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DECLARATION OF USE RESTRICTIONS

This Declaration of Use Restrictions is made as of the 26th day of March, 1987, by and between First National Bank of Blue Island as Trustee under Trust Agreement dated March 16, 1987 and known as Trust No. 87028 whose address is 13057 South Western Avenue, Blue Island, Illinois 60406 ("Declarant") and The May Department Stores Company, a New York corporation, whose address is 611 Olive Street, St. Louis, Missouri 63101 ("May"):

EXONERATION PROVISION RESTRICTING ANY LIABILITY OF THE FIRST NATIONAL BANK OF BLUE ISLAND, ATTACHED HERETO OR STAMPED HEREOF IS HEREBY EXPRESSLY MADE A PART HEREOF

WITNESSETH:

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Declarant, being the owner of the real property located in Cook County, Illinois, described on Exhibit A attached hereto and made a part hereof by this reference (the "Real Property"), does hereby grant, covenant and agree for the benefit of May, as the owner of that certain property located in Cook County and described in Exhibit B attached hereto and made a part hereof by this reference (the "May Property"), its successors and assigns that, from and after the date first above written, none of the Real Property shall be used at any time for any of those uses described on Exhibit C attached hereto and made a part hereof by this reference.

Kathryn A. Hamilton
 Seyfarth Shaw
 Suite 4200
 55 E Monroe
 Chicago, IL 60603
 Box 118

Executed and delivered by the First National Bank of Blue Island, Ill, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties herein, anything herein to the contrary notwithstanding, that each and all of the understandings and agreements herein made, are made and intended not as personal understandings and agreements of the trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the powers conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said Trustee on account hereof, or on account of any undertaking or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by all other parties herein, and those claiming by, through, or under them.

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This Declaration shall run with the Real Property, bind the successors, successors in interest, assigns, lessees and transferees of Declarant, and is perpetual and intended to be and shall be construed as a burden on the Real Property for the benefit of May and the May Property as described on Exhibit B, and shall inure to the benefit of and be enforceable by May and the owner(s) of the May Property, as applicable, their successors, successors in interest and assigns.

Declarant:

FIRST NATIONAL BANK OF BLUE ISLAND
as Trustee under Trust Agreement
dated March 16, 1987 and known as
Trust No. 87028


By



Its

VICE PRESIDENT & TRUST OFFICER

ATTEST:


Asst. Secretary

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STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, the undersigned a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that the above named William H. Thomson Vice President of the FIRST NATIONAL BANK OF BLUE ISLAND, and MICHAEL SCHODER, ASST Secretary of said Bank personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Secretary Vice President and Asst. Secretary Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Bank, as Trustee, as aforesaid, for the uses and purposes therein set forth; and the said Asst. Secretary Secretary did also then and there acknowledge that he/she, as custodian of the corporate seal of said Bank, did affix the said corporate seal of said Bank to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said Bank, as Trustee, as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 26 day of MARCH, 1987.

Kilde Tutz
Notary Public

My commission expires July 8, 1989

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EXHIBIT A

The South 1/2 of the South East 1/4 of Section 16, lying East of the East right of way line of the South Expressway (F.A. I. 57) excepting therefrom the East 1,150 feet of the South 950.24 feet all in Township 35 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

That part of the North East 1/4 of Section 21, lying Easterly and Northerly of the Easterly right of way line of the South Expressway (F.A. I. 57) and Westerly of the following described lines:

Commencing on the North line of said North East 1/4 1,150 feet West of the North East corner; thence South 813.89 feet along a line 1,150 feet West of and parallel to the East line of said North East 1/4; thence East 1,080 feet on a line 516.5 feet North of and parallel to the North line of the South 1/2 of said North East 1/4; thence South 516.5 feet on a line 70 feet West of and parallel to the East line of said North East 1/4 to said last North line; thence South 89 degrees 56 minutes 59 seconds West 525 feet on last said North line; thence South 45 degrees 40 minutes 38 seconds West 1,393.38 feet; thence South 243.69 feet to the Northerly right of way line of the South Expressway (F.A. I. 57) all in Township 35 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

*West side of Cicero north of Lincoln Highway
Matteson, IL 60603*

- 31-16-402-001*
- 31-16-403-003*
- 31-21-200-002*
- 31-21-200-003*
- 31-21-201-003*
- 31-21-201-005*
- 31-21-201-007*
- 31-21-202-007*

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EXHIBIT B

Description of May Property

That part of the South half of the Northeast quarter of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois and described as follows:

Beginning on the North line of the South half of said Northeast quarter 70 Feet West of the East line of said Northeast quarter, thence South 00 degree 08 minutes 10 seconds East 926.28 Feet along the West line of Cicero Avenue; thence South 2 degrees 31 minutes 32 seconds West 288.04 Feet; thence South 44 degrees 54 minutes 26 seconds West 51.68 Feet; thence South 87 degrees 15 minutes 51 seconds West 175.39 Feet; thence South 90 degrees West 504.67 Feet; thence North 89 degrees 30 minutes 19 seconds West 590.88 Feet; thence North 80 degrees 04 minutes 51 seconds West 179.67 Feet to a point of curve; thence Northwesterly on a curve, convex to the Southwest having a radius of 763.94 Feet and an arc distance of 27.67 Feet all along the North right of way of Lincoln Highway; thence North 203.69 Feet; thence North 45 degrees 40 minutes 38 seconds East 1393.38 Feet to the North line of said South half of the Northeast quarter, thence North 89 degrees 56 minutes 59 seconds East 325 Feet to the place of beginning containing 32.637 Acres more or less, in Cook County, Illinois.

- (1) Excepting therefrom the following described parcels I, II and III:

PARCEL I:

THAT PART OF LOT 1 IN VENTURE'S SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS

DOCUMENT 23968407, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 57 MINUTES 02 SECONDS WEST (SOUTH 89 DEGREES 56 MINUTES 59 SECONDS WEST RECORD) ON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 524.66 FEET (525 FEET RECORD) TO A NORTH WEST CORNER OF SAID LOT 1; THENCE SOUTH 45 DEGREES 40 MINUTES 40 SECONDS WEST (SOUTH 45 DEGREES 40 MINUTES 38 SECONDS WEST RECORD) ON THE NORTHWESTERLY LINE OF SAID LOT 1 A DISTANCE OF 314.16 FEET TO THE WEST LINE OF THE EAST 820.00 FEET OF SAID NORTH EAST 1/4; THENCE NORTH 85 DEGREES 29 MINUTES 23 SECONDS EAST 351.05 FEET; THENCE SOUTH 44 DEGREES 20 MINUTES 24 SECONDS EAST 256.21 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 48 SECONDS EAST 221.39 FEET TO THE EAST LINE OF SAID LOT 1; THENCE NORTH 00 DEGREES 09 MINUTES 12 SECONDS WEST (NORTH 00 DEGREES 08 MINUTES 10 SECONDS EAST RECORD) ON SAID EAST LINE, 375.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS;

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PARCEL II:

THAT PART OF LOT 1 IN VENTURE'S SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 23968407, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH WEST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ON THE WEST LINE OF SAID LOT 1 A DISTANCE OF 243.72 FEET (243.69 FEET RECORD) TO A NORTH WEST CORNER OF SAID LOT 1; THENCE NORTH 45 DEGREES 40 MINUTES 40 SECONDS EAST (NORTH 45 DEGREES 40 MINUTES 38 SECONDS EAST RECORD) ON THE NORTHWESTERLY LINE OF SAID LOT 1 A DISTANCE OF 452.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 45 DEGREES 40 MINUTES 40 SECONDS EAST (NORTH 45 DEGREES 40 MINUTES 38 SECONDS EAST RECORD) ON SAID NORTHWESTERLY LINE, 626.19 FEET TO THE WEST LINE OF THE EAST 620.00 FEET OF SAID NORTH EAST 1/4; THENCE NORTH 85 DEGREES 29 MINUTES 23 SECONDS EAST 351.05 FEET; THENCE SOUTH 45 DEGREES 40 MINUTES 40 SECONDS WEST PARALLEL WITH SAID NORTHWESTERLY LINE, 895.85 FEET TO A POINT ON A LINE WHICH EXTENDS PERPENDICULAR TO SAID NORTHWESTERLY LINE FROM SAID POINT OF BEGINNING; THENCE NORTH 44 DEGREES 19 MINUTES 20 SECONDS WEST ON SAID PERPENDICULAR LINE, 224.77 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS;

PARCEL III:

THAT PART OF LOT 1 IN VENTURE'S SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 23968407, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ON THE WEST LINE OF SAID LOT 1 A DISTANCE OF 243.72 FEET (243.69 FEET RECORD) TO A NORTH WEST CORNER OF SAID LOT 1; THENCE NORTH 45 DEGREES 40 MINUTES 40 SECONDS EAST (NORTH 45 DEGREES 40 MINUTES 38 SECONDS EAST RECORD) ON THE NORTHWESTERLY LINE OF SAID LOT 1 A DISTANCE OF 452.67 FEET; THENCE SOUTH 44 DEGREES 19 MINUTES 20 SECONDS EAST, PERPENDICULAR TO SAID NORTHWESTERLY LINE, 525.20 FEET TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 2 IN SAID VENTURE'S SUBDIVISION; THENCE CONTINUING SOUTH 44 DEGREES 19 MINUTES 20 SECONDS EAST, 10.10 FEET ALONG SAID PERPENDICULAR LINE; THENCE SOUTH 45 DEGREES 40 MINUTES 40 SECONDS WEST, 104.71 FEET, PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 1 TO THE EAST LINE OF SAID LOT 2; THENCE NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST (NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST RECORD), 81.04 FEET ALONG THE EAST LINE OF SAID LOT 2 TO THE NORTH EAST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 26 MINUTES 35 SECONDS WEST (NORTH 89 DEGREES 30 MINUTES 19 SECONDS WEST RECORD) ON SAID NORTH LINE OF SAID LOT 2 A DISTANCE OF 225 FEET TO THE NORTH WEST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST (SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST RECORD) ON THE WEST LINE OF SAID LOT 2 A DISTANCE OF 224.84 FEET (225.00 FEET RECORD) TO THE SOUTH WEST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 30 MINUTES 19 SECONDS WEST ON THE SOUTH LINE OF SAID LOT 1, 194.60 FEET (193.95 FEET RECORD); THENCE NORTH 80 DEGREES 04 MINUTES 51 SECONDS WEST ON SOUTH LINE OF SAID LOT 1, 179.67 FEET TO A POINT OF CURVATURE ON SAID SOUTH LINE; THENCE NORTHWESTERLY ON SAID SOUTH LINE, BEING A CURVE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 763.94 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 79 DEGREES 04 MINUTES 13 SECONDS WEST, 26.94 FEET (27.67 FEET RECORD) TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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- (2) Also excepting therefrom the following described parcel:

That part of the South 1/2 of the North East 1/4 of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Beginning on the North line of South 1/2 of said North East 1/4 70 feet West of the East line of said North East 1/4; thence South 00 degrees 08 minutes 10 seconds East 926.28 feet along the West line of Cicero Avenue; thence South 02 degrees 31 minutes 26 seconds West 288.04 feet; thence South 44 degrees 54 minutes 26 seconds West 51.68 feet; thence South 87 degrees 15 minutes 57 seconds West 175.39 feet; thence South 90 degrees West 504.67 feet; thence North 89 degrees 30 minutes 19 seconds West 171.93 feet to the place of beginning, continuing North 89 degrees 30 minutes 19 seconds West 225 feet along the North right of way line of Lincoln Highway; thence due North 225 feet; thence South 89 degrees 30 minutes 19 seconds East, 225 feet; thence due South 225 feet to the place of beginning, containing 50,625 square feet, more or less.

- (3) Also excepting therefrom the following two parcels:

Lot 1-A (excepting therefrom the West 186.34 feet of the said Lot 1-A) of Bob Evans Subdivision (as recorded 9-19-79 as Document 25152795 in the Cook County, Illinois Records), said Bob Evans Subdivision being a resubdivision of part of Lot 1 of Venture's Subdivision in the south half of the northeast quarter of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois, a plat of said Venture's Subdivision having been recorded on June 14, 1977 as Document 23968407 in the Cook County, Illinois Records.

The West 186.34 feet of Lot 1-A of Bob Evans Subdivision (as recorded 9-19-79 as Document No 25152795 in the Cook County, Illinois Records), said Bob Evans Subdivision being a resubdivision of part of Lot 1 of Venture's Subdivision in the south half of the northeast quarter of Section 21, Township 35 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois, a plat of said Venture's Subdivision having been recorded on June 14, 1977 as Document No. 23968407 in the Cook County, Illinois Records.

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EXHIBIT C

Neither the Real Property nor any portion thereof shall be used for any of the following purposes, uses or operations, or for any use or operation which produces or is accompanied by the following characteristics:

- (i) Any noise, sound, litter, odor or other activity which may constitute a public or private nuisance;
- (ii) Any storing, production or firing of explosives or storage or production of other dangerous or hazardous material which may damage, affect by noise or otherwise intrude on or interfere with the May Property and/or any use thereon.
- (iii) Any heavy manufacturing, distilling, refining, smelting, industrial, drilling or mining operation;
- (iv) Any trailer court, mobile home park, lot or facility or building for the repair of new or used motor vehicles which is not ancillary to a facility for the sale of new or used motor vehicles, labor camp, junk yard, stock yard or animal raising other than pet shops or veterinarians;
- (v) Any dumping, disposal, incineration or reduction of garbage or refuse other than handling or reducing such waste if produced on the Real Property from an authorized use(s) and if handled in a clean and sanitary manner;

(vi) Any cemetery or similar establishment

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COOK COUNTY RECORDER

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