### **UNOFFICIAL COPY**

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### SUBORDINATION OF MORTGAGE

TENCHERS INSURANCE AND ANNOTH LASSOCIATION OF AMERICA as owner
and holder of certain promissory Note dated <u>November 27</u> . 19 <u>87</u> . in the
principal sum of \$39,300,000 Dollars (\$ 39,300,000 ) and of
a certain Mortgage of even date therewith and securing the said Note, recorded or
November 27, 1987 as Document Number 87633679 in the Official Records of Cook
County, Winois, now a first lien upon the premises more particularly demised and
described in that certain Office Lease dated November 29, 1997, by and between
LaSalle National Trust, N.A., as Trustee under Trust Agreement dated November 16.
1987 and known as Trust No. 112848, as Lessor, and Prime Capital Corporation, as
Lessee (the "Lease"), and upon other property, in consideration of such leasing and
of the sum of One (\$1.00) Dellar and other good and valuable consideration, the
receipt, adequacy and sufficiency of which are hereby acknowledged,

DOES hereby covenant and agree that the said Mortgage shall be and the same is hereby made SUBORDINATE to the said Lease with the same force and effect as if the said Lease had been executed, delivered and recorded prior to the execution, delivery and recording of the said Mortgage;

**EXCEPT, HOWEVER,** that this Subordination shall not affect nor be applicable to and does hereby expressly include:

- (a) The prior right, claim and lien of the said Mortgage in, to and upon any award or other compensation, heretofore or hereafter to me made for any taking by eminent domain of any part of the said premises, and to the right of disposition thereof in accordance with the provisions of the said Mortgage,
- (b) The prior right, claim and lien of the said Mortgage in to and upon any proceeds payable under all policies of fire and rent insurance upon the said premises and as to the right of disposition thereof in accordance with the terms of the said Mortgage, and
- (c) Any lien, power, right or interest, in any, which may have arisen or intervened in the period between the recording of the said Mortgage and the execution of the Lease, or any lien or judgment which may arise at any time during the terms of the Lease.

COOK COUNTY RECORDER

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This Subordination shall insure to the benefit of and shall be binding upon the undersigned, its successors and assigns.

IN WITNESS WHEREOFF the Subordination has been duly signed and delivered by the undersigned this 23 day of January, 1992.

TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA

Assistant Secretary

STATE OF NEW YORK

SS:

COUNTY OF NEW YORK)

Before me, a Notary Public, in and for said County, Personally appeared Haffer Leve , to me known and known to me to be the persons who, as Assistant Secretary of TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA, the Corporation which executed the foregoing instrument, signed the same, and acknowledged to me that they did so sign said instrument in the name and upon behalf of said corporation as such officers respectively; that the same is their free act and deed as such officers, respectively, and the free act and deed of said corporation; that they were duly authorized thereunto by its board of trustees; and that the seal affixed to said instrument is the corporate seal of said corporation.

in TESTIMONY WHEREOF. I have hereunto subscribed my name and affixed my official seal at New York, New York this 32 day of TANVALY. 1992

MARIE A. MOFFETT Notary Public, State of New York No. 31-4917851 Qualified in New York County Commission Expires Jan. 25, 1992

LESSEE'S AGREEMENT

The undersigned, as Lessee under the Lease, does hereby accept and agree to the terms of the foregoing Subordination, which shall inure to the benefit of and be binding upon the undersigned and the heirs, executors, administrators, legality representatives, successors and assigns of the undersigned.

PRIME CAPITAL CORPORATION

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STATE OF		)	r• .				
COUNTY OF		) S:					
On this A. Friedrian he is the Pri the foregoing instrument was Board of Direc of said corpora	signed and	a sealed	in denail (	or said corp	poration b	y authority d	of its
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PARCEL 2 "10275 BUILDING"

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF MANNHEIM ROAD, BEING A LINE 33.00 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE SAID SOUTHHEST 1/4, WITH A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH OD DEGREES DO MINUTES DO SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH OD DEGREES DO MINUTES DO SECONDS EAST ALONG SAID EAST LINE OF MANNHEIM ROAD, 275.87 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF LAND CONDEMNED FOR THE PIDENING OF MANNHEIM ROAD IN CASE NO. 651 7109, CIRCUIT COURT OF COOK COUNTY / ILLINOIS; THENCE NORTH 87 DEGREES 35 MINUTES 53 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTH LINE, 11.01 FEFT TO THE EAST LINE OF LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN SAID CASE NO. 651 7109; THENCE NORTH OF DEGREES 13 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED LINE, 69.45 REFT: THENCE NORTH 90 DEGREES OF MINUTES DO SECONDS EAST, 405.42 FEET TO AN INTERSECTION WITH A LINE 449.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH OD DEGREES OF MINUTES DO SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 32 1.69 FEET TO AN INTERSECTION WITH A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH B7 DEGREES 39 MINUTES 06 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 417.04 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 140,164 SQUARE FEET OR 3.21B ACRES.

#### PARCEL 3

The Reciprocal and Non-Exclusive Rights, Easements and Privileges of Use, Ingress and Egress Parking and for other purposes created and granted as an appurtenance to Parcels 1 and 2 in and by that certain Declaration of Covenants, Conditions, Restrictions, Rights and Easements dated as of \_\_\_\_\_\_, which said Agreement was recorded \_\_\_\_\_\_ as Document \_\_\_\_\_\_ in, on, over, upon and

under certain adjoining real property therein more particularly described together with all the rights, powers, privileges and benefits accruing to the owner of Parcels 1 and 2, its successors, legal representatives and assigns."

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MAIL TO: BISCHOFF MAURIDES & SWABOWSKI, LTD. 311 S. Wacker, Suite 2600 Chicago, Illinois 60606

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