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Doc#: 1835510085 Fee: \$72.00
Edward M. Moody
Cook County Recorder of Deeds
Date: 12/21/2018 11:39 AM Pg: 1 of 13

ASSIGNMENT OF MORTGAGE

KNOW THAT EMERALD CREEK CAPITAL 3, LLC, having offices at 575 Lexington Avenue, Suite 3120, New York, New York 10022, Attention: Mark Bahiri, hereinafter referred to as "Assignor", in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by ECC MT SPE LLC, a New York limited liability company, its successors and/or assigns, having offices c/o Emerald Creek Capital LLC, 575 Lexington Avenue, Suite 3120, New York, New York 10022, Attention: Mark Bahiri, hereinafter referred to as "Assignee", hereby assigns unto Assignee that certain mortgage referenced on Schedule A annexed hereto and made a part hereof (the "Mortgage"), encumbering certain real property more particularly described therein, together with the note or notes therein described or referred to, the money due or to become due thereon with interest, and all rights accrued or to accrue under said Mortgage.

This assignment is made without warranty, representation or recourse in any event whatsoever.

The Assignee is not acting as a nominee of the mortgagor and the Mortgage assigned herein continues to secure a bona fide obligation.

TOGETHER with the bonds or notes or obligations described in the Mortgage, and the moneys due and to grow due thereon with interest; TO HAVE AND TO HOLD the same unto the Assignee and to the successors, legal representatives and assigns of the assignee forever.

The word "assignor" or "assignee" shall be construed as if it read "assignors" or "assignees" whenever the sense of this instrument so requires.

IN WITNESS WHEREOF, the Assignor has duly executed this assignment as of October 31, 2018.

EMERALD CREEK CAPITAL 3, LLC

By: Emerald Creek Advisors LLC, its Manager

By: _____

Name: Mark Bahiri

Title: Managing Member

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SCHEDULE A

MORTGAGE ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT

Mortgagor: 871 Rush Property LLC
Mortgagee: Emerald Creek Capital 3, LLC
Amount: \$16,750,000.00
Dated: May 30, 2018
Recorded: June 20, 2018 Document Number: 1817141061

Property of Cook County Clerk's Office

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EMERALD CREEK CAPITAL 3, LLC

TO

ECC MT SPE LLC

ASSIGNMENT OF MORTGAGE

DATED: OCTOBER 3, 2018

Premises: 871 North Rush Street, Chicago,
Illinois 60611
PINs: 17-03-217-016-0000
17-03-217-017-0000
County: Cook

Please Record and Return to:

ECC MT SPE LLC
c/o Emerald Creek Capital LLC
575 Lexington Avenue, Suite 3120
New York, New York 10022
Attn: Mark Bahiri

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SCHEDULE A

METES AND BOUNDS DESCRIPTION OF PROPERTY

Parcel 1 (Basement):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying above a horizontal plane having an elevation of 1.75 feet above the Chicago City Datum and lying below a horizontal plane having an elevation of 14.15 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 89 degrees 59 minutes 20 seconds East, along the North line thereof, 49.74 feet; thence South 00 degrees 00 minutes 00 seconds West 13.11 feet to the point of beginning; thence North 90 degrees 00 minutes 00 seconds East, 46.84 feet; thence North 00 degrees 00 minutes 00 seconds East, 2.87 feet; thence North 90 degrees 00 minutes 00 seconds East, 2.32 feet; thence South 00 degrees 00 minutes 00 seconds West, 21.14 feet; thence South 90 degrees 00 minutes 00 seconds West, 12.57 feet; thence South 00 degrees 00 minutes 00 seconds West, 2.20 feet; thence South 90 degrees 00 minutes 00 seconds West, 36.59 feet; thence North 00 degrees 00 minutes 00 seconds East, 20.46 feet to the point of beginning, in Cook County, Illinois.

Parcel 2 (Ground):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying above a horizontal plane having an elevation of 14.15 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 33.78 feet to the point of beginning; thence North 71 degrees 44 minutes 27 seconds East, 22.36 feet; thence North 90 degrees 00 minutes 00 seconds East, 37.96 feet; thence Easterly 13.07 feet along the arc of a circle, having a radius of

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15.97 feet, concave Southwesterly, and whose chord bears South 67 degrees 07 minutes 47 seconds East a distance of 12.71 feet; thence South 00 degrees 00 minutes 00 seconds West, 8.61 feet; thence North 90 degrees 00 minutes 00 seconds West, 33.04 feet; thence South 00 degrees 00 minutes 00 seconds East, 20.33 feet; thence North 90 degrees 00 minutes 00 seconds East, 3.77 feet; thence South 00 degrees 00 minutes 00 seconds East, 7.84 feet; thence South 90 degrees 00 minutes 00 seconds East, 48.49 feet; thence South 00 degrees 00 minutes 00 seconds East, 11.02 feet; thence North 90 degrees 00 minutes 00 seconds West, 5.14 feet; thence South 00 degrees 00 minutes 00 seconds West, 18.89 feet to the South line of said tract; thence North 89 degrees 58 minutes 52 seconds West, 63.45 feet to the West line of said tract; thence North 18 degrees 26 minutes 13 seconds West, 68.10 feet to the point of beginning, in Cook County, Illinois.

Parcel 3 (Ground):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "A", "B" and "C" and lying above a horizontal plane having an elevation of 14.15 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 89 degrees 59 minutes 20 seconds East along the North line of said tract 57.11 feet to the point of beginning; thence South 00 degrees 00 minutes 00 seconds East, 25.03 feet to a point, said point being also horizontally point "A" which has an elevation of +19.77 feet above Chicago City datum; thence North 90 degrees 00 minutes 00 seconds East, 12.77 feet to a point, said point being also horizontally point "B" which has an elevation of +20.91 feet above Chicago City datum; thence North 38 degrees 09 minutes 48 seconds East, 31.82 feet to a point on the North line of said tract, said point being also horizontally point "C" which has an elevation of +25.91 feet above Chicago City datum; thence North 89 degrees 59 minutes 20 seconds West along the North line of said tract, 32.43 feet to the point of beginning, in Cook county, Illinois.

Parcel 4 (Ground):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points

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"B", "C" and "D" and lying above a horizontal plane having an elevation of 14.15 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 89 degrees 59 minutes 20 seconds East along the North line of said tract 57.11 feet; thence South 00 degrees 00 minutes 00 seconds East, 25.03 feet; thence North 90 degrees 00 minutes 00 seconds East, 12.77 feet to the point of beginning, said point being also horizontally point "B" which has an elevation of +20.91 feet above Chicago City datum; thence North 38 degrees 09 minutes 48 seconds East, 31.82 feet to a point on the North line of said tract, said point being also horizontally point "C" which has an elevation of +25.91 feet above Chicago City datum; thence South 89 degrees 59 minutes 20 seconds East along the North line of said tract, 16.83 feet said point being also horizontally point "D" which has an elevation of +26.06 feet above Chicago City datum; thence South 55 degrees 33 minutes 56 seconds West, 44.24 feet to the point of beginning, in Cook County, Illinois.

Parcel 5 (Ground):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "B", "D" and "E" and lying above a horizontal plane having an elevation of 14.15 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 89 degrees 59 minutes 20 seconds East along the North line of said tract 106.37 feet to the point of beginning, said point being also horizontally point "D" which has an elevation of +26.06 feet above Chicago City datum; thence South 55 degrees 33 minutes 56 seconds West, 44.24 feet to a point, said point being also horizontally point "B" which has an elevation of +20.91 feet above Chicago City datum; thence Easterly 13.07 feet along the arc of a circle, having a radius of 15.97 feet, concave Southwesterly, and whose chord bears South 67 degrees 07 minutes 47 seconds East a distance of 12.71 feet; thence North 00 degrees 00 minutes 00 seconds East, 5.40 feet; thence North 90 degrees 00 minutes 00 seconds East, 4.47 feet to a point, said point being also horizontally point "E" which has an elevation of +26.20 feet above Chicago City datum; thence North 39 degrees 35 minutes 54 seconds East, 31.87 feet to the point of beginning, in Cook County, Illinois.

Parcel 6 (Ground):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet

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being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "D", "E" and "F" and lying above a horizontal plane having an elevation of 14.15 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 89 degrees 59 minutes 20 seconds East along the North line of said tract 106.37 feet to the point of beginning, said point being also horizontally point "D" which has an elevation of +26.06 feet above Chicago City datum; thence South 00 degrees 00 minutes 00 seconds West, 18.23 feet to a point, said point being also horizontally point "F" which has an elevation of +26.78 feet above Chicago City datum; thence South 90 degrees 00 minutes 00 seconds West, 6.56 feet; thence South 00 degrees 00 minutes 00 seconds West, 7.21 feet; thence South 90 degrees 00 minutes 00 seconds West, 2.57 feet; thence North 00 degrees 00 minutes 00 seconds East, 0.88 feet; thence South 90 degrees 00 minutes 00 seconds West, 11.19 feet to a point, said point being also horizontally point "E" which has an elevation of +26.20 feet above Chicago City datum; thence North 39 degrees 35 minutes 54 seconds East, 31.87 feet to the point of beginning, in Cook county, Illinois.

Parcel 7 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "G", "H" and "I" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 101.88 feet to the Southwest corner of said tract; thence South 89 degrees 58 minutes 51 seconds East along the South line of said tract, 15.69 feet to the point of beginning, said point being also horizontally point "I" which has an elevation of +37.82 feet above Chicago City datum; thence North 00 degrees 14 minutes 39 seconds West, 37.71 feet to a point, said point being also horizontally point "H" which has an elevation of +39.06 feet above Chicago City datum; thence North 90 degrees 00 minutes 00 seconds East, 11.13 feet; thence South 00 degrees 00 minutes 00 seconds West, 8.32 feet; thence North 90 degrees 00 minutes 00 seconds East, 6.60 feet; thence South 00 degrees 00 minutes 00 seconds

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West, 29.40 feet to a point on the South line of said tract, said point being also horizontally point "G" which has an elevation of +36.33 feet above Chicago City datum; thence North 89 degrees 58 minutes 51 seconds West along the South line of said tract, 17.57 feet to the point of beginning, in Cook county, Illinois.

Parcel 8 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "H", "I" and "J" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 84.67 feet to the point of beginning, said point being also horizontally point "J" which has an elevation of +39.99 feet above Chicago City datum; thence continuing South 18 degrees 26 minutes 13 seconds East along the West line of said tract, 17.21 feet to the Southwest corner of said tract; thence South 89 degrees 58 minutes 51 seconds East along the South line of said tract, 15.69 feet to a point, said point being also horizontally point "I" which has an elevation of +37.82 feet above Chicago City datum; thence North 00 degrees 14 minutes 39 seconds West, 37.71 feet to a point, said point being horizontally point "H" which has an elevation of +39.06 feet above Chicago City datum; thence South 44 degrees 27 minutes 17 seconds West, 29.95 feet to the West line of said tract also being the Point of Beginning, in Cook County, Illinois.

Parcel 9 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "H", "J" and "K" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13

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seconds East along the West line of said tract 61.06 feet to the point of beginning, said point being also horizontally point "K" which has an elevation of +41.22 feet above Chicago City datum; thence South 87 degrees 56 minutes 39 seconds East, 28.46 feet to a point, said point being also horizontally point "H" which has an elevation of +39.06 feet above Chicago City datum; thence South 44 degrees 27 minutes 17 seconds West, 29.95 feet to a point on the West line of said tract, said point being also horizontally point "J" which has an elevation of +39.99 feet above Chicago City datum; thence North 18 degrees 26 minutes 13 seconds West along the West line of said tract, 23.61 feet to the point of beginning, in Cook county, Illinois.

Parcel 10 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "H", "K" and "L" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 61.06 feet to the point of beginning, said point being also horizontally point "K" which has an elevation of +41.22 feet above Chicago City datum; thence South 87 degrees 56 minutes 39 seconds East, 28.46 feet to a point, said point being also horizontally point "H" which has an elevation of +39.06 feet above Chicago City datum; thence North 00 degrees 00 minutes 00 seconds East, 10.31 feet to a point, said point being also horizontally point "L" which has an elevation of +41.56 feet above Chicago City Datum; thence South 71 degrees 54 minutes 55 seconds West, 29.92 feet to the point of beginning, in Cook County, Illinois.

Parcel 11 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "K", "L" and "M" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

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Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 40.10 feet to the point of beginning, said point being also horizontally point "M" which has an elevation of +43.22 feet above Chicago City datum; thence South 73 degrees 12 minutes 09 seconds East, 36.63 feet to a point, said point being also horizontally point "L" which has an elevation of +41.56 feet above Chicago City datum; thence South 71 degrees 54 minutes 55 seconds West, 29.92 feet to point on the West line of said tract, said point being also horizontally point "K" which has an elevation of +41.22 feet above Chicago City datum; thence North 18 degrees 26 minutes 13 seconds West along the West line of said tract, 20.95 feet to the point of beginning, in Cook County, Illinois.

Parcel 12 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "L", "M" and "N" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract, thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 40.10 feet to the point of beginning, said point being also horizontally point "M" which has an elevation of +43.22 feet above Chicago City datum; thence South 73 degrees 12 minutes 09 seconds East, 36.63 feet to a point, said point being also horizontally point "L" which has an elevation of +41.56 feet above Chicago City datum; thence North 00 degrees 00 minutes 00 seconds East, 10.57 feet to a point, said point being also horizontally point "N" which has an elevation of +43.22 feet above Chicago City datum; thence North 90 degrees 00 minutes 00 seconds West, 35.07 feet to a point on the West line of said tract also being the Point of Beginning, in Cook County, Illinois.

Parcel 13 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "M", "O" and "Q" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

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Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 40.10 feet to the point of beginning, said point being also horizontally point "M" which has an elevation of +43.22 feet above Chicago City datum; thence South 90 degrees 00 minutes 00 seconds East, 44.07 feet to a point, said point being also horizontally point "O" which has an elevation of +43.22 feet above Chicago City datum; thence North 00 degrees 00 minutes 00 seconds West, 13.68 feet to a point, said point being also horizontally point "Q" which has an elevation of +43.64 feet above Chicago City datum; thence South 90 degrees 00 minutes 00 seconds West, 24.40 feet; thence South 77 degrees 24 minutes 03 seconds West, 23.10 feet to the West line of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract, 9.10 feet to the point of beginning, in Cook County, Illinois.

Parcel 14 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "O", "P" and "Q" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Commencing at the Northwest corner of said tract; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract 40.10 feet; thence South 90 degrees 00 minutes 00 seconds East, 44.07 feet to the point of beginning, said point being also horizontally point "O" which has an elevation of +43.22 feet above Chicago City datum; thence North 00 degrees 00 minutes

00 seconds West, 13.68 feet to a point, said point being also horizontally point "Q" which has an elevation of +43.64 feet above Chicago City datum; thence North 90 degrees 00 minutes 00 seconds East, 11.84 feet; thence Southeasterly 24.62 feet along the arc of a circle having a radius of 19.48 feet, concave Southwesterly, and whose chord bears South 53 degrees 32 minutes 38 seconds East a distance of 23.02 feet to a point, said point being also horizontally point "P" which has an elevation of +43.22 feet above Chicago City Datum; thence North 90 degrees 00 minutes 00 seconds West, 30.35 feet to the point of beginning, in Cook County, Illinois.

Parcel 15 (Mezzanine):

That part of a tract comprised of Lot 4 (except the North 13 feet thereof) (the said North 13 feet being measured along a line extended southwardly from and at right angles to the North line of Lot 4) in Block 14 in the Subdivision by the commissioners of the Illinois and Michigan canal of the South fractional quarter of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, together with Lot 1 and sub Lots 2 and 3 in Rehm's Subdivision of Lot 5 in Block 14 in Canal Trustees Subdivision of Section 3, Township 39 North, Range 14, East of the

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Third Principal Meridian, lying below a slanted plane defined by the hereinafter described points "R", "S" and "T" and lying above a horizontal plane having an elevation of 26.59 feet above the Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Beginning at the Northwest corner of said tract said point also being point "S" which has an elevation of +44.37 feet above Chicago City Datum; thence South 18 degrees 26 minutes 13 seconds East along the West line of said tract, 31.00 feet to a point, said point being also horizontally point "R" which has an elevation of +43.51 feet above Chicago City datum; thence North 77 degrees 24 minutes 03 seconds East, 23.10 feet; thence North 00 degrees 00 minutes 00 seconds West, 24.36 feet to a point on the North line of said tract, said point also being also horizontally point "T" which has an elevation of +44.37 feet above Chicago City datum; thence North 89 degrees 59 minutes 20 seconds West along the North line of said tract, 32.35 feet to the point of beginning, in Cook County, Illinois.

Parcel 16:

A non-exclusive easement for the benefit of Parcels 1 through 15, as created by Easement and Operating Agreement dated March 4 2004 and recorded as document number 0406429163 and re-recorded March 5, 2004 as document 0406542165 the purpose of permitting the use and occupancy of the retail improvements in any portion of the future restaurant property; structural members and other supporting components; access to, use for their intended purposes and maintenance of all facilities located on the future restaurant property or in the existing restaurant improvements; permitting encroachments in the event of subsequent settling or shifting; common walls serving the retail improvement; pedestrian ingress and egress through the existing restaurant improvement; use of the exhaust shafts and ducts related to ventilation; pedestrian and vehicular ingress and egress to loading docks and delivery entrances; permit the construction and maintenance of the retail improvement; installation and repair of canopies, all as set forth in easement document.

Permanent Index Numbers:

17-03-217-016

17-03-217-017

Address 871 North Rush Street, Chicago, Illinois 60611