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SPECIAL WARRANTY DEED



Doc# 1717845024 Fee \$58.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

CAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 06/27/2017 09:36 AM PG: 1 OF 11

(The Above Space for Recorder's Use Only)

THIS INSTRUMENT made as of this 23rd day of June, 2017, by WPO EAST, LLC, an Illinois limited liability company, party of the first part, and delivered to BIT WOLF POINT EAST INVESTORS LLC, a Delaware limited liability company, party of the second part, whose address is One South Dearborn, Suite 2000, Chicago, Illinois 60603.

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN and SELL unto the party of the second part, and to its successors and assigns, FOREVER, all the real estate, situated in the City of Chicago, County of Cook and State of Illinois known and described as follows:

See Exhibit A attached to and made a part hereof.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its successors and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited, and that IT WILL WARRANT AND DEFEND the said premises against all persons lawfully claiming, or to claim the same, by, through or under it, subject to: See Exhibit B attached to and made a part hereof.

[Signature Page Follows]

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IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents by its Manager the day and year first above written.

WPO EAST, LLC,
an Illinois limited liability company

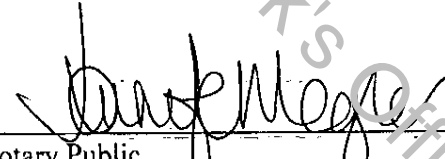
By: Park Agency, Inc.,
a Delaware corporation,
Manager

By: 
Robert W. Corcoran
Vice President

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Robert W. Corcoran, personally known to me to be the Vice President of Park Agency, Inc., a Delaware corporation, as Manager of WPO East, LLC, an Illinois limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President he signed and delivered the said instrument, ~~as his free and voluntary act and deed,~~ and ~~as the free and voluntary act and deed~~ of said company, for the uses and purposes therein set forth.



GIVEN under my hand and official seal this 19th day of June, 2017.


Notary Public
Commission Expires: _____

JENNIFER MEAGHER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01ME6178383
Qualified in Richmond County
Certificate Filed in New York County
My Commission Expires 12-03-2019

This Instrument Was Prepared By:
Michael F. Csar
Drinker Biddle & Reath LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606

| REAL ESTATE TRANSFER TAX | | 27-Jun-2017 | |
|--------------------------|-----------|-------------|------------|
| COUNTY: | 23,788.50 | CHICAGO: | 356,827.50 |
| ILLINOIS: | 47,577.00 | CTA: | 142,731.00 |
| TOTAL: | 71,365.50 | TOTAL: | 499,558.50 |

| REAL ESTATE TRANSFER TAX | | 27-Jun-2017 | |
|---|--|---|--|
|  | |  | |
| 17-09-400-035-0000 20170601667876 2-069-423-552 | | | |

* Total does not include any applicable penalty or interest due.

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EXHIBIT A TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION

PARCEL 1

LOT 2 IN WOLF POINT II SUBDIVISION, A SUBDIVISION OF LOT 16 IN WOLF POINT SUBDIVISION OF PARTS OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 2015 AS DOCUMENT 1535029002, IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL 1:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE AMENDED AND RESTATED DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED AS OF JANUARY 1, 2017 AND RECORDED MARCH 7, 2017 AS DOCUMENT 1706645089 MADE BY AND BETWEEN OWNERS OF LOTS 1, 2, 3, 4, AND 5 IN WOLF POINT II SUBDIVISION, (RESTATING IN ITS ENTIRETY DECLARATION 1331016068, AS SUPPLEMENTED BY 1422644046, AND 1602913079), AS AMENDED BY FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED AS OF JUNE 15, 2017 AND RECORDED JUNE 27, 2017 AS DOCUMENT 1717845023 FOR THE PURPOSE OF INGRESS AND EGRESS AND OTHER EASEMENTS OVER: PLAZA DRIVE, PLAZA DRIVE EXTENSION, COMMON GARAGE ENTRANCES AND CONNECTIONS, RIVER WALK AND RELATED STAIRWAYS AND ELEVATORS, PEDESTRIAN ACCESS OVER COMMON OPEN AREAS AND IMPROVEMENTS, WOLF POINT VIADUCT AREA, EAST BUILDING CANOPY AND CLEAR SPACE EASEMENT OVER LOT 1, COMMON SIGNAGE, COMMON WATER MAIN, COMMON SEWER MANHOLE AND CONNECTING SEWER SERVICE LINES, COMMON GAS MAIN, COMMON ELECTRICAL BANK, CONNECTING SERVICE LINES, TELECOMMUNICATIONS AND CABLE SERVICE LINES, VENTILATION LOUVERS AND AIR HANDLING MECHANISMS, ENCROACHMENTS OF CAISSONS, FOUNDATIONS AND FOOTINGS, AS DESCRIBED THEREIN FOR PARTICULAR EASEMENTS OVER LOTS 1, 2, 3 AND 5 IN WOLF POINT II SUBDIVISION.

EASEMENT PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 AND OTHER PROPERTY AS CREATED BY RECIPROCAL EASEMENT AGREEMENT DATED APRIL 1, 1998, AND RECORDED APRIL 9, 1998, AS DOCUMENT 98284695 MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1997, AND KNOWN AS TRUST NUMBER 121000 ("WOLF POINT

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OWNER"), 350 NORTH ORLEANS STREET L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, ("APPAREL PROPERTY OWNER"), AND 200 WORLD TRADE CENTER L.L.C., A DELAWARE LIMITED LIABILITY COMPANY ("MART OWNER") AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT, RECORDED DECEMBER 14, 2004 AS DOCUMENT 0434939064 AND SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED JANUARY 5, 2012 AS DOCUMENT NUMBER 1200516070, AND AS AMENDED BY CONSENT AND WAIVER DATED JUNE 30, 2015 AND RECORDED JULY 7, 2015 AS DOCUMENT 1518834102.

I. MERCHANDISE MART

a) PERPETUAL EASEMENT FOR INGRESS, EGRESS AND ACCESS FOR PEDESTRIANS AND MOTOR VEHICLES (INCLUDING SERVICES VEHICLES) OVER, UPON, ACROSS AND THROUGH THE EXISTING PRIVATE DRIVE ("MERCHANDISE MART PLAZA DRIVE") LOCATED BETWEEN SOUTH FACE OF THE MART BUILDING AND NORTH BANK OF THE CHICAGO RIVER FROM WELLS STREET TO FRANKLIN ORLEANS VIADUCT,

AND

b) EASEMENT FOR INGRESS EGRESS AND ACCESS FOR PEDESTRIANS AND MOTOR VEHICLES (INCLUDING SERVICE VEHICLE) OVER, UPON, ACROSS AND THROUGH THE EXISTING ELEVATED PRIVATE DRIVE ("NORTH DRIVE") ALONG THE NORTH FACE OF THE MART BUILDING IMMEDIATELY SOUTH OF AND GENERALLY PARALLEL WITH KINZIE STREET (CONSISTING OF THE AREA SOMETIMES REFERRED TO AS THE EAST LATERAL APPROACH AND THE SUBJECT OF AGREEMENT WITH CITY OF CHICAGO RECORDED JULY 12, 1974 AS DOCUMENT 22781631) EXTENDING FROM APPROXIMATELY WELLS STREET (GRADE LEVEL) ON THE EAST AND CONNECTING WITH KINZIE STREET IMMEDIATELY WEST OF THE KINZIE - WELLS STREET INTERSECTION TO ORLEANS STREET (PLAZA LEVEL) ON THE WEST.

BOTH LOCATED ON THE FOLLOWING DESCRIBED LAND:

ALL OF THE LAND, PROPERTY AND SPACE BELOW, AT AND ABOVE THE SURFACE OF THE EARTH IN MARSHALL FIELD AND COMPANY'S AND CHICAGO AND NORTHWESTERN RAILWAY COMPANY'S RESUBDIVISION OF BLOCKS 5 AND 6 IN ORIGINAL TOWN OF CHICAGO, ALL IN THE SOUTH HALF OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: LOT 10 IN SAID RESUBDIVISION), IN COOK COUNTY, ILLINOIS.

II. APPAREL CENTER

a) EASEMENT FOR INGRESS, EGRESS AND ACCESS FOR PEDESTRIANS AND MOTOR VEHICLES (INCLUDING SERVICE VEHICLES) OVER, UPON, ACROSS AND THROUGH THE PORTION OF THE APPAREL PROPERTY AT GRADE LEVEL BELOW THE FRANKLIN-ORLEANS VIADUCT (EXCLUDING BUILDING AREAS)

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LOCATED ON THE FOLLOWING DESCRIBED LAND (2 OF THE APPAREL CENTER PARCELS):

1. PART OF PARCEL A1:

LOT 17 IN WOLF POINT, BEING A RESUBDIVISION OF LOTS AND PARTS OF LOTS IN BLOCKS 6, 7, 14 AND 15 IN THE ORIGINAL TOWN OF CHICAGO; TOGETHER WITH PARTS OF VACATED ALLEYS AND STREET AND ADJOINING LANDS, ALL IN SECTION 9; TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. PARCEL B2:

ALL OF THE LAND, PROPERTY AND SPACE LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY DOWNWARD FROM A HORIZONTAL PLANE WHICH IS 23 FEET VERTICALLY ABOVE CHICAGO CITY DATUM OF A STRIP OF LAND 40 FEET WIDE, WHICH IS BOUNDED ON THE WEST BY THE SOUTHWESTERLY LINE OF THE FRANKLIN-ORLEANS STREET VIADUCT AS NOW LOCATED AND ESTABLISHED; ON THE EAST BY THE NORTHEASTERLY LINE OF SAID FRANKLIN-ORLEANS VIADUCT; ON THE NORTH BY A LINE PARALLEL WITH AND 20 FEET NORTH AT RIGHT ANGLES FROM THE CENTERLINE BETWEEN THE TWO MAIN TRACKS OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY, AS ESTABLISHED ON APRIL 24, 1963, AND ON THE SOUTH BY A LINE PARALLEL WITH AND 20 FEET SOUTH AT RIGHT ANGLES FROM THE CENTERLINE BETWEEN SAID TWO MAIN TRACKS.

b) EASEMENT FOR ACCESS TO AND CONNECTING WITH THE UTILITY LINES, EXISTING AS OF APRIL 1, 1998, LOCATED AT AND SERVICING THE APPAREL PROPERTY, AS DEFINED THEREIN, AND FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR, REPLACEMENT AND REMOVAL OF EXTENSIONS OF SUCH UTILITY LINES TO PROVIDE SERVICE TO THE WOLF POINT PROPERTY, AS DEFINED THEREIN, AND IMPROVEMENTS THEREON, INCLUDING WITHOUT LIMITATION, GAS LINES, WATER LINES, STORM SEWERS, TELECOMMUNICATION LINES AND CABLES.

Street Address: 313 W. Wolf Point Plaza
Chicago, Illinois 60654

Permanent Index Number: 17-09-400-035

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EXHIBIT B TO SPECIAL WARRANTY DEED

ENCUMBRANCES

1. THE LAND LIES WITHIN THE BOUNDARIES OF A SPECIAL SERVICE AREA, AS DISCLOSED BY ORDINANCE RECORDED AS DOCUMENT NUMBER 91075841, AND IS SUBJECT TO ADDITIONAL TAXES UNDER THE TERMS OF SAID ORDINANCE AND SUBSEQUENT RELATED ORDINANCES.
2. RIGHTS OF THE UNITED STATES OF AMERICA, THE STATE OF ILLINOIS, THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, THE CITY OF CHICAGO AND THE PUBLIC IN AND TO THAT PART OF THE LAND FALLING IN OR BORDERING ON THE CHICAGO RIVER FOR NAVIGATION, DOCKING AND OTHER PURPOSES TOGETHER WITH THE RIGHTS OF THE PROPERTY OWNERS IN AND TO THE FREE AND UNOBSTRUCTED FLOW OF THE WATERS OF SAID RIVER.
3. RIGHTS OF THE PUBLIC UNDER THE PROVISIONS CONTAINED IN THE ORDINANCE VACATING OLD NORTH WATER STREET AND PART OF EAST WATER STREET PASSED FEBRUARY 14, 1856 (SEE DOCUMENT 2014 OF THE MUNICIPAL YEAR 1855) PROVIDING THAT A STRIP OF LAND 10.00 FEET WIDE NEXT ADJOINING THE RIVER SHALL BE AND ALWAYS REMAIN AN OPEN WHARF, UPON THE SAME CONDITIONS AND RESTRICTIONS AS CONTAINED IN THE SETTLEMENT OF THE WHARFING PRIVILEGES ON THE SOUTH SIDE OF THE CHICAGO RIVER.
4. EASEMENT CREATED BY PERMANENT EASEMENT DATED JUNE 18, 1974 AND RECORDED JUNE 26, 1974 AS DOCUMENT 22764368 FROM LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 36223 TO THE CITY OF CHICAGO,
(BEING A RESTATEMENT OF: EASEMENT FOR THE FRANKLIN-ORLEANS STREET VIADUCT AS CREATED BY ORDINANCE OF THE CITY OF CHICAGO PASSED MARCH 25, 1916, A COPY OF WHICH WAS RECORDED MAY 18, 1916 AS DOCUMENT 5871307; AND AMENDED BY ORDINANCE RECORDED MAY 18, 1916 AS DOCUMENT 5871308; AND
SUBJECT TO EASEMENT UNDER PORTIONS OF THE FRANKLIN-ORLEANS STREET VIADUCT REFERRED TO IN ORDINANCE PASSED JULY 29, 1930, A COPY OF WHICH WAS RECORDED AS DOCUMENT 10774446 AND GRANTED AS PARCEL 25 AND 2 IN GRANT FROM CITY OF CHICAGO TO CHICAGO AND NORTHWESTERN RAILWAY COMPANY RECORDED AS DOCUMENT 10774447.) TO CONSTRUCT, REPAIR, MAINTAIN AND OPERATE:
 - (A) A SUBWAY OVER, ON AND THROUGH THE EIGHT PARCELS OF LAND DESCRIBED IN THE SCHEDULE ATTACHED TO SAID PERMANENT EASEMENT AND

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(B) A VIADUCT STRUCTURE OVER, ON AND THROUGH PARCEL 8 DESCRIBED THEREIN.

WITH RESERVATIONS THEREIN FOR STRUCTURAL ELEMENTS, ACCESS FOR REPAIR AND MAINTENANCE OF STRUCTURAL ELEMENTS AND INGRESS AND EGRESS TO KINZIE.

5. PERPETUAL EASEMENT CREATED BY GRANT CONTAINED IN THE INSTRUMENT DATED FEBRUARY 15, 1974 AND RECORDED APRIL 24, 1974 AS DOCUMENT 22695490, FORM LASALLE NATIONAL BANK, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 1, 1967 AND KNOWN AS TRUST NUMBER 36223, TO CERTAIN TRUSTEES NAMED IN THE RIDER ATTACHED THERETO MARKED EXHIBIT A AND MADE A PART THEREOF THEREIN CALLED "GRANTEES" AND TO THE OWNERS FROM TIME TO TIME OF ALL OR ANY OF THE MART PROPERTY FOR INGRESS AND EGRESS OF PERSONS AND VEHICLES OVER, ALONG AND THROUGH THE FOLLOWING DESCRIBED PROPERTY TO WIT:

PARCEL 1:

THAT PART OF LOT 10 IN MARSHALL FIELD AND COMPANY AND CHICAGO AND NORTHWESTERN RAILWAY COMPANY'S RESUBDIVISION OF BLOCKS 5 AND 6 IN ORIGINAL TOWN OF CHICAGO WHICH IS BELOW THE PRESENT FRANKLIN-ORLEANS STREET VIADUCT STRUCTURE AND THAT PART OF THE PROPERTY LYING SOUTHEASTERLY OF AND ADJOINING SAID LOT 10 AND NORTHWESTERLY OF THE NORTHERLY FACE OF THE FRANKLIN-ORLEANS BRIDGE ABUTMENT AND WHICH IS BELOW THE PRESENT FRANKLIN-ORLEANS STREET VIADUCT STRUCTURE;

PARCEL 2:

THAT PART OF ORLEANS STREET WHICH LIES SOUTH OF THE NORTH LINE OF KINZIE STREET AND WHICH IS BELOW THE PRESENT FRANKLIN-ORLEANS STREET VIADUCT STRUCTURE;

AND THE COVENANTS AND CONDITIONS THEREIN CONTAINED.

6. RECIPROCAL EASEMENT AGREEMENT DATED APRIL 1, 1998, AND RECORDED APRIL 9, 1998, AS DOCUMENT 98284695 MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1997, AND KNOWN AS TRUST NUMBER 121000 ("WOLF POINT OWNER"), 350 NORTH ORLEANS STREET L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, ("APPAREL PROPERTY OWNER"), AND 200 WORLD TRADE CENTER L.L.C., A DELAWARE LIMITED LIABILITY COMPANY ("MART OWNER"), AND THE TERMS, PROVISIONS AND CONDITIONS CONTAINED THEREIN.

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FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT, RECORDED DECEMBER 14, 2004 AS DOCUMENT 0434939064.

SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED JANUARY 5, 2012 AS DOCUMENT NUMBER 1200516070.

AS AMENDED BY CONSENT AND WAIVER DATED JUNE 30, 2015 AND RECORDED JULY 7, 2015 AS DOCUMENT 1518834102 BETWEEN BRE RIVER NORTH POINT OWNER LLC, A DELAWARE LIMITED LIABILITY COMPANY CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST 121000 AND BIT WOLF POINT WEST INVESTORS LLC.

7. TERMS, PROVISIONS AND CONDITIONS OF THE PARKING RIGHTS EASEMENT AGREEMENT, DATED APRIL 1, 1998 AND RECORDED APRIL 9, 1998 AS DOCUMENT 98284711, MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1997 KNOWN AS TRUST NUMBER 121000 (WOLF POINT OWNER) AND 350 NORTH ORLEANS STREET L.L.C., A DELAWARE LIMITED LIABILITY COMPANY ("APPAREL PROPERTY OWNER"), 200 WORLD TRADE CENTER L.L.C., A DELAWARE LIMITED LIABILITY COMPANY ("MART OWNER").

FIRST AMENDMENT TO PARKING RIGHTS EASEMENT AGREEMENT RECORDED DECEMBER 14, 2004 AS DOCUMENT 0434939063 (INCLUDING HOTEL LEASE RIGHTS FROM LEASE DATED FEBRUARY 14, 1974 AND RECORDED JUNE 21, 1974 AS DOCUMENT 22759596 LEASING A PORTION OF THE LAND IN APPAREL CENTER AS DEFINED IN SAID DOCUMENT 0434939063, FOR A TERM COMMENCING AS OF FEBRUARY 1, 1974 AND ENDING WITH THE LAST DAY OF THE 65TH FULL LEASE YEAR SUBSEQUENT TO THE HOTEL OPENING DATE AS DEFINED THEREIN, AS AMENDED FROM TIME TO TIME, MOST RECENTLY BY FIRST CUMULATIVE AMENDMENT TO RESTATEMENT OF LEASE RECORDED DECEMBER 14, 2004 AS DOCUMENT NUMBER 0434939065).

AS AMENDED BY CONSENT AND WAIVER DATED JUNE 30, 2015 AND RECORDED JULY 7, 2015 AS DOCUMENT 1518834102 BETWEEN BRE RIVER NORTH POINT OWNER LLC, A DELAWARE LIMITED LIABILITY COMPANY CHICAGO TITLE AND TRUST COMPANY AS TRUSTEE UNDER TRUST 121000 AND BIT WOLF POINT WEST INVESTORS LLC.

8. TERMS, PROVISIONS AND CONDITIONS OF THE DEVELOPMENT RIGHTS AGREEMENT, DATED APRIL 1, 1998 AND RECORDED APRIL 9, 1998 AS DOCUMENT 98284705, MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1997 KNOWN AS TRUST NUMBER 121000 AND 350 NORTH ORLEANS STREET L.L.C., A DELAWARE LIMITED LIABILITY COMPANY.

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FIRST AMENDMENT TO DEVELOPMENT RIGHTS AGREEMENT RECORDED DECEMBER 14, 2004 AS DOCUMENT 0434939062.

CONSENT AND WAIVER MADE BY SRI TEN WEST MART LLC FOR THE BENEFIT OF BIT WOLF POINT INVESTORS LLC, AND CHICAGO TITLE LAND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1997 AND KNOWN AS TRUST NO. 121000 DATED JUNE 12, 2014 AND RECORDED AUGUST 1, 2014 AS DOCUMENT 1421316035.

9. EASEMENT RESERVED IN DEED FROM CHICAGO AND NORTHWESTERN RAILWAY COMPANY, CORPORATION OF WISCONSIN, CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY TO LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 1, 1967 AND KNOWN AS TRUST NUMBER 36223 DATED MARCH 1, 1990 AS DOCUMENT 90335682.
10. TERMS OF THE INTERCREDITOR AGREEMENT MADE BY AND AMONG BANK OF AMERICA, N.A. (WEST PARCEL ADMINISTRATIVE AGENT), BANK OF AMERICA, N.A. (WEST PARCEL LENDERS), NORTH SHORE COMMUNITY BANK & TRUST COMPANY, BIT WOLF POINT WEST INVESTORS LLC, A DELAWARE LIMITED LIABILITY COMPANY, WOLF POINT OWNERS, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY, AND WPO NORTH, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, OF WHICH A MEMORANDUM OF THE AGREEMENT DATED FEBRUARY 5, 2014 WAS RECORDED FEBRUARY 10, 2014 AS DOCUMENT NUMBER 1404116039.

FIRST AMENDMENT TO INTERCREDITOR AGREEMENT AND MEMORANDUM THEREOF, DATED AS OF JULY 15, 2014 AND RECORDED AUGUST 14, 2014 AS DOCUMENT 1422644051.

11. TERMS OF THE MEMORANDUM OF AMENDED AND RESTATED CONSTRUCTION RELATED AGREEMENT MADE BY AND AMONG BIT WOLF POINT WEST INVESTORS LLC, A DELAWARE LIMITED LIABILITY COMPANY, WOLF POINT OWNERS, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY, AND WPO NORTH, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, DATED FEBRUARY 5, 2014 AND RECORDED FEBRUARY 10, 2014 AS DOCUMENT NUMBER 1404116036.

FIRST AMENDMENT DATED AS OF JULY 15, 2014 AND RECORDED AUGUST 14, 2014 AS DOCUMENT 1422644047.

12. THE PLAT OF SURVEY DATED JUNE 15, 2017 BY CHICAGO GUARANTEE SURVEY COMPANY ORDER NO. 2016-23422-001 INCLUDES A FLOOD NOTE BY THE SURVEYOR THAT THE LAND IS LOCATED WITHIN A SPECIAL FLOOD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% CHANCE FLOOD ZONE A.

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13. RIGHT, TITLE AND INTEREST OF THE CITY OF CHICAGO IN AND TO THE FREIGHT TUNNEL CROSSING BELOW THE WEST PART OF THE LAND, AS SHOWN ON PLAT OF SURVEY DATED JUNE 15, 2017 BY CHICAGO GUARANTEE SURVEY COMPANY ORDER NO. 2016-23422-001.
14. TERMS AND CONDITIONS CONTAINED IN THE NOTICE OF SEWER PERMIT ORDINANCE REQUIREMENTS OF THE METROPOLITAN WATER RECLAMATION DISTRICT, PERMIT NO. 14CH02, RECORDED JANUARY 11, 2016 AS DOCUMENT 1601122094.
15. WHARFING RIGHTS EASEMENTS IN FAVOR OF WOLF POINT OWNERS, L.L.C. FOR THE PURPOSE OF CONDUCTING WHARFING ACTIVITIES AS DEFINED THEREIN, AND FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT AND OPERATION OF WHARFING FACILITIES AND UTILITY SERVICES THERETO AND PEDESTRIAN INGRESS AND EGRESS, AS SET FORTH IN WHARFING RIGHTS EASEMENT AGREEMENT MADE WPO EAST, LLC AND WPO SOUTH, LLC WITH WOLF POINT OWNERS, L.L.C., DATED FEBRUARY 17, 2017 AND RECORDED MARCH 7, 2017 AS DOCUMENT NO. 1706645088 AND THE TERMS AND PROVISIONS CONTAINED THEREIN.
16. COVENANTS AND RESTRICTIONS (BUT OMITTING ANY SUCH COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (8) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS), RELATING, IN PART, TO UNDERLYING DECLARATIONS, EASEMENTS INCLUDING SOUTH ACCESS ROUTE OVER LOT 2, MAINTENANCE AND REPAIR AND SHARED RESPONSIBILITIES AND COSTS AND LIEN THEREFOR, CONSTRUCTION PLANS, ESTOPPEL CERTIFICATES, AS CONTAINED IN THE RESTATED DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED AS OF JANUARY 1, 2017 AND RECORDED MARCH 7, 2017 AS DOCUMENT 1706645089 MADE BY AND BETWEEN OWNERS OF LOTS 1, 2, 3, 4 AND 5 IN WOLF POINT 11 SUBDIVISION (RESTATING IN ITS ENTIRETY DECLARATION 1331016068, AS SUPPLEMENTED BY 1122644046, AND 1602913079) WHICH DOES NOT CONTAIN A REVERSIONARY OR FORFEITURE CLAUSE.

FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED AS OF JUNE 15, 2017 AND RECORDED JUNE 27, 2017 AS DOCUMENT 1717845023

RIGHTS OF THE ADJOINING OWNERS TO THE CONCURRENT USE OF THE EASEMENTS.

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17. CONSTRUCTION RELATED AGREEMENT MADE BY AND AMONG WPO EAST, LLC, WPO SOUTH, LLC AND WPO NORTH, LLC, DATED AS OF FEBRUARY 17, 2017 AND TERMS OF THE MEMORANDUM OF CONSTRUCTION RELATED AGREEMENT MADE BY AND AMONG WPO EAST, LLC, WPO SOUTH, LLC AND WPO NORTH, LLC, DATED AS OF FEBRUARY 17, 2017 AND RECORDED MARCH 7, 2017 AS DOCUMENT 1706645093.
18. THE INCHOATE LIEN OF AD VALOREM REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE AS OF THE DATE HEREOF.

Property of Cook County Clerk's Office

**COOK COUNTY
RECORDER OF DEEDS**