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JOINDER OF AGREEMENT

This Joinder of Agreement ("Joinder of Agreement") is made this 23rd day of July, 1993, by and between OBSERVERS INVESTMENT COMPANY, having its principal offices at 907 Jackson Street, River Forest, Illinois ("Developer") and the City of Chicago, an Illinois municipal corporation, having its offices at 121 North LaSalle Street, Chicago, Illinois 60602 ("City").

RECITALS

WHEREAS, Developer and the City have executed that certain "Agreement for the Sale and Redevelopment of Land, 16th-Canal Commercial District" dated as of May 29, 1990 and recorded with the Office of the Recorder of Deeds of Cook County, Illinois on August 8, 1990 as document #90385493 ("Redevelopment Agreement"); and

WHEREAS, the Redevelopment Agreement provides in part for the commercial redevelopment of that certain real property located in the 16th-Canal Commercial District and legally described on Exhibit A attached hereto ("Property"); and

WHEREAS, the Redevelopment Agreement provides further for the historic restoration of the exterior facades of the Schoenhofen Brewery Powerhouse ("Powerhouse") and the Administration Building, which presently improve the Property; and

WHEREAS, the terms of the Redevelopment Agreement further provide that a portion of South Canalport Avenue immediately adjacent to the Powerhouse and legally described on Exhibit B attached hereto ("Canalport Parcel") be vacated and conveyed to Developer for its redevelopment in conjunction with the Property and consistent with the purposes described in this Joinder of Agreement and the Redevelopment Agreement; and

WHEREAS, the vacation of South Canalport Avenue and the conveyance of the Canalport Parcel to Developer was approved by the City Council by ordinance passed May 19, 1993 ("Vacation Ordinance"); and

WHEREAS, the City and Developer agree that the Canalport Parcel shall be landscaped as open space to preserve the sight lines of the Powerhouse; and

WHEREAS, as consideration for the City conveying the Canalport Parcel to Developer, Developer hereby agrees that said Parcel shall be developed in conjunction with the terms of this Joinder of Agreement and the Redevelopment Agreement;

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NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. Incorporation of Recitals. The recitations set forth above constitute an integral part of the Agreement and are incorporated herein by this reference with the same force and effect as if set forth herein as agreements of the parties.

2. Redevelopment of the Canalport Parcel. Subject to the terms and conditions of the Redevelopment Agreement and this Joinder of Agreement, the Developer agrees that the Canalport Parcel shall be landscaped and maintained as open space to preserve the sight lines of the Powerhouse. This covenant shall be deemed to run with the land to the fullest extent allowable under the law.

The landscaping has been completed by Developer in accordance with that certain landscaping drawing ("Drawing") approved by the City's Department of Planning and Development ("DPD"). The Drawing is attached hereto as Exhibit C.

In addition, Developer agrees to comply with the terms of the Vacation Ordinance concerning the reservation, relocation or replacement of utilities, including, without limitation, the reservation for the benefit of Illinois Bell Telephone Company of an easement to operate, maintain, construct, replace, and renew overhead poles, wires and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of telephonic and associated services under, over and along the Canalport Parcel, with the right of ingress and egress thereto, and the reservation for the benefit of the Chicago Transit Authority as a right of way for underground duct line facilities, and for the operation, maintenance, repair, renewal and replacement of said facilities, with the right of ingress and egress in the Canalport Parcel at all times for such purposes. Developer further agrees that no buildings or other structures shall be erected on the Canalport Parcel which would interfere with the operation, maintenance, repair, renewal or replacement of such facilities.

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3. Default. In the event of a violation of any provision of this Joinder of Agreement, the DPD shall deliver written notice to Developer explaining in sufficient detail the nature of the violation. Developer shall have thirty (30) days after the receipt of said notice within which to cure such violation. If, after the expiration of the thirty (30) day period, Developer has failed to cure the violation to the sole satisfaction of the DPD, upon five (5) days' prior written notice to Developer, the DPD may institute a suit for injunctive relief, damages or specific performance. Developer shall reimburse the DPD for any costs or expenses incurred in connection with the enforcement of the terms of this Joinder of Agreement.

4. Governing Law. The Joinder of Agreement shall be construed in accordance with the laws of the State of Illinois.

5. Counterparts. The Joinder of Agreement shall be executed by the parties in triplicate, each of which shall constitute an original instrument.

6. Recordation of Joinder of Agreement. Upon the execution of the Joinder of Agreement by the parties, the City, at Developer's sole expense, shall cause one original Joinder of Agreement to be recorded with the Office of the Recorder of Deeds of Cook County, Illinois.


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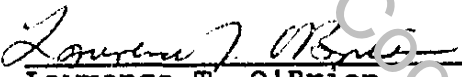
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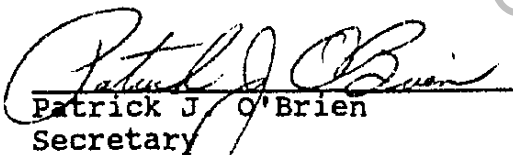
IN WITNESS WHEREOF, the parties have executed or caused the Joinder of Agreement to be executed, all as of the date first above written.

CITY OF CHICAGO,
an Illinois municipal corporation

By: 
Valerie B. Jarrett
Commissioner
Department of Planning and Development

OBSERVERS INVESTMENT COMPANY,
an Illinois corporation

By: 
Lawrence T. O'Brien
President

By: 
Patrick J. O'Brien
Secretary

THIS INSTRUMENT PREPARED BY, AND
AFTER RECORDING, PLEASE RETURN TO:

Mark Lenz
Assistant Corporation Counsel
City of Chicago
121 North LaSalle Street
Room 610
Chicago, Illinois 60602
312/744-1041

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STATE OF ILLINOIS)

COUNTY OF COOK)

I, ADA M ORTIZ, a Notary Public in and for said County, in the State aforesaid, do hereby certify that VALERIE B. JARRETT, personally known to me to be the Commissioner of the Department of Planning and Development of the City of Chicago, a municipal corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and being first duly sworn by me acknowledged that as such Commissioner, she signed and delivered the said instrument, pursuant to authority given by the City of Chicago, as her free and voluntary act and as the free and voluntary act and deed of said City, for the uses and purposes set forth.

GIVEN under my hand and notarial seal this 23rd day of July, 1993.

Ada M. Ortiz
Notary Public

(SEAL)



My commission expires 7/15/96

COOK COUNTY, ILLINOIS
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STATE OF ILLINOIS)

COUNTY OF COOK)

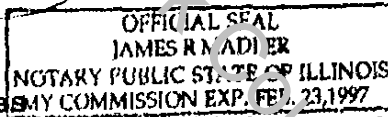
I, JAMES R. MADLER, a Notary Public in and for said County, in the State aforesaid, do hereby certify that LAWRENCE T. O'BRIEN, personally known to me to be the President of Observers Investment Company, an Illinois corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and being first duly sworn by me acknowledged that as such President, he signed and delivered the said instrument, pursuant to authority given by the Observers Investment Company, as his free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes set forth.

GIVEN under my hand and notarial seal this 2nd day of July, 1993.


Notary Public

(SEAL)

My commission expires



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STATE OF ILLINOIS)

COUNTY OF COOK)

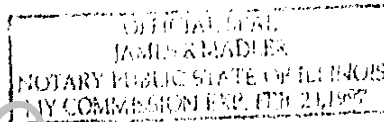
JAMES R. MADLER

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that PATRICK J. O'BRIEN, personally known to me to be the Secretary of Observers Investment Company, an Illinois corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and being first duly sworn by me acknowledged that as such Secretary, he signed and delivered the said instrument, pursuant to authority given by Observers Investment Company, as his free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes set forth.

GIVEN under my hand and notarial seal this 2nd day of July, 1993.

Notary Public

(SEAL)



My commission expires _____

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EXHIBIT A

PARCEL 1:

LOTS 41 TO 45, INCLUSIVE, IN ARTEMUS CARTER'S SUBDIVISION OF LOT 4 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

LOTS 43, 44, 45, 46, 47, 48, 49 AND 50 TOGETHER WITH THE WEST 1/2 OF THE VACATED ALLEY LYING EAST AND ADJOINING SAID LOTS, ALL IN C. J. HULL'S SUBDIVISION OF LOT 2 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 25 AND 26 TOGETHER WITH THE WEST 1/2 OF VACATED ALLEY LYING EAST AND ADJOINING SAID LOTS, IN HULL AND CLARKE'S SUBDIVISION OF LOT 3 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 29 AND 30 TOGETHER WITH THE EAST 1/2 OF THE VACATED ALLEY WEST OF AND ADJOINING SAID LOTS IN ARTEMUS CARTER'S SUBDIVISION OF LOT 4 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 40, 41, 42, 43, 44, 45 AND 46 TOGETHER WITH THE EAST 1/2 OF THE VACATED ALLEY WEST OF AND ADJOINING SAID LOTS IN JOHN F. IRWIN'S SUBDIVISION OF LOT 1 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

ALSO

THE WEST 1/2 OF VACATED S. NORMAL AVENUE LYING EAST OF AND ADJOINING LOTS 29 AND 30 IN ARTEMUS CARTER'S SUBDIVISION, AFORESAID, IN COOK COUNTY, ILLINOIS.

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ALSO

THE WEST 1/2 OF VACATED S. NORMAL AVENUE LYING EAST OF AND ADJOINING LOTS 40 THROUGH 46 IN JOHN F. IRWIN'S SUBDIVISION, AFORESAID, IN COOK COUNTY, ILLINOIS.

PARCEL 7:

LOTS 10 TO 18, BOTH INCLUSIVE, AND THAT PART OF LOTS 19, 20 AND 21 IN ARTEMUS CARTER'S SUBDIVISION OF LOT 4 IN BLOCK 44 OF CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT IN THE WEST LINE OF SAID LOT 21, WHICH POINT IS 5.46 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 21; THENCE EAST ALONG THE NORTH LINE OF THE SOUTH 5.46 FEET OF SAID LOT 21, A DISTANCE OF 59.25 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF LOTS 19, 20 AND 21 TO THE SOUTHEASTERLY LINE OF SAID LOT 19; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 19 TO THE SOUTHWEST CORNER OF SAID LOT 19; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 19, 20 AND 21 TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE NORTHWESTERLY 1/2 OF THE VACATED ALLEY SOUTH AND ADJOINING LOT 19 AS DESCRIBED AND THAT PART OF THE SOUTH 1/2 AND SOUTHEASTERLY 1/2 OF THE VACATED ALLEY LYING NORTHERLY OF AND ADJOINING SAID LOTS 11 THROUGH 17, IN COOK COUNTY, ILLINOIS.

ALSO

THE EAST 1/2 OF VACATED S. NORMAL AVENUE LYING WEST OF AND ADJOINING THE ABOVE DESCRIBED PREMISES, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 36 TO 40, BOTH INCLUSIVE; THE EAST 1/2 OF THE NORTH-SOUTH VACATED 10 FOOT ALLEY LYING WEST OF AND ADJOINING LOTS 36 TO 40, AND BETWEEN THE NORTH LINE OF LOT 36 AND THE SOUTH LINE OF LOT 40, BOTH EXTENDED WEST; ALSO ALL OF THE EAST-WEST VACATED 10 FOOT ALLEY LYING SOUTH AND ADJOINING THE SOUTH LINE OF LOT 40 AND SAID SOUTH LINE EXTENDED WEST AND LYING EAST OF THE CENTER LINE EXTENDED SOUTH OF THE NORTH-SOUTH VACATED 10 FOOT ALLEY WEST OF AND ADJOINING SAID LOT 40 AND LYING WEST OF THE EAST LINE OF SAID LOT 40 EXTENDED SOUTH; ALSO ALL OF THE WEST 1/2 OF THE VACATED S. NORMAL AVENUE LYING EAST OF AND ADJOINING LOTS 36, 37, 38, 39, 40, 41 AND THE 10 FOOT VACATED ALLEY, ALL IN ARTEMUS CARTER'S SUBDIVISION OF LOT 4 IN BLOCK 44 OF CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

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PARCEL 8:

LOTS 27 TO 31, BOTH INCLUSIVE, TOGETHER WITH THE WEST 1/2 OF VACATED ALLEY LYING EAST AND ADJOINING SAID LOTS, ALL IN HULL AND CLARKE'S SUBDIVISION OF LOT 3 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 31 TO 35, BOTH INCLUSIVE, TOGETHER WITH THE EAST 1/2 OF THE VACATED ALLEY WEST OF AND ADJOINING SAID LOTS 31 TO 35, ALSO THE WEST 1/2 OF VACATED S. NORMAL AVENUE ABUTTING SAID LOTS 31 TO 35, ALL IN ARTEMUS CARTER'S SUBDIVISION OF LOT 4 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

PARCEL 9:

LOTS 39, 40, 41, AND 42 TOGETHER WITH THE SOUTH 1/2 OF THE VACATED ALLEY NORTH AND ADJOINING SAID LOT 39 AND NORTH AND ADJOINING THE WEST 1/2 OF THE VACATED ALLEY EAST OF AND ADJOINING SAID LOT 39, ALSO THE WEST 1/2 OF THE VACATED ALLEY EAST OF AND ADJOINING SAID LOTS 39, 40, 41, AND 42, ALL IN C.J. HULL'S SUBDIVISION OF LOT 2 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS

ALSO

LOTS 37, 38 AND 39 TOGETHER WITH THE EAST 1/2 OF THE VACATED ALLEY ABUTTING SAID LOTS 37, 38 AND 39 ON THE WEST (EXCEPTING THOSE PARTS OF SAID LOTS 37, 38 AND 39 LYING EASTERLY OF A CURVED LINE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 3255.87 FEET AND EXTENDING FROM A POINT ON THE NORTH LINE OF SAID LOT 37 WHICH IS 68.71 FEET WEST OF THE NORTHEAST COERNER OF SAID LOT 37 TO A POINT ON THE SOUTH LINE OF SAID LOT 39 WHICH IS 21.49 FEET WEST OF THE SOUTHWEST CORNER OF SAID LOT 39) ALL IN JOHN F. IRWIN'S SUBDIVISION OF LOT 1 IN BLOCK 44 IN CANAL TRUSTEES SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER, IN COOK COUNTY, ILLINOIS.

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PERMANENT INDEX NUMBERS:

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17-21-307-009-0000
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17-21-307-054-0000
17-21-307-055-0000
17-21-307-057-0000
17-21-307-072-0000
17-21-307-074-0000

Commonly known as: 1748-1770 South Canalport Avenue
526-534 West 18th Street;
1615-1713 South Clinton Street,
Chicago, Illinois 60616

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10/10/2013

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EXHIBIT B

ALL THAT PART OF SOUTH CANALPORT AVENUE LYING SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF LOTS 10 TO 18, BOTH INCLUSIVE; LYING WEST OF THE SOUTHWARDLY EXTENSION OF THE EAST LINE OF LOT 10; LYING EAST OF THE SOUTHWARDLY EXTENSION OF THE WEST LINE OF LOT 18; AND LYING NORTH OF THE EASTWARDLY EXTENSION OF THE SOUTH LINE OF THAT PART OF SOUTH SEWARD STREET VACATED BY ORDINANCE PASSED JUNE 28, 1918 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 6359973, ALL IN

ARTEMUS CARTER'S SUBDIVISION OF LOT 4 IN BLOCK 44 IN CANAL TRUSTEE'S SUBDIVISION OF THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SO MUCH OF THE SOUTHEAST 1/4 AS LIES WEST OF THE SOUTH BRANCH OF THE CHICAGO RIVER;

SAID PART OF PUBLIC STREET HEREIN VACATED BEING FURTHER DESCRIBED AS ALL THAT PART OF THE INTERSECTION OF WEST 18TH STREET, SOUTH CANALPORT AVENUE AND SOUTH CANAL STREET LYING WEST OF THE WEST LINE OF SOUTH CANAL STREET EXTENDED SOUTH, LYING EAST OF THE EAST LINE OF VACATED SOUTH SEWARD STREET EXTENDED SOUTH AND LYING NORTH OF THE NORTH LINE OF WEST 18TH STREET EXTENDED EAST.

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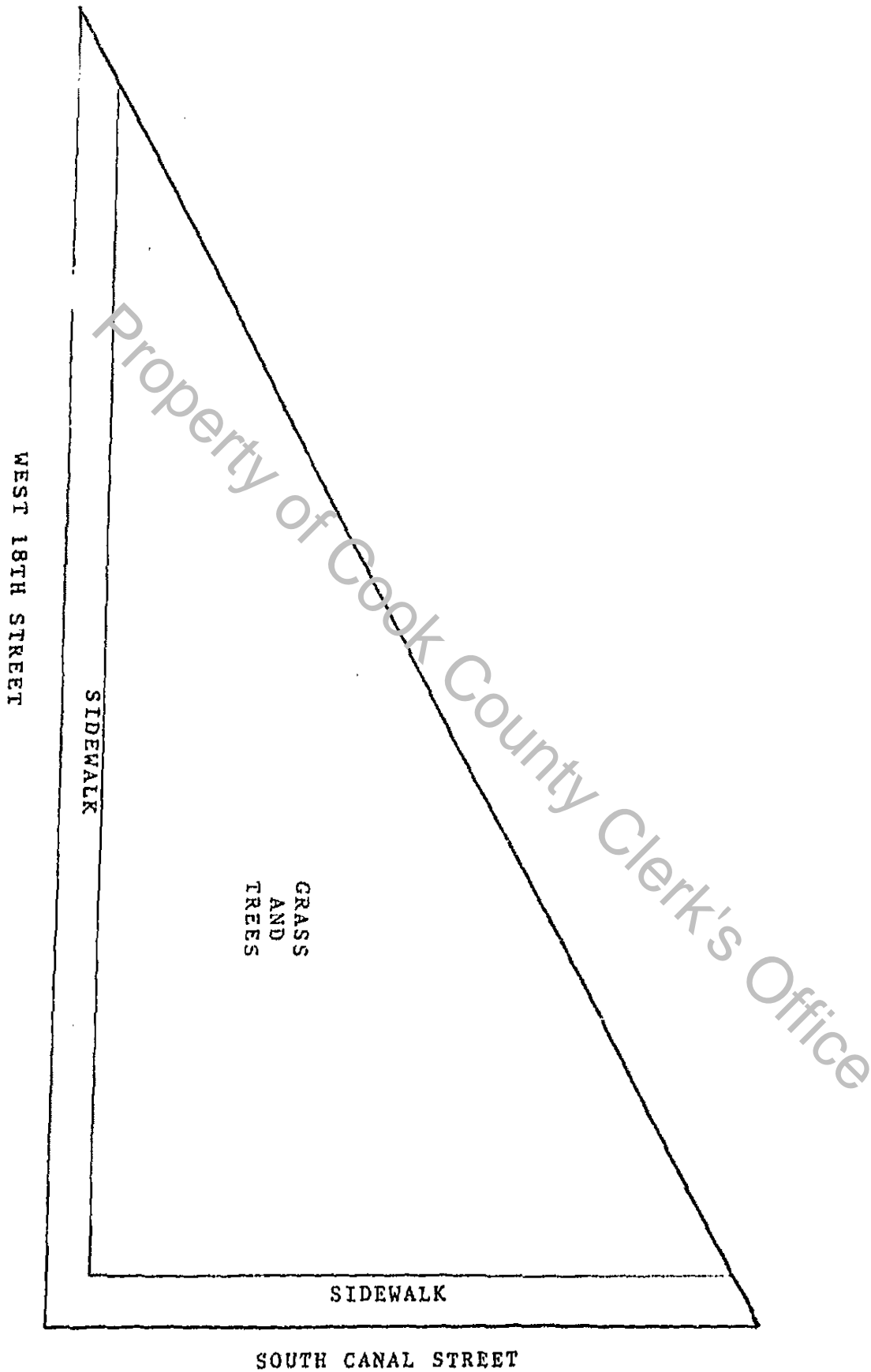
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LANDSCAPING PLANS AND SPECIFICATIONS

EXHIBIT C



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