86482153

WARRANTY DEED
(Northbrook Court)

THIS INDENTURE WITNESSETH, that HOMART DEVELOPMENT CO., a Delaware corporation duly authorized to transact business in the State of Illinois, whose address is Suite 3100 - Xerox Centre, 55 West Monroe Street, Chicago, Illinois, 60603, hereinafter sometimes called "Homart" or "Grantor," conveys and warrants unto PACIFIC FREEHOLDS, a California general partnership, and WESTCOAST ESTATES, a California general partnership, whose principal offices are at 44 Montgomery Street, Suite 4284, San Francisco, California 94104, hereinafter jointly called "Grantee," for the sum of Ten and 00/100ths Dollars ($10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, that certain parcel of real estate located in Village of Northbrook, County of Cook, State of Illinois, and legally described on Exhibits "A" and "B" attached hereto and made a part hereof.

Subject to the following: building and zoning laws and ordinances and State and Federal regulations; general real estate taxes for the year 1986 and subsequent years; rights of the public, easements, covenants, restrictions, reservations and conditions of record, and such other matters specifically set forth on Exhibit "C" attached hereto and made a part hereof.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereunto affixed and has caused its name to be signed to these presents by its First Vice President and attested by its Assistant Secretary this 15th day of October, 1986.

HOMART DEVELOPMENT CO. ("Grantor")

By _____
Its First Vice President

ATTEST:

BY _____
Its Assistant Secretary

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify that BRUCE B. GOBEYN, personally known to me to be the FIRST VICE President of HOMART DEVELOPMENT CO., and MARK L. YATES, personally known to me to be the Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such FIRST VICE President and Assistant Secretary, they signed and delivered said instrument as FIRST VICE President and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 15th day of OCTOBER, 1986.

Lynne C. Nicklin
Notary Public

My Commission Expires:
9/20/88

This instrument was prepared by:
John Schippel, Esq.
55 W. Monroe
Chicago, Il. 60603

r.e./29093/0905
warranty deed
9-18-86

Box 15

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Exhibit "A"

-1-

That part of the Northeast ¼ and the Northwest ¼ of Section 3, Township 42 North, Range 12 East of the Third Principal Meridian described as follows: Beginning at the Southeast corner of the Northeast ¼ of the Northwest ¼ of Section 3, Township 42 North, Range 12; thence North 89°54'08" West along the South line of the Northeast ¼ of the Northwest ¼ of said Section 3, a distance of 139.24 feet; thence North 0°03'18" East, a distance of 66.51 feet; thence North 13°03'18" East, a distance of 275.64 feet; thence North 17°03'18" East, a distance of 20.00 feet; thence South 72°56'42" East, a distance of 222.59 feet; thence North 70°07'07" East, a distance of 84.18 feet; thence North 17°03'18" East, a distance of 324.00 feet; thence North 29°56'42" West, a distance of 78.57 feet; thence North 72°56'42" West, a distance of 124.80 feet; thence North 42°39'29" West, a distance of 68.10 feet; thence North 72°56'42" West, a distance of 335.56 feet; thence South 17°03'18" West, a distance of 35.50 feet; thence North 72°56'42" West a distance of 288.74 feet; thence South 65°29'25" West, a distance of 28.40 feet to a point of curvature thence Southwesterly 60.30 feet along the arc of a circle convex to the Northwest, and having a radius of 225.00 feet; thence North 39°51'54" West, a distance of 25.00 feet; thence North 9°56'42" West, a distance of 65.97 feet to a point of curvature; thence Northerly 104.72 feet along the arc of a circle convex to the West, and having a radius of 600.00 feet to a point of tangency; thence North 0°03'18" East, a distance of 142.73 feet to a point of intersection with the South line of Lake Cook Road as widened per Document No. 23-033-339; thence South 87°38'42" East, a distance of 2.95 feet to an angle point; thence South 89°56'08" East along said South line of Lake Cook Road, a distance of 616.22 feet along the South line of Lake Cook Road as widened per Document No. 23-033-339; thence South 89°56'42" East along said South line a distance of 308.78 feet to an angle point; thence North 88°23'57" East, a distance of 799.7[illegible] feet; thence South 89° 56' 42" East, a distance of 702.31 feet; thence South 23°03'18" West, a distance of 192.78 feet; thence South 57°03'18" West, a distance of 175.44 feet; thence North 89°56'42" West, a distance of 58.87 feet to a point on a curve; thence Southwesterly 45.32 feet along the arc of a circle, convex to the Southeast, and having a radius of 55.00 feet to a point of tangency; thence South 6[illegible]°16'53" West, a distance of 134.84 feet to a point of curvature; thence Northwesterly 71.49 feet along the arc of a circle, convex to the Southwest, and having a radius of 52.00 feet to a point of tangency; thence North 40°56'42" West, a distance of 21.29 feet; thence North 81°56'42" West, a distance of 22.64 feet; thence South 57°03'18" West, a distance of 105.00 feet to a point; thence South 12°03'18" West, a distance of 14.14 feet to a point; thence South 57°03'18" West, a distance of 120.00 feet; thence North 77°56'42" West, a distance of 14.14 feet; thence South 57°03'18" West, a distance of 49.35 feet; thence South 16°27'41" East, a distance of 27.11 feet; thence South 32°56'42" East a distance of 320.00 feet; thence North 57°03'18" East, a distance of 327.04 feet; thence South 32°56'42" East, a distance of 274.92 feet to a point on a curve; thence Northeasterly 196.80 feet along the arc of a circle convex to the Southeast, and having a radius of 378.00 feet; thence South 60°13'52" East, a distance of 44.00 feet to a point on a curve; thence Northeasterly 55.80 feet along the arc of a circle, convex to the Southeast, and having a radius of 422.00 feet to a point of tangency; thence North 22°11'35" East, a distance of 75.13 feet to a point of curvature; thence Northerly 257.64 feet along the arc of a circle convex to the East, and having a radius of 322.00 feet to a point of tangency; thence North 23°39'12" West, a distance of 107.53 feet to a point of curvature; thence Northwesterly 80.00 feet along the arc of a circle, convex to the Northeast and having a radius of 322.00 feet to a point of reversed curve; thence North 36.44 feet, along the arc of a circle, convex to the West, and having a radius of 34.26 feet to a point of tangency; thence North 23°03'18" East, a distance of 93.92 feet to a point on a curve; thence Northeasterly 109.44 feet along the arc of a circle, convex to the Northwest, and having a radius of 150.00 feet to a point of intersection with the South line of Lake Cook Road as widened as per Document No. 23-1138-12; thence South 89°56'42" East along said South line, a distance of 40.00 feet; thence South 25°13'49" West, a distance of 46.9[illegible] feet to a point on a curve; thence Southwesterly 75.15 feet along the arc of a circle, convex to the Northwest and having a radius of 303.00 feet to a point of tangency; thence South 23°03'18" West, a distance of 25.92 feet to a point; thence South 51°19'08" East, a distance of 18.82 feet to a point on a curve; thence Southeasterly 143.05 feet along the arc of a circle, convex to the Northeast, and having a radius of 467.00 feet to a point; thence South 53°09'43" West, a distance of 47.07 feet to a point on a curve; thence Southeasterly and Southwesterly 406.43 feet along the arc of a circle, convex to the East, and having a radius of 420.00 feet to a point of tangency; thence South 22°01'10" West, a distance of 240.30 feet; thence South 89 degrees 54 minutes 25 seconds East along a line 366.00 feet (measured at right angles) North of and parallel with the South line of the Northeast ¼ of the Northeast ¼ of Section 3 a distance of 715.19 feet to a point of intersection with a line 50.00 feet West of and parallel with the East line of the Northeast ¼ of Section 3, also being the West line of Lee Road as per Document No. 21[illegible]113, 812; thence South 0 degrees 05 minutes 06 seconds East a distance of 66.00 feet along said lines to a point of intersection with a line 300.00 feet North and parallel with the South line of the Northeast ¼ of the Northeast ¼ of said Section 3; thence North 89 degrees 54 minutes 25 seconds West along said North line a distance of 747.97 feet to a point on a curve; thence Southwesterly 72.62 feet along the arc of a circle convex to the Southeast and having a radius of 100.00 feet to a point of tangency; thence South 82 degrees 11 minutes 15 seconds West, a distance of 12.47 feet to a point of curvature; thence Southwesterly 407.32 feet along the arc of a circle convex to the Northwest and having a radius of 900.00 feet to a point of tangency; thence South 56 degrees 15 minutes 26 seconds West, a distance of 7.72 feet to a point of curvature; thence Southwesterly 138.42 feet along the arc of a circle convex to the Northwest and having a radius of 150.00 feet to a point on the South line of the Northeast ¼ of the Northeast ¼ of said Section 3; thence South 89 degrees 54 minutes 25 seconds East along said South line a distance of 0.24 feet to the Southwest corner of the Northeast ¼ of the Northeast ¼ of Section 3 aforesaid; thence South 0 degrees 10 minutes 24 seconds West along the East line of the West ½ of the Northeast ¼ of Section 3 aforesaid 1239.85 feet to the point of intersection with the Northerly line of Illinois Tri-State Toll Road; thence South 81 degrees 46 minutes 45 seconds West along said Northerly line a distance of 1308.03 feet to a point of intersection with the East and West center line of said Section 3; thence North 89 degrees 51 minutes 43 seconds West along said center line, a distance of 35.33 feet to a point of intersection with the West line of the Southwest ¼ of the Northeast ¼ of said Section 3; thence North 0 degrees 25 minutes 56 East a distance of 419.16 feet; thence South 89 degrees 34 minutes 04 seconds East a distance of 28.00 feet; thence North 66 degrees 13 minutes 30 seconds East a distance of 302.14 feet; thence due East a distance of 76.96 feet; thence South 63 degrees 37 minutes 44 seconds East a distance of 140.80 feet; thence North 26 degrees 25 minutes 15 seconds East a distance of 175.96 feet; thence North 9 degrees 22 minutes 00 seconds West a distance of 203.71 feet; thence North 39 degrees 13 minutes 32 seconds West, a distance of 118.47 feet; thence South 59 degrees 47 minutes 55 seconds West a distance of 56.22 feet; thence North 30 degrees 12 minutes 04 seconds West a distance of 61.41 feet; thence North 0 degrees 03 minutes 18 seconds East, a distance of 5.00 feet to a point of curvature; thence Northwesterly 102.10 feet along the arc of a circle, convex to the Northeast, and having a radius of 65.00 feet to a point of tangency; thence North 89 degrees 56 minutes 42 seconds West, a distance of 170.95 feet; thence North 49 degrees 56 minutes 26 seconds West, a distance of 207.13 feet; thence North 0 degrees 25 minutes 56 seconds East, a distance of 164.24 feet to the Southeast corner of the Northeast ¼ of the Northwest ¼ of Section 3, being also point of beginning, all in Cook County, Illinois.

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Address of Property: Lake Cook Rd & Lee Rd.
Northbrook, Illinois

P.I.N. 04-03-200-017, 04-03-200-010, 04-03-200-011, 04-03-200-011, 04-03-200-016
04-03-200-007, 04-03-200-014, 04-03-200-020, 04-03-101-010, 04-03-101-017
04-03-101-011, 04-03-101-012

COOK CO. NO. 016
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
DEPT. OF REVENUE
999.00

COOK CO. NO. 016
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
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Cook County
REAL ESTATE TRANSACTION TAX
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Cook County
REAL ESTATE TRANSACTION TAX
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COOK CO. NO. 016
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
DEPT. OF REVENUE
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Cook County
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COOK CO. NO. 016
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
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Cook County
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REAL ESTATE TRANSFER TAX
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STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
DEPT. OF REVENUE
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Exhibit "B"

ALSO

That part of the Northeast ¼ of the Northwest ¼ of Section 3, Township 42 North, Range 12 East of the Third Principal Meridian, described as follows: Beginning at the point of intersection of a line 295.17 feet Southerly and parallel with the Westerly extension of the North Line of the Northeast ¼ of said Section 3, and the East line of the West 370.00 feet (as measured along the North line) of the Northeast ¼ of the Northwest ¼ of Section 3 aforesaid; thence South 0°34'57" West along said parallel line a distance of 309.45 feet to a point, said point being 704.64 feet South of the North line of the Northwest ¼ of said Section 3; thence South 89°54'08" East, parallel with the South line of the Northeast ¼ of the Northwest ¼ of said Section 3, a distance of 238.84 feet; thence North 1°04'23" East a distance of 96.25 feet to a point of curvature; thence Northeasterly 195.43 feet along the arc of a circle, convex to the Northwest, and having a radius of 275.00 feet to a point on a curve; thence Westerly 39.27 feet along the arc of a circle convex to the South, and having a radius of 25.00 feet to a point of tangency; thence North 53°34'32" West, a distance of 19.94 feet to a point of curvature; thence Northwesterly 79.35 feet along the arc of a circle, convex to the Northeast, and having a radius of 25.00 feet to a point of tangency; thence North 89°56'42" West, a distance of 181.87 feet to the hereinabove designated point of beginning, containing 1.78 acres more or less, all in Cook County, Illinois.

STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
OCT 16 '86
DEPT. OF REVENUE
999.00

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EXHIBIT C8 6 4 8 2 1 5 3

TAX NUMBERS: (VOLUME: 131)

04-03-200-017

04-03-200-010

04-03-200-011

04-03-200-016

04-03-200-007

04-03-200-014

04-03-200-020

04-03-101-010

04-03-101-017

04-03-101-011

04-03-101-012

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1. General Taxes for the years 1985 and 1986.
General Taxes for the year 1986 are not yet due or payable.
Estimated first installment 1985 taxes are paid.
Second installment 1985 taxes delinquent after August 29, 1986

(Affects all Parcels except for below)

General Taxes for the years 1985 and 1986.
General Taxes for the year 1986 are not yet due or payable.
Estimated first installment 1985 taxes delinquent after March 1, 1986.
Second installment 1985 taxes delinquent after August 29, 1986.

(Affects: Permanent Tax Number 04-03-101-017

2. Operating Agreement recorded on June 24, 1975 as Document No. 23,126,333, re-recorded September 12, 1975 as Document No. 23,219,179, re-recorded January 9, 1976 as Document No. 23,349,231, filed November 18, 1975 as Document No. LR-2,841,284, First Amendment thereto recorded March 4, 1976 as Document No. 23,406.570 and filed April 2, 1976 as Document No. LR-2,882,028, Correction to First Amendment recorded May 7, 1976 as Document No. 23,477,882, re-recorded May 20, 1976 as Document No. 23,492,076, filed May 20, 1976 as Document No. LR-2,870,558, Second Amendment thereto recorded August 30, 1978 as Document No. 24,607,414 filed August 30, 1978 as Document No. LR-3,043,161, Supplement to Second Amendment recorded August 30, 1978 as Document No. 24,607,415, filed August 30, 1978 as Document No. LR-3,043,162, Third Amendment thereto recorded January 26, 1984 as Document No. 26,945,586 and filed January 25, 1984 as Document No. LR-3,352,289 and the covenants, conditions, restrictions and easements contained therein.

3. An easement for the purposes stated herein.
In favor of: North Shore Gas Company
For : Gas mains and appurtenant uses
Recorded : May 14, 1975 Document: 23,080,827
Affects : 10 and 15 foot strips as shown on Exhibit A attached thereto

4. An easement for the purposes stated herein.
In favor of: Metropolitan Sanitary District of Greater Chicago
For : Construction, maintenance and operation of a reservoir, together with the right of ingress and egress
Recorded : August 1, 1973 Document: 22,422,301
Affects : The part of the land described in Exhibit A and shown on Exhibit B attached thereto

5. An easement for the purposes stated herein.
In favor of: Union Drainage District No. 1
For : Construction, improvements, repair and maintenance of a drainage ditch, together with the right of ingress and egress
Recorded : April 9, 1975 Document: 23,033,336
Affects : That part of the land described and shown on Exhibits attached thereto

6. An easement for the purposes stated herein.
In favor of: Union Drainage District No. 1
For : Construction, improvements, repair and maintenance of a drainage ditch, together with the right of ingress and egress
Recorded : April 9, 1975 Document: 23,033,337
Filed : April 9, 1975 Document: LR-2,800,447
Affects : That part of the land described and shown on Exhibits attached thereto

7. An easement for the purposes stated herein.
In favor of: The dominant tenement described therein
For : A portion of an underground truck facility
Recorded : February 9, 1976 Document: 23,384,630
Affects : That part of the land described therein

8. An easement for the purposes stated herein.
For : Perpetual non-exclusive use of Ring Road and an access corridor
Recorded : February 2, 1978 Document: 24,310,862
Affects : That part of the land lying in Ring Road and the access corridor

And as granted in deed recorded February 2, 1978 as Document No. 24,310,861.

9. An easement for the purposes stated herein.
For : Perpetual non-exclusive use of Ring Road
Recorded : March 14, 1979
Document: 24,879,291
Affects : That part of the land lying in Ring Road

and shown on Plat of Survey by Ludlow and Associates, Inc., dated July 21, 1986.

NOTE: An easement for ingress and egress was purportedly created over land within which Rudolph Road is contained by Declaration of Easements executed by Homart Development Co. and recorded January 29, 1976 as Document 23,375,530.

10. Covenants, conditions and restrictions contained in the Declaration of Restrictions.
Recorded: December 15, 1976 Document: 23,748,426

Said covenants, conditions and restrictions relate, among other things, to the following:

Plan approval, signs, maintenance, vacant buildings, and use of the property in question

Said covenants, conditions and restrictions do not provide for a reversion of title in the event of a breach thereof.

Affects part of property in question.

11. Covenants, conditions and restrictions contained in the Declaration of Restrictions.
Recorded: October 24, 1978 Document: 24,685,745

Said covenants, conditions and restrictions relate, among other things, to the following:

Plan approval, signs, maintenance, vacant buildings, and use of the property in question.

Said covenants, conditions and restrictions do not provide for a reversion of title in the event of a breach thereof.

Affects part of property in question.

12. A mortgage to secure an indebtedness of the amount stated herein.
Mortgagor: Homart Development
Mortgagee: Connecticut General Life Insurance Company
Dated : January 28, 1976
Amount : $30,000,000.00
Recorded : January 29, 1976 Document: 23,375,543
Filed : January 30, 1976 Document: LR-2,852,942

Affects part of the subject property.

Partial Release recorded August 30, 1978 as Document No. 24,607,412 and filed as Document No. LR-3,043,158.

13. An Assignment of rents.
Assignor: Homart Development Co.
Assignee: Connecticut General Life Insurance Company
Recorded: January 29, 1976 Document: 23,375,544
Filed : January 30, 1976 Document: LR-2,852,943

Affects part of the subject property.

14. A collateral assignment of lease.
Assignor: Homart Development Co.
Assignee: Connecticut General Life Insurance Company
Recorded: January 29, 1976 Document: 23,375,545
Filed : January 30, 1976 Document: LR-2,852,944

Affects part of the subject property.

15. A security interest in certain real chattels affixed to the land as disclosed by the following financing statement noted herein.
Secured Party: Connecticut General Life Insurance Company
Debtor : Homart Development Co.
Recorded : January 29, 1976 Document: 76 U 04421
Filed : January 30, 1976 Document: LR-2,852,945

Partial Release recorded August 30, 1978 as Document No. 78 U 51535 and filed as Document No. LR-3,043,159.

Continuation Statements recorded December 18, 1980 as Document No. 80 U 51205 and filed as Document No. LR-3,197,321.

16. Notice of Mortgage by Connecticut General Life Insurance Company recorded January 29, 1976 as Document No. 23,375,546 and filed January 30, 1976 as Document No. LR-2,852,946.

17. Consent and Subordination by Connecticut General Life Insurance Company recorded August 30, 1978 as Document 24,607,416 and filed as Document No. LR-3,043,163 subordinating its mortgage hereinbefore noted to the First and Second Amendments to the Operating Agreement hereinbefore noted.

18. Assignment of Lessor's Interest in Lease.
Assignor: Homart Development Co.
Assignee: Connecticut General Life Insurance Company
Recorded: January 4, 1977 Document: 23,768,115

Affects part of property in question.

19. A mortgage to secure an indebtedness of the amount stated herein.
Mortgagor: The Stouffer Corporation
Mortgagee: The Broadview Savings and Loan Association
Dated : September 10, 1976
Amount : $600,000.00
Recorded : October 6, 1976 Document: 23,662,958

An assignment of said mortgage.
Assignor: The Broadview Savings and Loan Company
Assignee: Ameri Trust Company National Association
Recorded: September 3, 1986 Document: 86,391,634

20. Subordination Agreement made by The Stouffer Corporation and recorded October 6, 1976 as Document No. 23,662,959 subordinating its rights under an unrecorded lease to the mortgage recorded as Document No. 23,662,958.

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21. An unrecorded lease dated October 2, 1975 between Homart Development Co., as lessor and The Stouffer Corporation, as lessee, disclosed by the subordination Agreement recorded as Document No. 23,662,959.

22. A lease affecting the land, executed by and between the following parties, for the term and upon the terms, covenants and conditions therein provided.

Lessor : Homart Development Co.
Lessee : Adcor Realty Corporation
Dated : June 17, 1975
Term : 35 fiscal years from the date of commencement as therein defined
Recorded : June 24, 1975 Document: 23,126,332
Filed : November 18, 1975 Document: LR-2,841,283

And re-recorded September 11, 1975 as Document No. 23,219,178.

Said lease, among other things, provides for an option to renew for a period of 6 successive periods of 10 fiscal years.

A First Amendment to Lease was recorded March 11, 1976 as Document No. 23,413,806, re-recorded July 13, 1976 as Document No. 23,557,537 and filed April 2, 1976 as Document LR-2,862,027.

By Agreement recorded August 31, 1978 as Document No. 24,608,038 and filed as Document No. LR-3,043,387 it was agreed that the commencement date is February 16, 1976 and that the expiration date of the original term is January 31, 2012.

23. A sublease dated August 31, 1978, recorded August 31, 1978 as Document No. 24,608,035 and filed as Document No. LR-3,043,384 between Adcor Realty Corporation, as lessor, and Associated Dry Good Corporation, as lessee.

24. A mortgage to secure an indebtedness of the amount stated herein.

Mortgagor: Adcor Realty Corporation
Mortgagee: New York Life Insurance Company
Dated : August 31, 1978
Amount : $3,675,000.00
Recorded : August 31, 1978 Document: 24,608,037
Filed : August 31, 1978 Document: LR-3,043,386
Affects : Leasehold interest

25. An Assignment of Sublease.

Assignor: Adcor Realty Corporation
Assignee: New York Life Insurance Company
Recorded: August 31, 1978 Document: 24,608,036
Filed : August 31, 1978 Document: LR-3,043,385

26. Request for Notice by New York Life Insurance Company filed August 31, 1978 as Document No. LR-3,043,389 and recorded as Document No. 24,608,039.

28. Letter of intent to grant access easement executed by Homart Development Co. and Sears, Roebuck and Co. recorded January 10, 1984 as Document No. 26,923,210.

30. Rights of the United States of America, the State of Illinois, the municipality and the public, in and to that part of the land falling in the bed of the CHICAGO RIVER; also rights of the adjoining property owners in and to the free and unobstructed flow of the water thereof.

41. Metropolitan Sanitary District easements per Documents 19,344,831, 19,347,707, 20,765,867 and 20,778,915 as shown on Plat of Survey by Ludlow and Associates, Inc. dated July 21, 1986.

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42. 40 foot drainage easement and creek along part of the Easterly boundary of the land as shown on said survey.

43. 10 foot easement in favor of Commonwealth Edison Co. and Illinois Bell Telephone Co. near the Northwest corner of the land as shown on said survey.

44. 17 foot easement for mall utilities near the Northwest corner of the land as shown on said survey.

45. Easement Nos. 1 and 2 shown on said survey as lying Northerly of the Neiman Marcus parcel.

46. River channel easements as shown on said survey.

47. Letter of intent to grant utility easement executed by Homart Development Co. and Sears, Roebuck and Co. recorded January 10, 1984 as Document No. 26,923,209.

48. Agreement dated January 1, 1971 between The Metropolitan Sanitary District of Greater Chicago and Central National Bank in Chicago, as Trustee under Trust No. 15508, recorded as Document No. 21,495,396 relating to the construction of a flood control reservoir and affecting that part of the land described and depicted therein.

49. Subordination Agreement recorded February 2, 1978 as Document No. 24,310,864 whereby Connecticut General Life Insurance Company subordinated its interest as mortgagee under mortgage recorded as Document No. 23,375,543 to the access easement referred to in Grant of Easement recorded as Document No. 24,310,862.

50. An easement for the purposes stated herein.
In favor of: The Metropolitan Sanitary District of Greater Chicago
For : Retention reservoir and appurtenances
Recorded : September 8, 1971 Document: 21,614,237
Affects : That part of the land described therein

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51. License Agreement dated September 23, 1981 between Homart Development Co. and The Condominiums of Northbrook Court Community Association and recorded October 28, 1981 as Document No. 26,040,839 for the maintenance of a fence and sidewalk along the South line of a condominium complex lying Northeasterly of the subject property.

52. This commitment and our policy, if and when issued, should not be construed as insuring that part of the subject property falling within the following two parcels of land:

That part of the following described tract of land which lies South of the North 33 feet thereof.

Those parts of the Northeast 1/4 of the Northwest 1/4 of Section 3 (except the West 370 feet of said Northeast 1/4 as measured on the North line thereof) and of the Northeast 1/4 (except the East 100 rods thereof as measured on the North line of said Northeast 1/4) of said Section 3, Township 42 North, Range 12 East of the Third Principal Meridian, falling in a tract of land bounded and described as follows:

Beginning at a point in the North line of the Northwest 1/4 of said Section 3, said point being 326.03 feet East of the most Northerly Northeast corner of Glenbrook County Side Subdivision (recorded May 23, 1946 as Document No. 13,802,722); thence South at right angles to said North line 90 feet; thence Southeasterly to a point 375 feet East and 105 feet South of the point of beginning (as measured in the North line of said Northwest 1/4 and at right angles thereto); thence East parallel with the North line of the Northwest 1/4 and the Northeast 1/4 of said Section 3 for a distance of 925 feet; thence Northeasterly to a point in the West line of the East 100 rods of the Northeast 1/4 of Section 3, said point being 85.45 feet South of the Northwest corner of the East 100 rods aforesaid; thence North on said West line to the North line of the Northeast 1/4 of said Section; thence West on the North line of said Section to the point of beginning.

That part of the Northeast 1/4 and of the Northwest 1/4 of Section 3, Township 42 North, Range 12, East of the Third Principal Meridian, described as follows;

Commencing at the Northeast corner of the Northeast 1/4 of Section 3, aforesaid; thence North 89 Degrees 56 Minutes 42 Seconds West along the North line of the Northeast 1/4 of Section 3 aforesaid and the Westerly extension thereof a distance of 3254.00 feet; thence South 00 Degrees 13 Minutes 18 Seconds West along a line (hereinafter referred to as line "3254.00 West") perpendicular to said Westerly extension a distance of 105.00 feet to the point of beginning of land herein

described; (for purposes of this description the points herein referred to as "South" and "West" are measured along a line perpendicular to the North line and/or its Westerly extension of the Northeast 1/4 of section 3 aforesaid through a point herein measured West along said North line and/or its Westerly Extension from the Northeast corner of the Northeast 1/4 of Section 3 aforesaid); thence North 87 Degrees 38 Minutes 18 Seconds West (along a "diagonal line" drawn from said point of beginning to a point 90.00 feet South, 3626.40 feet West for a distance of 46.35 feet; thence North 00 Degrees 03 Minutes 18 Seconds East a distance of 0.21 feet to a point in the South line of property described in deed recorded in the Recorder's Office of Cook County, Illinois as Document No. 23,033,339; thence South 87 Degrees 38 Minutes 42 Seconds East along said South line 46.35 feet; thence South 00 Degrees 03 Minutes 18 Seconds West a distance of 0.22 feet to the point of beginning, in Cook County, Illinois.

56. Memorandum of lease affecting the land, executed by and between the following parties for the term and upon the terms, covenants and conditions therein provided.
Lessor : Homart Development Co.
Lessee : McDonald's Corporation
Dated : October 26, 1984 Term: Till January 1, 1995
Recorded : December 28, 1984 Document: 27,387,750

57. Subordination, Non-disturbance, and Attornment Agreement.
Executed by: McDonald's Corporation, Connecticut General Life Insurance Company, and Homart Development Co.
Recorded : May 31, 1985
Document : 85,042,191

Said Subordination Agreement subordinates the lien of McDonald's Corporation's lease, memorandum of which was recorded as Document 27,387,750, to the lien of the mortgage recorded as Document 23,375,543.

DEPT-01 RECORDING $11.00
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#1505 # C *-86-482153
COOK COUNTY RECORDER

62. Matters disclosed by plat of survey dated July 21, 1986, by Ludlow and Associates, Inc.:

17 foot easement for mall utilities being Northerly and adjacent to Ring Road.

Easement, commonly known as Ring Road, recorded as Document No. 23,126,333, as amended.

10 foot easement for Commonwealth Edison and Illinois Bell Telephone Co., affecting Northerly portion of premises in question.

64. Matters disclosed by plat of survey dated July 21, 1986, by Ludlow and Associates, Inc.:

28 foot easement for ingress and egress, affecting Northerly portion of property in question, recorded as Document No. 26,923,210.

65. Rights of parties in possession of property as disclosed by rent roll attached to an ALTA statement dated: October 15, 1986

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