAID; THENCE SOUTH 00°00'00" WEST, ALONG THE EASTERLY LINE OF THAT PART OF VACATED NORTH STATE STREET, AFORESAID, 89.12 FEET; THENCE NORTH 90°00'00" WEST, 229.85 FEET; THENCE SOUTH 12°36'25" WEST, 46.74 FEET; THENCE SOUTH 15°39'45" WEST, 41.34 FEET; THENCE NORTH 90°00'00" WEST, 78.44 FEET TO THE WEST LINE OF BLOCK 37, AFORESAID; THENCE NORTH 00°01'10" EAST, ALONG THE WEST LINE OF BLOCK 37, AFORESAID 174.43 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2: (PART ABOVE +689.50 C.C.D.) THAT PART OF A TRACT OF LAND CONSISTING OF ALL LOTS, STREETS AND ALLEYS WITHIN BLOCK 37 OF ORIGINAL TOWN OF CHICAGO IN THE EAST PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH A STRIP OF LAND LYING EAST OF AND ADJOINING SAID BLOCK 37 AND WEST OF THE WEST LINE OF STATE STREET AS ESTABLISHED BY AN ACT OF THE LEGISLATURE OF THE STATE OF ILLINOIS, APPROVED MARCH 3, 1845, ALL TAKEN AS A TRACT, LYING ABOVE A

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HORIZONTAL PLANE HAVING AN ELEVATION OF +689.50 FEET CHICAGO CITY DATUM AND LYING WITHIN ITS HORIZONTAL BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF BLOCK 37, AFORESAID; THENCE SOUTH 89°08'58" EAST, ALONG THE NORTH LINE OF SAID BLOCK 37 AND THE EASTERLY EXTENSION THEREOF, 324.63 FEET TO THE WEST LINE OF STATE STREET AS ESTABLISHED BY AN ACT OF THE LEGISLATURE OF THE STATE OF ILLINOIS, AFORESAID; THENCE SOUTH 00°00'00" WEST, ALONG SAID WEST LINE, 84.19 FEET; THENCE NORTH 90°00'00" WEST, 224.85 FEET; THENCE SOUTH 12°36'25" WEST, 46.74 FEET; THENCE SOUTH 15°39'45" WEST, 41.34 FEET; THENCE NORTH 90°00'00" WEST, 78.44 FEET TO THE WEST LINE OF BLOCK 37, AFORESAID; THENCE NORTH 00°01'10" EAST, ALONG THE WEST LINE OF BLOCK 37, AFORESAID 174.43 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCELS 1 AND 2 AS CREATED BY DECLARATION OF EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, DATED NOVEMBER 10, 2005 AND RECORDED NOVEMBER 14, 2005 AS DOCUMENT NUMBER 0531834084, MADE BY CHICAGO TRANSIT AUTHORITY, A MUNICIPAL CORPORATION OF THE STATE OF ILLINOIS, 108 NORTH STATE STREET II, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, BLOCK 37, L.L.C, A DELAWARE LIMITED LIABILITY COMPANY AND BLOCK 37 OFFICE, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY; FOR THE FOLLOWING PURPOSES:

(A) INGRESS, EGRESS AND ACCESS TO AND FROM THE BLOCK 37 PARCEL OVER, UNDER, ACROSS AND THROUGH THE PORTION OF THE DEVELOPMENT SITE FOR THE PURPOSE OF DEVELOPMENT AND CONSTRUCTION OF THE DEVELOPMENT PROJECT AND THE CTA PROJECT, INCLUDING, WITHOUT LIMITATION, CONSTRUCTION AND COMPLETION BY 108 NORTH STATE STREET II, L.L.C. OF THE MILLS PORTION OF THE CTA PROJECT PURSUANT TO THE DEVELOPMENT AGREEMENT (SUCH EASEMENT TO INCLUDE, WITHOUT LIMITATION, NECESSARY EXCAVATION, TUNNELING, CONSTRUCTION, MATERIAL STORAGE AND ALL OTHER RELATED CONSTRUCTION ACTIVITY BY CONTRACTORS, SUBCONTRACTORS, REPRESENTATIVES, SURVEYORS, CONSULTANTS, EMPLOYEES AND AGENTS FROM TIME TO TIME OF BLOCK 37, L.L.C., 108 NORTH STATE STREET II, L.L.C., BLOCK 37 OFFICE, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND CHICAGO TRANSIT AUTHORITY, AS THE CASE MAY BE) (DEFINED THEREIN AS THE "CONSTRUCTION ACCESS EASEMENTS"); (B) SUPPORT IN AND TO ALL STRUCTURAL MEMBERS, SLABS, CAISSONS, BEAMS, FOUNDATIONS, COLUMNS AND OTHER FACILITIES LOCATED WITHIN THE DEVELOPMENT PROJECT (DEFINED THEREIN AS THE "SUPPORT EASEMENTS"); (C)

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INSTALLATION, USE AND MAINTENANCE OF UTILITY LINES AND FACILITIES, INCLUDING THE RIGHT TO INSTALL, LAY, MAINTAIN, REPAIR, REPLACE LINES, WIRES, CONDUITS AND EQUIPMENT FOR UTILITY SERVICE REQUIRED FOR THE DEVELOPMENT PROJECT (DEFINED THEREIN AS THE "UTILITY EASEMENTS"); (D) CONSTRUCTION, USE AND MAINTENANCE OF COMMON WALLS, FLOORS, CEILINGS AND ENCLOSURES ALONG ANY COMMON PROPERTY LINES AND BOUNDARIES, INCLUDING THE RIGHT TO MAINTAIN UNINTENTIONAL ENCROACHMENTS RESULTING FROM CONSTRUCTION OF THE DEVELOPMENT PROJECT (DEFINED THEREIN AS THE "COMMON EASEMENTS"); (E) SUCH EASEMENTS AS SHALL BE REASONABLY NECESSARY FOR THE CONSTRUCTION, REPAIR, REPLACEMENT, MAINTENANCE AND OPERATION OF THE DEVELOPMENT PROJECT (DEFINED THEREIN AS "MISCELLANEOUS EASEMENT"); AND (F) INGRESS, EGRESS AND ACCESS OVER, ACROSS AND THROUGH THE CTA PARCEL AND THE EXISTING CTA FACILITIES AS SHALL BE REQUIRED TO ENABLE 108 NORTH STATE STREET II, L.L.C. TO EXERCISE THE "MILLS SELF-HELP RIGHT" AS PROVIDED IN THE DEVELOPMENT AGREEMENT (DEFINED THEREIN AS THE "MILLS SELF-HELP RIGHT EASEMENT").

Address: 108 North State Street, Chicago, Illinois *60602*

PINs: 17-09-451-036-0000; 17-09-451-037-0000; 17-09-451-038-0000

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EXHIBIT D

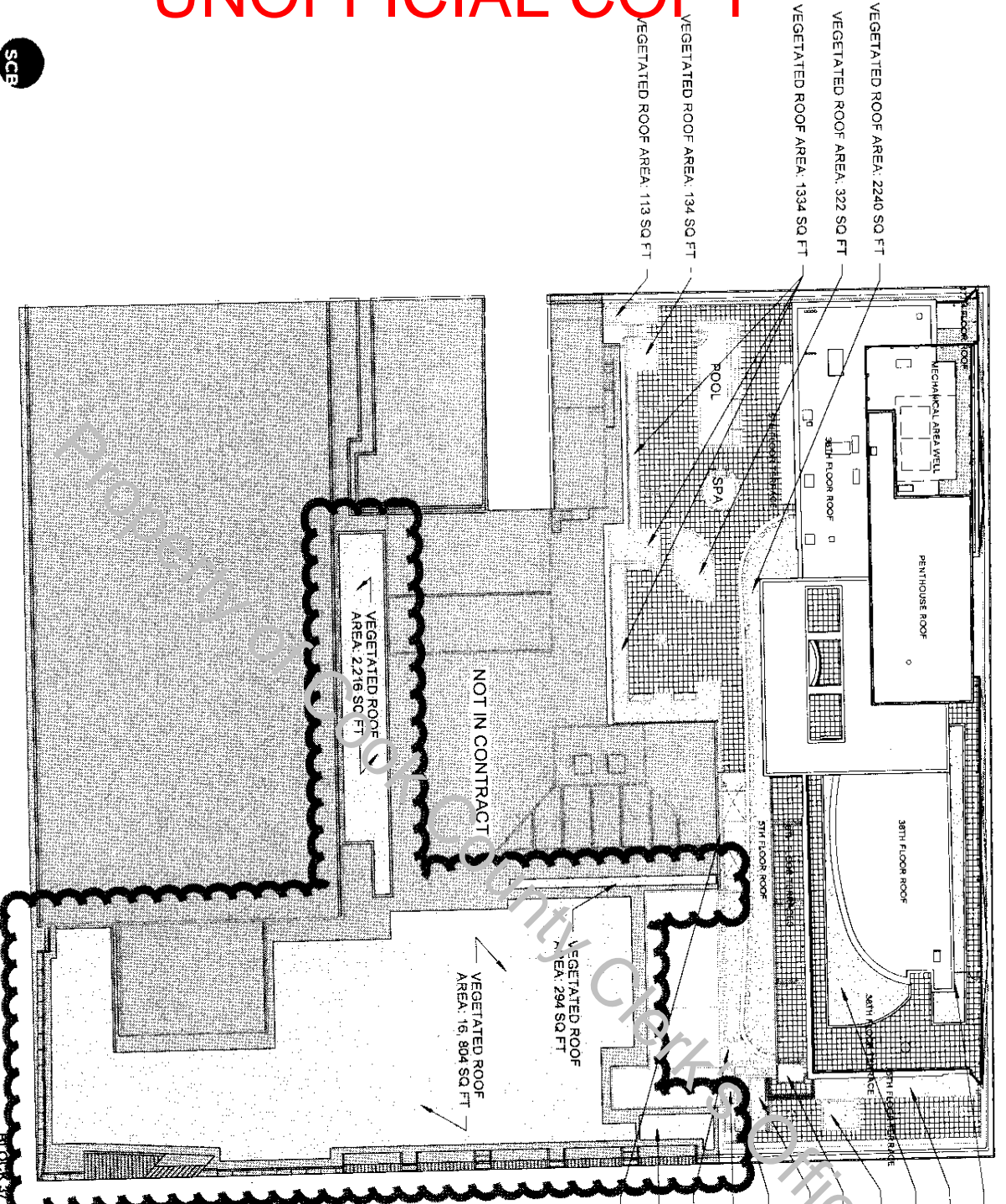
APPROVED GREEN ROOF PLAN

[ATTACHED]

Property of Cook County Clerk's Office

A large, dark, handwritten signature or scribble is present in the center of the page, overlapping the diagonal watermark text.

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VEGETATED ROOF AREA: 2240 SQ. FT.
 VEGETATED ROOF AREA: 322 SQ. FT.
 VEGETATED ROOF AREA: 1334 SQ. FT.
 VEGETATED ROOF AREA: 134 SQ. FT.
 VEGETATED ROOF AREA: 113 SQ. FT.

VEGETATED ROOF AREA: 2,216 SQ. FT.

NOT IN CONTRACT

VEGETATED ROOF AREA: 16,804 SQ. FT.

VEGETATED ROOF AREA: 294 SQ. FT.

VEGETATED ROOF AREA: 672 SQ. FT.
 VEGETATED ROOF AREA: 587 SQ. FT.
 VEGETATED ROOF AREA: 1,028 SQ. FT.
 VEGETATED ROOF AREA: 129 SQ. FT.
 VEGETATED ROOF AREA: 59 SQ. FT.
 VEGETATED ROOF AREA: 73 SQ. FT.
 VEGETATED ROOF AREA: 85 SQ. FT.
 VEGETATED ROOF AREA: 55 SQ. FT.
 VEGETATED ROOF AREA: 729 SQ. FT.
 VEGETATED ROOF AREA: 342 SQ. FT.
 VEGETATED ROOF AREA: 74 SQ. FT.

RESIDENTIAL TOWER VEGETATED ROOF AREA: 7,634 SQ. FT.
 RETAIL VEGETATED ROOF AREA: 19,656 SQ. FT.
 TOTAL VEGETATED AREA: 27,290 SQ. FT.

SCB
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BLOCK 37 RESIDENTIAL TOWER
 CIM Group



SCALE: 1" = 40'

2012057

Chicago Illinois 60603-1838
 502 Oak St Suite 400
 Green Roof Program
 11/20/14
 Design Group LLC