#### TERMINATION OF LEASE AND INSTRUMENT OF MERGER



AGREEMENT AND DECLARATION made this 30th day of June 1986 by THE CHASE MANHATTAN BANK, N.A., AS TRUSTEE FOR ACCOUNT NUMBER P-34742 ("Owner").

#### RECITAL

WHEREAS, the Owner, in its capacity as lessee under the ground lease described in Exhibit 2 hereto (the "Ground Lease") leasing the land described in Exhibit 1 hereto (the "Land") and the buildings and improvements thereon (the "Improvements") has acquired on even date herewith the fee estate in and to the Land and has also acquired the land-lord's interest in and the Ground Lease by deed and assignment from THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK.

AND WHEREAS, by this instrument, Owner desires to terminate the Ground Lease and merge the aforesaid estates in the fee estate.

NOW THEREFORE, in consideration of the mutual premises herein contained and for other valuable consideration, receipt of which is hereby acknowledged, Owner hereby covenants and declares that:

- 1. Owner, as both tenant and landlord under the Ground Lease hereby consents and agries to its termination and declares that the Ground Lease be and it hereby is terminated.
- 2. The estates of Owner in and to the Land and the Ground Lease shall, and the same hereby are, merged into one estate in fee simple absolute in Owner.

IN WITNESS WHEREOF, the undersigned has executed this instrument the day and year first above written.

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THE CHASE MANHATTAN BANK, N.A., AS TRUSTEE FOR ACCOUNT NUMBER P-34742

By: Ace President

Phillip Michael Trefano Callenbecko Rapell Lett Tiple Port Porto Yill, NY 19033

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Property of Cook County Clerk's Office

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#### EXHIBIT 1

#### Legal Description of Real Estate

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Property of County Clerk's Office

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#### EXHIBIT 2

#### **Ground Lease**

1. Lease made by The Mutual Life Insurance Company of New York, a corporation of New York, to Michigan Avenue National Bank of Chicago, as Trustee under Trust Number 1152, dated October 25, 1967 and recorded November 16, 1967 as Document 20324341 demising the Real Estate for a term of years; The cook country clerk's Office assigned to The Chase Manhattan Bank, as Trustee For Account Number P-34742 by Instrument Recorded September 1, 1981 as Document 25986314.

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