





# UNOFFICIAL COPY

RIDER ATTACHED TO THAT CERTAIN SECOND MORTGAGE,  
DATED THE 29TH DAY OF DECEMBER, 1988,  
BY LA SALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST  
AGREEMENT DATED DECEMBER 12, 1988 AND KNOWN AS  
TRUST NUMBER 113079 ("MORTGAGOR"), AND  
J. THOMAS BALDWIN, III ("MORTGAGEE").

19. This mortgage is subject and subordinate to a Mortgage (the "Senior Mortgage") dated December 29, 1988 and recorded 1-2-89, as Document No. 88598629 made by Mortgagors to American National Bank and Trust Company of Chicago securing a Promissory Note in the original principal amount of \$23,400,000.00. The Senior Mortgage, the note secured thereby and all other documents securing said note are herein referred to as the "Senior Loan Documents."

20. Mortgagors will continue to perform, observe and abide by all covenants and obligations set forth in the Senior Loan Documents.

21. Mortgagors shall promptly furnish to Mortgagee true, correct and complete copies of all notices received by it from the holder of the Senior Loan Documents or its agent (other than regular notices of payments that are due but are not delinquent).

22. This mortgage is executed by Mortgagors, not personally, but as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and Mortgagors hereby warrant in its individual capacity that it possesses full power and authority to execute this instrument), and it is expressly understood and agreed that nothing herein contained shall be construed as creating any liability on Mortgagors personally to pay the note or any interest that may accrue thereon, or any indebtedness accruing hereunder, or to perform any covenant, representation, agreement or condition, either express or implied herein contained, or with regard to any warranty contained in this mortgage except the warranty made in this paragraph, all such liability, if any, being expressly waived by Mortgagee and by every person now or hereafter claiming any right or security hereunder; provided that nothing herein contained shall be construed in any way so as to limit or restrict any of the rights and remedies of Mortgagee in any such foreclosure proceedings or other enforcement of the payment of the indebtedness hereby secured out of and from the security given therefor in the manner provided herein, or construed in any way so as to limit or restrict any of the rights and remedies of Mortgagors under any other document or instrument evidencing, securing or guarantying the indebtedness hereby secured.

23. Notwithstanding anything contained herein to the contrary, this mortgage shall also secure the obligations of the sole beneficiary of Mortgagors contained in that certain Use of Collateral Agreement dated of even date herewith by and between the sole beneficiary of Mortgagors and Mortgagee. Any default under said Use of Collateral Agreement shall be deemed to be a default under this mortgage.

24. In the event of a conflict between the terms and provisions of this mortgage and the terms and provisions contained in the Senior Mortgage, the Senior Mortgage shall govern.

LA SALLE NATIONAL BANK  
AS TRUSTEE AND NOT INDIVIDUALLY

By: [Signature]  
Its: Assistant Vice President

Attest: [Signature]  
Assistant Secretary

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:  
LOTS 33, 34, 35, 36, 37, 38 AND 39, THE EAST 8 FEET OF LOTS 40 AND 43,  
AND LOTS 44, 45, 46, 47, 48, 49 AND 50 ALL IN BLOCK 116 IN SCHOOL  
SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; SAID  
PROPERTY BEING BOUNDED BY ADAMS STREET ON THE NORTH, AN ALLEY ON THE  
EAST, QUINCY STREET ON THE SOUTH AND LA SALLE STREET ON THE WEST,  
HAVING FRONTAGE OF ONE HUNDRED AND SEVENTY-EIGHT AND FIVE-TENTHS  
(178.5) FEET, MORE OR LESS, ON LA SALLE STREET, BY ONE HUNDRED AND  
SEVENTY SEVEN AND SIX-TENTHS (177.6) FEET, MORE OR LESS, ON ADAMS  
STREET.

PARCEL 2:  
EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED BY  
EASEMENT GRANT MADE BY THE CITY OF CHICAGO, AN ILLINOIS MUNICIPAL  
CORPORATION, TO CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF  
CHICAGO, A NATIONAL BANKING ASSOCIATION DATED DECEMBER 22, 1982 AND  
RECORDED DECEMBER 23, 1982 AS DOCUMENT 26447805 UPON WHICH IS ERRECTED  
AN ELEVEN-STORY STRUCTURE WHICH TOGETHER WITH THE FOUNDATIONS AND ALL  
FLOORS BELOW THE GROUND EXTENDING TO THE EXTERIOR PERIMETER WALLS IS  
HEREINAFTER REFERRED TO AS THE "STRUCTURE", IN AND TO THAT CERTAIN REAL  
PROPERTY DESCRIBED AS FOLLOWS:

PARCEL A-ONE:  
THAT PORTION OF THE REAL PROPERTY DESCRIBED IN EXHIBIT B BELOW, (I)  
WHICH LIES ABOVE THE SURFACE OF THE GROUND, (II) WHICH IS PART OF THE  
STRUCTURE AND (III) WHICH ENCLOSES BEYOND THAT CERTAIN REAL PROPERTY  
DESCRIBED AS PARCEL 1;

PARCEL A-TWO:  
THAT PORTION OF THE REAL PROPERTY DESCRIBED IN EXHIBIT B BELOW, (I)  
WHICH LIES BELOW THE SURFACE OF THE GROUND, (II) WHICH COMPRISES THE  
EXTERIOR OF THE STRUCTURE AND THE INTERIOR OF SUCH STRUCTURE WHICH IS  
LEGALLY DESCRIBED AS TRACTS 1, 2, 3, 4 OF EXHIBIT A BELOW; AS SUCH  
PROPERTY MAY OTHERWISE SHIFT OR SETTLE OR OTHERWISE.

THE ABOVE DESCRIBED PARCEL A-ONE AND PARCEL A-TWO BEING HEREINAFTER  
COLLECTIVELY REFERRED TO AS THE "EASEMENT PREMISES".

EXHIBIT 'A'

THAT CERTAIN REAL PROPERTY  
I. WHICH

(A) ON THE NORTH -- IS BOUNDED BY THE CENTER LINE OF ADAMS STREET,

(B) ON THE WEST -- IS BOUNDED BY THE CENTER LINE OF LA SALLE STREET

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Exhibit A (continued)

(C) ON THE SOUTH -- (I) ABOVE THE SURFACE OF THE GROUND BY THE CENTER LINE OF QUINCY STREET; (II) BELOW THE SURFACE OF THE GROUND BY (A) THE EXTERIOR OF THE PERIMETER WALLS AND FOUNDATIONS OF THE STRUCTURE AS DEFINED BELOW THE INTERIOR BOUNDARIES OF WHICH ARE LEGALLY DESCRIBED BY THE WEST, SOUTH AND EAST BOUNDARIES OF TRACT 1 BELOW TO THE EXTENT SUCH WALLS AND FOUNDATIONS EXTEND SOUTH OF THE CENTER LINE OF QUINCY STREET (SUBJECT TO THE RIGHTS OF THE ADJACENT OWNERS) AND (B) OTHERWISE BY THE CENTER LINE OF QUINCY STREET.

(D) ON THE EAST -- (I) ABOVE THE SURFACE OF THE GROUND BY THE CENTER LINE OF THE PUBLIC ALLEY RUNNING BETWEEN QUINCY STREET AND ADAMS STREET ("PUBLIC ALLEY"); (II) BELOW THE SURFACE OF THE GROUND BY (A) THE EXTERIOR OF THE PERIMETER WALLS AND FOUNDATIONS OF THE STRUCTURE THE INTERIOR BOUNDARIES OF WHICH ARE LEGALLY DESCRIBED BY THE NORTH, EAST AND SOUTH BOUNDARIES OF TRACT 4 BELOW TO THE EXTENT SUCH WALLS AND FOUNDATIONS EXTEND EAST OF THE CENTER LINE OF THE PUBLIC ALLEY (SUBJECT TO THE RIGHTS OF THE ADJACENT OWNERS) AND (B) OTHERWISE BY THE CENTER LINE OF THE PUBLIC ALLEY.

11. WITHIN A PORTION OF WHICH LIE BOTH THE PROPERTY DESCRIBED IN PARCEL 1 AND THE EASEMENT PREMISES WHICH ARE THAT PORTION OF THIS EXHIBIT A PROPERTY (I) WHICH LIES BELOW THE SURFACE OF THE GROUND, (II) WHICH COMPRISES THE FOUNDATIONS AND ALL BELOW GROUND FLOORS OF THE STRUCTURE, EXTENDING TO THE EXTERIOR OF ITS PERIMETER WALLS, AND (III) THE INTERIOR OF WHICH PERIMETER WALLS ARE LEGALLY DESCRIBED AS:

THOSE PARTS OF THE PUBLIC RIGHTS OF WAY ADJOINING LOTS 33, 34, 35, 36, 37, 38 AND 39, THE EAST 8 FEET OF LOTS 40 AND 43 AND LOTS 44, 45, 46, 47, 48, 49 AND 50 IN BLOCK 116 IN SCHOOL SECTION ADDITION TO CHICAGO OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

TRACT 1:

THAT PART OF THE PUBLIC RIGHT OF WAY KNOWN AS W. QUINCY ST., AND THE WESTERLY EXTENSION THEREOF, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF W. QUINCY ST. AND THE EAST LINE OF N. LASALLE ST., AS WIDENED, THENCE SOUTH 89 DEGREES 48 MINUTES 16 SECONDS EAST, ALONG THE NORTH LINE OF W. QUINCY ST. AND SAID N. LINE EXTENDED, A DISTANCE OF 196.18 FEET TO THE WESTERLY FACE OF BASEMENT WALL; THENCE SOUTH 00 DEGREES 48 MINUTES 45 SECONDS EAST, ALONG SAID WALL, A DISTANCE OF 1.84 FEET; THENCE WEST ALONG SAID WALL, 1.0 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 43 SECONDS WEST ALONG SAID WALL, A DISTANCE OF 32.62 FEET TO THE NORTH FACE OF BASEMENT WALL; THENCE NORTH 89 DEGREES 47 MINUTES 57 SECONDS WEST ALONG SAID WALL, A DISTANCE OF 169.56 FEET; THENCE NORTH ALONG SAID WALL, 1.50 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, ALONG THE NORTH FACE OF BASEMENT WALL, 10.09 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 44 SECONDS WEST ALONG SAID WALL, A DISTANCE OF 7.25 FEET, TO THE NORTH FACE OF BASEMENT

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Exhibit A (continued)

WALL; THENCE NORTH 89 DEGREES 48 MINUTES 16 SECONDS WEST ALONG SAID WALL, A DISTANCE OF 27.81 FEET TO THE EAST FACE OF WALL; THENCE NORTH 00 DEGREES 25 MINUTES 40 SECONDS WEST ALONG SAID WALL, A DISTANCE OF 6.75 FEET, TO A JOG IN SAID WALL; THENCE NORTH 89 DEGREES 34 MINUTES 20 SECONDS EAST ALONG SAID WALL, A DISTANCE OF 1.50 FEET; THENCE NORTH 00 DEGREES 25 MINUTES 40 SECONDS WEST, ALONG THE FACE OF BASEMENT WALL, A DISTANCE OF 27.48 FEET, TO A JOG IN THE WALL; THENCE SOUTH 89 DEGREES 34 MINUTES 20 SECONDS WEST ALONG SAID WALL, 1.50 FEET; THENCE NORTH 00 DEGREES 25 MINUTES 40 SECONDS WEST, ALONG THE FACE OF BASEMENT WALL, A DISTANCE OF 6.73 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF WEST QUINCY ST., EXTENDED WEST, THENCE SOUTH 89 DEGREES, 48 MINUTES 16 SECONDS EAST, ALONG SAID LINE EXTENDED, A DISTANCE OF 12.98 FEET TO THE POINT OF BEGINNING (EXCEPTING THAT PART OF THE DESCRIBED TRACT WHICH FALLS WITHIN THE EAST 8 FEET OF LOT 25 AND LOT 26 IN BLOCK 116 IN SCHOOL SECTION ADDITION TO CHICAGO), IN COOK COUNTY, ILLINOIS

TRACT 2:  
THAT PART OF THE PUBLIC RIGHT OF WAY KNOWN AS S. LA SALLE ST DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF W. QUINCY STREET, AND THE EAST LINE OF S. LA SALLE ST., AS WIDENED; THENCE NORTH 00 DEGREES 00 MINUTES 25 SECONDS EAST ALONG THE EAST LINE OF S. LA SALLE ST., 178.74 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF W. ADAMS ST., THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS WEST, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF W. ADAMS ST., A DISTANCE OF 12.81 FEET TO ITS INTERSECTION WITH THE EASTERLY FACE OF BASEMENT WALL; THENCE SOUTH 00 DEGREES 18 MINUTES 17 SECONDS WEST ALONG THE FACE OF SAID WALL, A DISTANCE OF 85.75 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, ALONG THE FACE OF SAID WALL A DISTANCE OF 76.99 FEET; THENCE SOUTH 00 DEGREES 25 MINUTES 40 SECONDS EAST ALONG THE FACE OF SAID WALL, A DISTANCE OF 16.01 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF WEST QUINCY ST., EXTENDED WEST; THENCE SOUTH 89 DEGREES 48 MINUTES 16 SECONDS EAST ALONG SAID LINE EXTENDED, 12.98 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

TRACT 3:  
THAT PART OF THE PUBLIC RIGHT OF WAY KNOWN AS W. ADAMS ST. AND THE WESTERLY EXTENSION THEREOF, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SOUTH LA SALLE ST., AS WIDENED, AND THE SOUTH LINE OF W. ADAMS ST.; THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF W. ADAMS ST., EXTENDED, A DISTANCE OF 12.81 FEET TO ITS INTERSECTION WITH THE EASTERLY FACE OF BASEMENT WALL; THENCE NORTH 00 DEGREES 18 MINUTES 17 SECONDS EAST ALONG THE EAST FACE OF SAID WALL, A DISTANCE OF 10.20 FEET, TO THE SOUTH FACE OF BASEMENT WALL; THENCE SOUTH 89 DEGREES 55 MINUTES 37 SECONDS EAST, ALONG THE FACE OF SAID WALL, A DISTANCE OF 25.88 FEET TO THE WEST FACE OF WALL OF A CONCRETE VAULT; THENCE SOUTH 00 DEGREES 20 MINUTES 53 SECONDS WEST ALONG THE WEST FACE OF SAID WALL, DISTANCE OF 9.43 FEET TO THE SOUTH FACE OF SAID VAULT WALL; THENCE SOUTH 89 DEGREES 39 MINUTES 07 SECONDS EAST ALONG THE SOUTH FACE OF SAID WALL, 36.04 FEET, TO THE

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Exhibit A (continued)

EAST FACE OF SAID VAULT WALL; THENCE NORTH 00 DEGREES 20 MINUTES 53 SECONDS EAST ALONG THE EAST FACE OF SAID WALL, 9.65 FEET TO THE SOUTH FACE OF BASEMENT WALL; THENCE SOUTH 89 DEGREES 48 MINUTES 41 SECONDS EAST ALONG THE SOUTH FACE OF BASEMENT WALL, A DISTANCE OF 135.96 FEET TO THE WEST FACE OF BASEMENT WALL; THENCE SOUTH 00 DEGREES 06 MINUTES 28 SECONDS WEST ALONG THE FACE OF SAID WALL, A DISTANCE OF 10.52 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF WEST ADAMS ST., EXTENDED EAST; THENCE NORTH 89 DEGREES 46 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF WEST ADAMS ST AND SAID SOUTH LINE EXTENDED, A DISTANCE OF 198.87 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

TRACT 4:  
THAT PART OF THE 20 FEET PUBLIC ALLEY LYING EAST OF AND ADJOINING LOTS 33 AND 50 IN BLOCK 116 IN SCHOOL SECTION ADDITION TO CHICAGO, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 33; BEING ALSO THE NORTH LINE OF WEST QUINCY ST AND THE WEST LINE OF SAID 20 FOOT PUBLIC ALLEY; THENCE DUE NORTH ALONG THE EAST LINE OF SAID LOTS 33 AND 50, BEING ALSO THE WEST LINE OF ALLEY, A DISTANCE OF 178.84 FEET TO THE NORTH EAST CORNER OF LOT 50 AND THE SOUTH LINE OF WEST ADAMS ST.; THENCE SOUTH 89 DEGREES 46 MINUTES 20 SECONDS EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF WEST ADAMS ST., A DISTANCE OF 8.39 FEET TO THE WEST FACE OF BASEMENT WALL; THENCE SOUTH 00 DEGREES 06 MINUTES 28 SECONDS WEST ALONG THE FACE OF SAID WALL, A DISTANCE OF 102.25 FEET, TO A JOG IN SAID BASEMENT WALL; THENCE EAST ALONG THE SOUTH FACE OF WALL, A DISTANCE OF 7.09 FEET TO THE WESTERLY FACE OF BASEMENT WALL; THENCE SOUTH 00 DEGREES 17 MINUTES 37 SECONDS EAST ALONG THE FACE OF SAID WALL, A DISTANCE OF 50.75 FEET TO A JOG IN SAID WALL; THENCE EAST ALONG THE SOUTH FACE OF WALL, A DISTANCE OF 2.57 FEET TO THE WESTERLY FACE OF BASEMENT WALL; THENCE SOUTH 00 DEGREES 48 MINUTES 45 SECONDS EAST ALONG SAID WALL, A DISTANCE OF 25.66 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF WEST QUINCY ST, EXTENDED EAST; THENCE NORTH 89 DEGREES 48 MINUTES 16 SECONDS WEST, ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF WEST QUINCY ST., A DISTANCE OF 18.48 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

## EXHIBIT "B"

THAT CERTAIN REAL PROPERTY (I) WHOSE EXTERIOR BOUNDARIES ARE THE BOUNDARIES OF THE PARCEL DESCRIBED IN EXHIBIT A AND (II) WHOSE INTERIOR BOUNDARIES ARE THE BOUNDARIES OF THE PARCEL DESCRIBED AS PARCEL 1,