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FIRST AMENDMENT TO GRANT OF EASEMENTS FOR PEDESTRIAN INGRESS AND EGRESS

THIS FIRST AMENDMENT TO GRANT OF EASEMENTS FOR PEDESTRIAN INGRESS AND EGRESS made this 14 day of JANUARY, 1986, by and between LaSALLE NATIONAL BANK, not personally but solely as Trustee under Trust Agreement dated September 20, 1985 and known as Trust No. 110339 and by LaSALLE NATIONAL BANK, not personally but solely as Trustee under Trust Agreement dated March 1, 1985 and known as Trust No. 109495 (collectively hereinafter referred to as "Trustee") and the CITY OF CHICAGO, an Illinois municipal corporation ("the City").

WITNESSETH:

WHEREAS, by a Grant of Easements for Pedestrian Ingress and Egress dated April 24, 1985, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 10, 1985, as Document No. 85054195 ("the Grant"), the City was granted certain easements for pedestrian ingress and egress, subject to terms and conditions set forth therein, over and across the property legally described in Exhibits A and B attached hereto and hereby made a part hereof ("Site"),

WHEREAS, Trustee under the aforesaid Trust No. 110339 is the successor in interest to LaSalle National Bank, as Trustee under Trust Agreement dated June 29, 1981, and known as Trust No. 104102, which was one of the grantors under the Grant, and

WHEREAS, Trustee has proposed to modify the improvements to be constructed on the site, and the City has agreed that such modification is in the public interest,

NOW THEREFORE, for and in consideration of the premises, and for other good and valuable consideration, the

THIS INSTRUMENT PREPARED BY
AND MAIL TO:
Anthony R. Licata
Sidley & Austin
One First National Plaza
Chicago, IL 60603
(312) 853 7677

TAX PARCEL NOS.: & ADDRESS
See Page 8

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85-03004
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receipt and sufficiency whereof is hereby acknowledged, Trustee and City hereby agree as follows:

1. All terms used herein unless otherwise defined, have the meaning set forth in the Grant.

2. Trustee GIVES, GRANTS AND CONVEYS to City a non-exclusive easement for automobile vehicular ingress and egress over and across the portion of the North Passage Improvements indicated on Exhibit C attached hereto and hereby made a part hereof. Such easement shall be concurrent with the easement for pedestrian ingress and egress granted to City in the Grant. Trustee shall comply with all ordinances of the City of Chicago regarding driveway permits and building requirements with respect to the construction of a driveway over and across the North Passage Improvements. Notwithstanding the grant of easement herein contained, the Trustee reserves the right in its discretion, subject to compliance with applicable City codes and regulations, to regulate within the easement area parking, speed limits, traffic flow patterns, and size and weight of vehicles permitted to use the vehicular easement.

3. The drawings attached to the Grant as Exhibit C are hereby deleted, and the drawings attached hereto as Exhibit C are inserted in lieu thereof.

4. Grantor shall procure and at all times keep in effect a policy of general public liability insurance, in amounts and issued by companies reasonably satisfactory to City, and naming City as an additional party insured thereunder. Grantor shall furnish City with certificates evidencing such insurance coverage, and payment of the premiums therefor, which certificates shall provide that thirty (30) days' notice shall be given by the insurer to City prior to the modification or cancellation thereof. In the event Grantor fails to perform hereunder, City may, upon ten (10) business days' written notice from the Corporation Counsel of the City of Chicago to Grantor, and any mortgagee(s) the identity of which has been identified to City in writing, close the vehicular easement to public use until such default is cured.

5. Except as herein amended, the Grant remains in full force and effect, and the parties hereby ratify and confirm same.

LaSalle National Bank, as Trustee under Trust Agreement dated September 20, 1985 and known as Trust No. 110339, and as Trustee under Trust Agreement dated March 1, 1985 and known as Trust No. 109495, and not personally, has executed the foregoing document at the direction of authorized parties for the sole

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purpose of binding the respective trust estates under said trusts. No personal liability is assumed by or may be asserted hereunder against said Bank personally, all such personal liability being hereby waived by any and all parties now or hereafter claiming any interest in this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed and delivered the day and year first written.

LaSALLE NATIONAL BANK, not personally but solely as Trustee as aforesaid under TIA's 109495

By: *Joseph M. Ryan*

Its: *ANY MANAGER*

ATTEST:

Its: *[Signature]*

Assistant Secretary

THE CITY OF CHICAGO, an Illinois Municipal Corporation

By: *Harold Washington*

HAROLD WASHINGTON, Mayor

Reviewed as to form and legality:

Ann E. Clardy
CHIEF CLERK Corporation Counsel

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MORTGAGEE'S SUBORDINATION AND CONSENT TO GRANT OF EASEMENTS

SUMITOMO LIFE REALTY (N.Y.), INC., a New York corporation, the owner and holder of that certain Mortgage dated as of January 4, 1986, recorded in the Office of Recorder of Deeds of Cook County, Illinois as Document No. 86-025943, does hereby consent to the foregoing First Amendment to Grant of Easements and agrees that the lien of the aforesaid Mortgage is subject and subordinate to the rights of the City of Chicago as therein granted.

Dated this 21 day of January, 1986

SUMITOMO LIFE REALTY (N.Y.), INC.,
a New York corporation

BY: Kazuo Washizu
Its: Vice President

STATE OF New York
COUNTY OF New York)SS:

On this 21 day of January, 1986, before me, a Notary Public within and for said County and State, personally appeared Kazuo Washizu and X X X X X X to me personally known, who being each by me duly sworn, did say that they are respectively the Vice President and X X X X Secretary of SUMITOMO LIFE REALTY (N.Y.), INC., a corporation of New York, named in the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that the said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he and X X X X X X X acknowledged said instrument to be the free act and deed of said corporation.

Carolyn P. Manning
Notary Public

MY COMMISSION EXPIRES:
March 30, 1986

CAROLYN P. MANNING
Notary Public, State of New York
No. 03-7700450
Qualified in Bronx County
Term Expires March 30, 1986

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MORTGAGEE'S SUBORDINATION AND CONSENT TO GRANT OF EASEMENTS

THE TORONTO DOMINION BANK, a Canadian chartered bank, having its office at Chicago, Illinois, the owner and holder of that certain Mortgage dated June 30, 1981, recorded in the Office of Recorder of Deeds of Cook County, Illinois as Document No. 25922817, and modified by Document Nos. 26121358, 26695660, 26876771, 27473726, and 27473727, and as owner and holder of that certain Mortgage dated May 14, 1985 and recorded in the Office of Recorder of Deeds of Cook County, Illinois as Document No. 85-021024, does hereby consent to the foregoing First Amendment to Grant of Easements and agrees that the lien of the aforesaid Mortgage is subject and subordinate to the rights of the City of Chicago as therein granted.

Dated this 17th day of January, 1986

THE TORONTO DOMINION BANK, a
Canadian chartered bank

By:

Its: Michael E. Atz
Manager - Credit Administration

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 17th day of January, 1986, by Michael E. Atz, Manager - Credit Administration of THE TORONTO DOMINION BANK, one of the chartered banks of Canada on behalf of the Bank.

E.M. Cozzi
Notary Public

MY COMMISSION EXPIRES:

12/28/87

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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

On this 26th day of March, 1986, before me, a Notary Public within and for said County and State, personally appeared Harold Washington and Elvin E. Chanty to me personally known, who being each by me duly sworn, did say that they are respectively the Mayor and Assistant Corporation Counsel of THE CITY OF CHICAGO, an Illinois municipal corporation named in the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed on behalf of said corporation by authority of its City Council and said officers acknowledged said instrument to be the free act and deed of said municipal corporation.

Pamela D. Stamer
Notary Public

MY COMMISSION EXPIRES:
1/9/89

COOK County Clerk's Office

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TAX PARCEL NUMBERS

17-09-408-008-0000

17-09-409-001-0000

17-09-409-002-0000

17-09-409-003-0000

Address *North East corner of The
Chicago River & Clark Street*

Property of Cook County Clerk's Office

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EXHIBIT A

All that part of West Carroll Avenue (formerly called New North Water Street) lying North of a line 31.0 feet South of and parallel with the North line of Lots 2, 3 and 4 in Block 2 in Original Town of Chicago in the Southeast Quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian; lying North of a line 31.0 feet South of and parallel with the North line of Lot 1 in Block 2 in Original Town of Chicago aforementioned; said parallel line being also described as the North line of Lot 1 in Assessor's Division of Lot 1 in Block 2 in Original Town of Chicago aforementioned; lying South of a line 31.0 feet North of and parallel with the South line of Lots 5, 6, and 7 in Block 2 in Original Town of Chicago aforementioned; lying South of the South line of Lots 6, 7, 8, and 9 in (Butler's) Subdivision of Lot 8 in Block 2 in Original Town of Chicago aforementioned; lying West of the East line of Lots 1 and 8 and said East line extended across West Carroll Avenue; and lying East of the West line of Lots 4 and 5 and said West lines extended across West Carroll Avenue, all in Block 2 in Original Town of Chicago aforementioned, all in Cook County, Illinois.

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EXHIBIT B

PARCEL 1:

Lots 1, 2, and 3 in Assessor's Division of Lot 1 in Block 2 in Original Town of Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois

PARCEL 2:

Lots 2, 3 and 4 (except the northerly 31 feet thereof) in Block 2 in the Original Town of Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, said premises being otherwise described and bounded as follows: Beginning at a point where the east line of North Clark Street intersects the south line of New North Water Street in the City of Chicago, Cook County, Illinois; thence running east along said south line of said New North Water Street, 240 feet, more or less, to the east line of Lot 2 in Block 2 in Original Town of Chicago aforesaid; thence south along said east line of said Lot 2 to the Chicago River; thence west along and following the north line of said river, 240 feet, more or less, to the point where said north line of said river intersects the east line of said North Clark Street; thence north along the east line of said North Clark Street to the point of beginning (except the northerly 31 feet thereof)

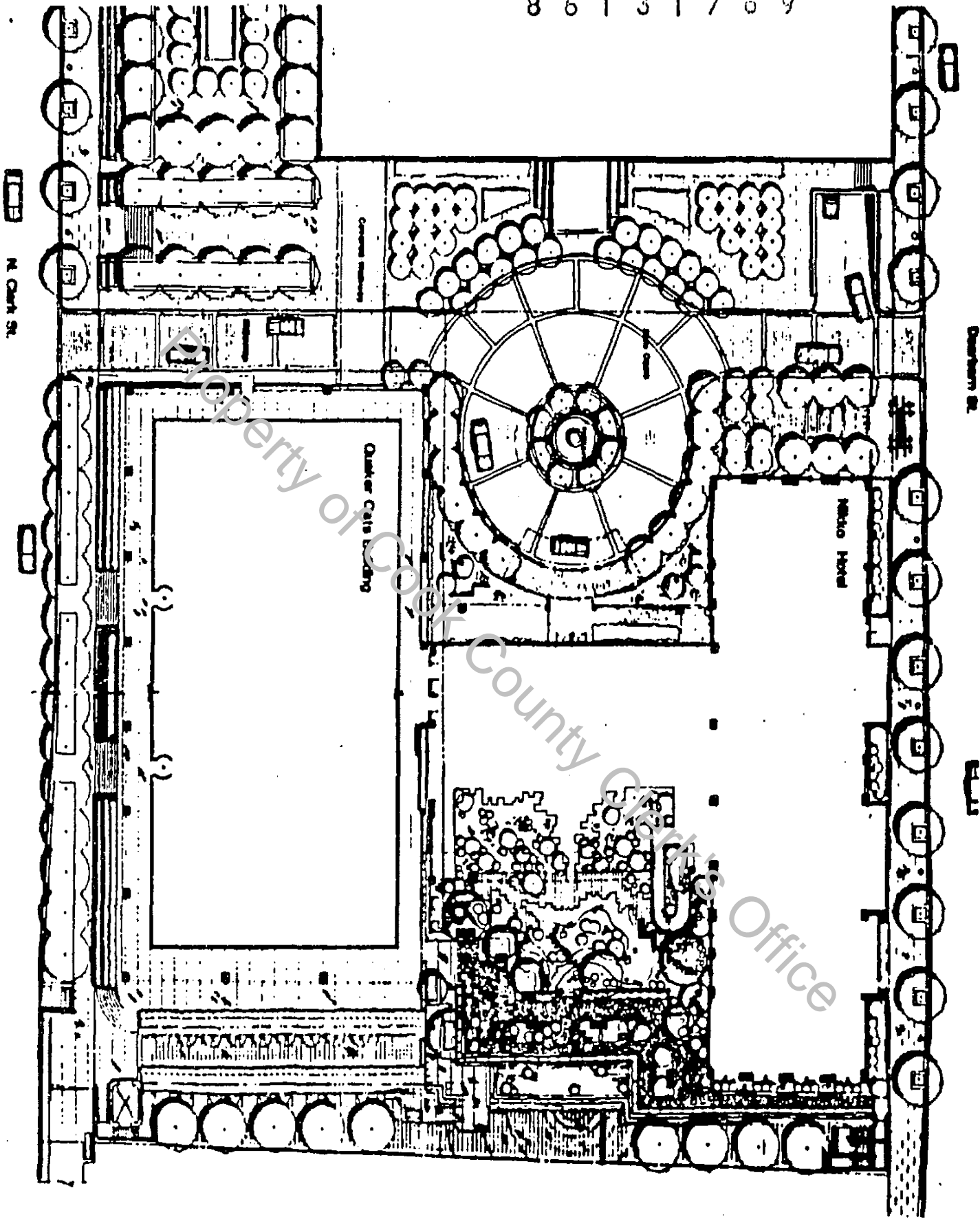
PARCEL 3:

Lots 5, 6 and 7 (except the southerly 31 feet thereof) in Block 2 in the Original Town of Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois

PARCEL 4:

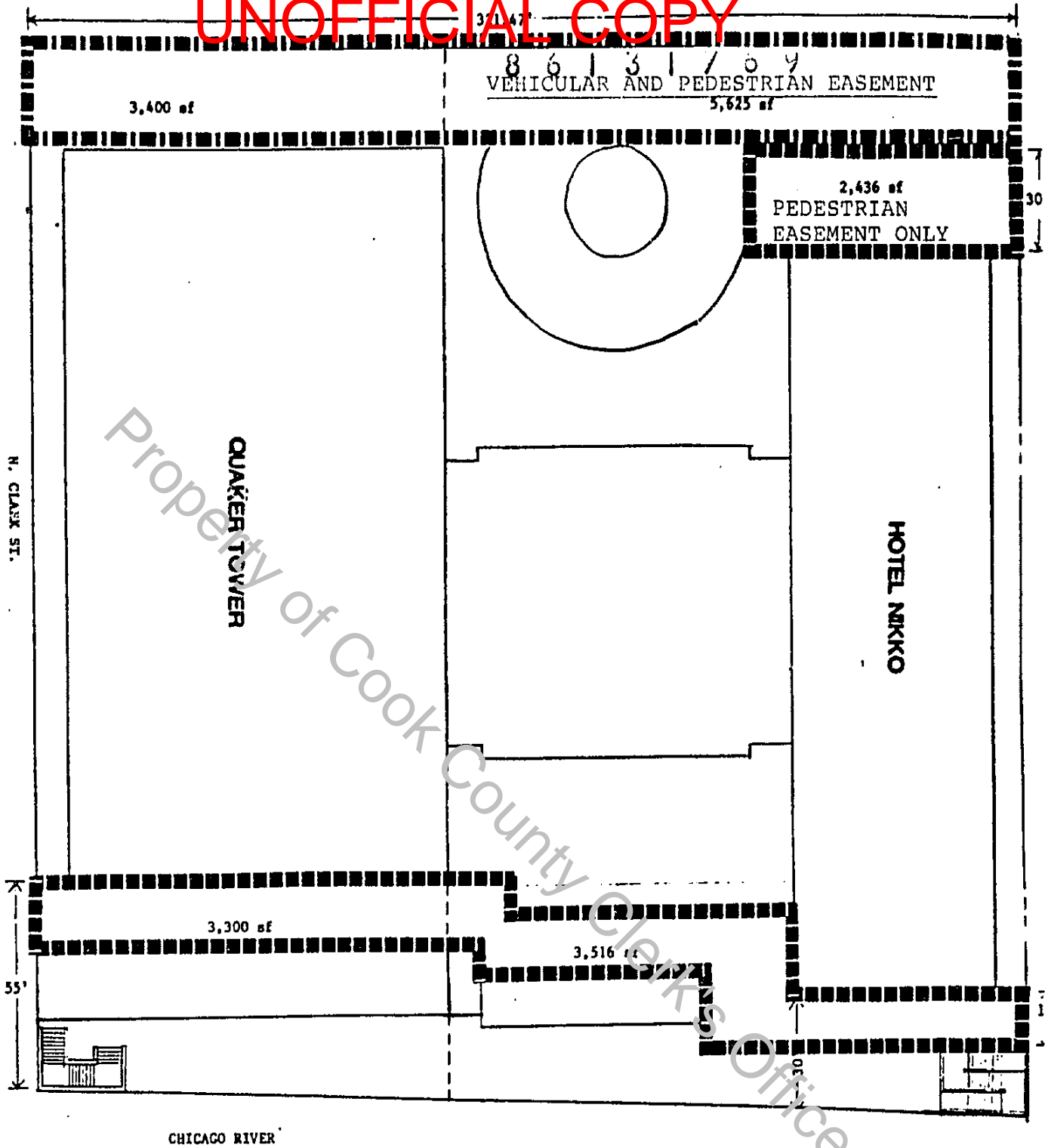
Lots 1 to 9, all inclusive, in Butler's Subdivision of Lot 8 in Block 2 in Original Town of Chicago together with the vacated alley west of and adjoining the south 5 feet of Lot 3 and all of Lots 4 and 5 aforesaid all in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois

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HOTEL NIKKO-CHICAGO

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Plaza Level Elev. +29'3" C.C.D.

- ■ ■ ■ Pedestrian Easement 9,252 sf
- ■ ■ ■ Vehicular & Pedestrian Easement 9,025 sf

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N. CLARK ST.

QUAKER TOWER

HOTEL NIKKO

Property of Cook County Clerk's Office



330 sf

CHICAGO RIVER

Kinzie Street Level Elev. +16'-0 C.C.D.

■ ■ ■ ■ Pedestrian Easement

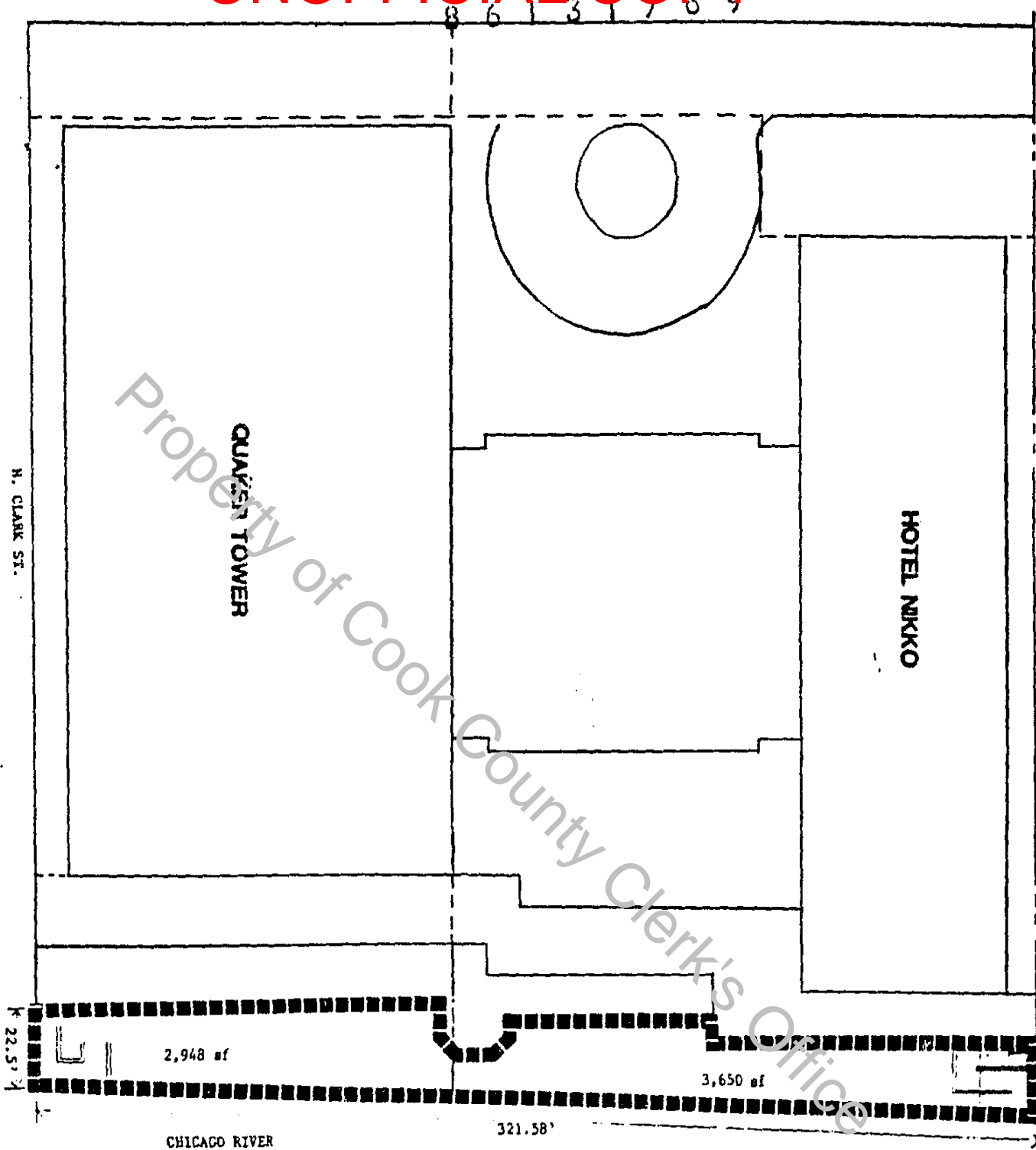
330 sf

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Riverfront Level Elev. +2'-2" C.C.D.

■ ■ ■ Pedestrian Easement 6,598 sf

Total of all levels or outlined easements

25,205 sf

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Property of Cook County Clerk's Office

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