

DEED IN TRUST

23 655 777

17-10-304

Form 191 Rev. 11-71

The above space for recorder's use only

THIS INDENTURE WITNESSETH, THAT THE GRANTOR, Illinois Central Gulf Railroad Company, a Delaware corporation, and State of Illinois, for and in consideration of the sum of one million eight hundred forty one thousand one Dollars (\$1,841,001.93, and 93/100 in hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey and Warrants unto AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association whose address is 33 No. LaSalle Street, Chicago, Illinois, as Trustee under the provisions of a certain Trust Agreement (made) the 11th day of June 1971, and known as Trust Number 75802 the following described real estate in the County of Cook and State of Illinois, to wit:

See Description Attached

Subject to:

- A. Building and zoning laws or ordinances, including Planned Development Ordinance passed September 17, 1969.
- B. Terms and conditions of the Lake Front Ordinance of July 12, 1919 and all amendments thereon, including those of October 24, 1929 and September 17, 1969.
- C. Rights and easements of record of all public utility companies and others over and across the property conveyed hereby and adjacent properties.
- D. General taxes, if any, for the year 1976 and subsequent years.
- E. Acts of the Grantee and of anyone claiming by, through or under it.

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trust and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alters to raise any subdivision or part thereof, and to transfer, lease or subdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in the present or in the future, and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, in contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of filing the same, to present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or sustain any right, title or interest in or about or appurtenant to said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be held to see to the application of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of any deed, mortgage or deed of trust, or any other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of any person (including the Registrar of Titles of said County) relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this Indenture and by said Trust Agreement was in full force and effect; (b) that such conveyance or other instrument was executed in accordance with the terms, conditions and limitations contained in this Indenture and in said Trust Agreement or in all amendments thereof; if any, and binding upon all beneficiaries thereunder; (c) that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and duly qualified with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

This conveyance is made upon the express understanding and conditions that neither American National Bank and Trust Company of Chicago, individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything in or by them or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or, at the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings, profits and proceeds arising from the sale or any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate, such, but only interest in earnings, profits and proceeds thereof as aforesaid, the intention hereof being to vest in said American National Bank and Trust Company of Chicago the entire legal and equitable title in fee simple to the real estate above described.

If the title in any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or amendments thereof, or memorial, the words "in trust," or upon condition, or "with limitations," or words of similar import, in accordance with the provisions of said Act of 1905.

In Witness Whereof, the grantor aforesaid has hereunto set its hand and seal on this 7th day of October 1976.

Illinois Central Gulf Railroad Co.
By: [Signature] Vice President

STATE OF Illinois, a Notary Public in and for said County of Cook, do hereby certify that:

personally known to me to be the same person whose name subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he executed, signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

GIVEN under my hand and seal this 11th day of October, A.D. 1976.

Notary Public

My commission expires _____

American National Bank and Trust Company of Chicago
 This instrument prepared by 140
 Name of Recorder, Cook County, Ill.

Box 140
 For information only insert street address of above described property.

STATE OF ILLINOIS
 REAL ESTATE TRANSFER TAX
 DEPT. OF REVENUE
 OCT-776
 1843.00

9 9 9 1 5 1
 COOK COUNTY

STATE OF ILLINOIS
 REAL ESTATE TRANSFER TAX
 DEPT. OF REVENUE
 OCT-776
 999.00

9 9 9 1 5 1
 COOK COUNTY

1842.00
 12.00

Document Number
 23 655 777

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STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, ROBERT L. WILEY, a Notary Public in and for the said County in the State aforesaid, do hereby certify that R. A. IRVINE personally known to me to be the Vice President of the Illinois Central Gulf Railroad Company, a Delaware corporation, and R. C. WIESE, personally known to me to be the Assistant Secretary of said Company, both personally known to me to be the same persons whose names are subscribed to the above and foregoing instrument as Vice President and Assistant Secretary of said Company, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act as such Vice President and Assistant Secretary, respectively, 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 notarial seal, this 7 day of OCTOBER; 1976

Robert L. Wiley
Notary Public
COOK COUNTY, ILLINOIS

My commission expires: DECEMBER 1, 1979

COOK COUNTY, ILLINOIS
FILED FOR RECORD
OCT 7 '76 3 05 PM

William H. Olson
RECORDER OF DEEDS
*23665777

Description Approved R. Williams
Form Approved J. Gray

23.665 777

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EXHIBIT A

PARCEL 1:

THE PROPERTY AND SPACE LYING ABOVE AND EXTENDING UPWARD FROM A HORIZONTAL PLANE HAVING AN ELEVATION OF 25.00 FEET ABOVE CHICAGO CITY DATUM, AND LYING WITHIN THE BOUNDARIES, PROJECTED VERTICALLY UPWARD FROM THE SURFACE OF THE EARTH, OF THAT PART OF THE LANDS LYING EAST OF AND ADJOINING FORT DEARBORN ADDITION TO CHICAGO, BEING THE WHOLE OF THE SOUTH WEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF EAST SOUTH WATER STREET (92.00 FEET WIDE) AS SAID EAST SOUTH WATER STREET WAS DEDICATED BY INSTRUMENT RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON THE 3RD DAY OF MAY, 1972, AS DOCUMENT NUMBER 21889519, WITH THE EAST LINE OF THAT PART OF NORTH BEAUBIEN COURT VACATED BY ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF CHICAGO ON THE 5TH DAY OF JULY, 1972, AND RECORDED IN SAID RECORDER'S OFFICE ON THE 8TH DAY OF DECEMBER, 1972 AS DOCUMENT 22152085 AND RUNNING THENCE SOUTH ALONG SAID EAST LINE OF VACATED NORTH BEAUBIEN COURT, A DISTANCE OF 297.673 FEET TO THE NORTH WEST CORNER OF PARCEL 'K' IN PLAT OF MID-AMERICA, A RESUBDIVISION OF THE PRUDENTIAL AND ILLINOIS CENTRAL SUBDIVISION (WHICH RESUBDIVISION WAS RECORDED IN SAID RECORDER'S OFFICE ON THE 20TH DAY OF NOVEMBER, 1957 IN BOOK 504 OF PLATS PAGES 1 TO 11, BOTH INCLUSIVE, AS DOCUMENT NUMBER 17069914); THENCE EAST ALONG THE NORTH LINE OF SAID PARCEL 'K', SAID NORTH LINE BEING A LINE PERPENDICULAR TO SAID EAST LINE OF VACATED NORTH BEAUBIEN COURT, A DISTANCE OF 117.882 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH SAID EAST LINE OF VACATED NORTH BEAUBIEN COURT, A DISTANCE OF 297.673 FEET TO AN INTERSECTION WITH SAID SOUTH LINE OF EAST SOUTH WATER STREET, 92.00 FEET WIDE; AND THENCE WEST ALONG SAID SOUTH LINE OF EAST SOUTH WATER STREET, A DISTANCE OF 117.882 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE PROPERTY AND SPACE LYING ABOVE AND EXTENDING UPWARD FROM THE INCLINED PLANES ESTABLISHING THE UPPER LIMITS OF THE LAND, PROPERTY AND SPACE DEDICATED FOR EAST SOUTH WATER STREET (92.00 FEET WIDE) BY INSTRUMENT RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON THE 3RD DAY OF MAY, 1972, AS DOCUMENT NUMBER 21889519, AND LYING WITHIN THE BOUNDARIES, PROJECTED VERTICALLY UPWARD FROM THE SURFACE OF THE EARTH, OF A PARCEL OF LAND COMPRISED OF A PART OF EACH OF LOTS 1, 2, AND 3 IN THOMAS DYERS SUBDIVISION OF LOTS 6, 7, 8, 9, 10 AND 11 IN BLOCK 5 IN FORT DEARBORN ADDITION TO CHICAGO, IN THE SOUTH WEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND COMPRISED ALSO OF A PART OF THE LANDS LYING EAST OF AND ADJOINING SAID FORT DEARBORN ADDITION TO CHICAGO, BEING THE WHOLE OF THE SOUTH WEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH PARCEL OF LAND IS BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE, EXTENDED EAST, OF EAST SOUTH WATER STREET, 66.00 FEET WIDE, AS SAID EAST SOUTH WATER STREET IS LOCATED IN SAID FORT DEARBORN ADDITION TO CHICAGO, WITH THE EAST LINE, EXTENDED NORTH, OF THAT PART OF NORTH BEAUBIEN COURT VACATED BY ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF CHICAGO ON THE 5TH DAY OF JULY, 1972 AND RECORDED IN SAID RECORDER'S OFFICE ON THE 8TH DAY OF DECEMBER, 1972 AS DOCUMENT NUMBER 22152086, AND RUNNING THENCE SOUTH ALONG SAID EXTENDED LINE AND ALONG SAID EAST LINE OF VACATED NORTH BEAUBIEN COURT A DISTANCE OF 79.003 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID EAST SOUTH WATER STREET, 92.00 FEET WIDE; THENCE EAST ALONG SAID SOUTH LINE OF EAST SOUTH WATER STREET, SAID SOUTH LINE BEING A LINE PERPENDICULAR TO SAID EAST LINE OF VACATED NORTH BEAUBIEN COURT, A DISTANCE OF 117.882 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH THE EAST LINE, AND SAID EAST

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EXHIBIT A, CONTINUED

LINE EXTENDED NORTH, OF VACATED NORTH BEAUBIEN COURT, A DISTANCE OF 20.34 FEET TO AN INTERSECTION WITH A LINE 25.66 FEET, MEASURED PERPENDICULARLY, SOUTH FROM AND PARALLEL WITH THE CENTER LINE OF SAID EAST SOUTH WATER STREET, 92.00 FEET WIDE; THENCE WEST ALONG SAID LINE 25.66 FEET, MEASURED PERPENDICULARLY, SOUTH FROM AND PARALLEL WITH THE CENTER LINE OF SAID EAST SOUTH WATER STREET, A DISTANCE OF 65.882 FEET TO A POINT 52.00 FEET, MEASURED PERPENDICULARLY, EAST FROM THE EAST LINE, EXTENDED NORTH, OF SAID VACATED NORTH BEAUBIEN COURT; THENCE NORTH ALONG A LINE PARALLEL WITH AND 52.00 FEET, MEASURED PERPENDICULARLY, EAST FROM SAID EAST LINE, EXTENDED NORTH, OF NORTH BEAUBIEN COURT, A DISTANCE OF 58.66 FEET TO A POINT 33.00 FEET, MEASURED PERPENDICULARLY, NORTH FROM SAID CENTER LINE OF EAST SOUTH WATER STREET; AND THENCE WEST ALONG A STRAIGHT LINE, A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

PERPETUAL RIGHT AND EASEMENT FOR THE BENEFIT OF PARCEL 2 AS RESERVED IN PLAT OF DEDICATION DATED APRIL 14, 1972 MADE BY ILLINOIS CENTRAL RAILROAD COMPANY, A CORPORATION OF ILLINOIS, TO THE CITY OF CHICAGO, RECORDED MAY 3, 1972 AS DOCUMENT 21889519 FOR THE PERPETUAL RIGHT TO PLACE, MAINTAIN AND REPAIR (AND TO REPLACE IF DESTROYED), THE STRUCTURE FOUNDATIONS AND SUPPORTS AT THE APPROXIMATE LOCATIONS WITHIN SAID DEDICATED EAST SOUTH WATER STREET AS SHOWN AND DESCRIBED ON SHEET 2 OF SAID PLAT OF DEDICATION RECORDED AS DOCUMENT 21889519.

END OF RECORDED DOCUMENT

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