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## ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

For Use By County  
Recorder's Office  
County

The following information is  
provided pursuant to the Responsible  
Property Transfer Act of 1988

Mortgagor: LaSalle National Trust, N.A.  
as Trustee under Trust Agreement  
dated November 7, 1983 and known  
as Trust Number 107291

Date  
Doc. No.  
Vol.  
Page  
Rec'd by:

Mortgagee: The Chase Manhattan Bank, N.A.  
Document No:

: DEPT-01 RECORDING \$55.00  
: T45555 TRAN 1202 04/26/93 16:18:00  
: #5100 # -53-305996

### I. PROPERTY IDENTIFICATION

A. Address of property: 10255 W. Higgins Road  
Street  
Rosemont Maine  
City or Village Township

Permanent Real Estate Index No.: 09-33-311-048

B. Legal Description:  
Section 33 Township 41 North Range 12 East  
Enter or attach complete legal description in this area:

See Exhibit "A" attached hereto

Prepared by: Lawrence F. Dorocke  
Dann Pecar Newman  
Talesnick & Kleiman  
One American Sq., #2300  
Box 82008  
Indianapolis, IN 46282

Return to: Lawrence F. Dorocke  
Dann Pecar Newman  
Talesnick & Kleiman  
One American Sq.,  
#2300  
Box 82008  
Indianapolis, IN  
46282

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### LIABILITY DISCLOSURE

Transferors and transferees of real property are advised that their  
ownership or other control of such property may render them liable  
for environmental cleanup costs whether or not they caused or  
contributed to the presence of environmental problems associated  
with the property.

55.00  
D

Box 179 (LXM)

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C. Property Characteristics:  
Lot Size Irregular Size Acreage approximately 12.9, more or less.

Check all types of improvement and uses that pertain to the property:

- Apartment building (6 units or less)
- Commercial apartment (over 6 units)
- Store, office, commercial building
- Industrial building
- Farm, with buildings
- Other (specify)

## II. NATURE OF TRANSFER

Yes No

- A. (1) Is this a transfer by deed or other instrument of conveyance?  Yes  No
- (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?  Yes  No
- (3) A lease exceeding a term of 40 years?  Yes  No
- (4) A mortgage or collateral assignment of beneficial interest?  Yes  No

B. (1) Identify Transferor:  
Name and Address of Transferor:

Higgins-Mannheim Properties, an Illinois general partnership, c/o Melvin Simon & Associates, Inc., Merchants Plaza, 115 West Washington Street, Indianapolis, Indiana 46207

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust: Trust No.

LaSalle National Trust, N.A., as Trustee under Trust Agreement dated November 7, 1983 and known as Trust Number 107291, 135 South LaSalle Street, Chicago, Illinois 60603

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Rebecca Ries, ATEC Associates, Inc., 2055 Army Trail Road, Suite 114, Addison, Illinois 60101-1478; telephone number (708) 916-7272

C. Identify Transferee:

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10/10/2013 10:10:10 AM

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## Name and Current Address of Mortgagee:

The Chase Manhattan Bank, N.A., 101 Park Avenue, New York, New York 10081

### III. NOTIFICATION

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances:

1. Section 22.2(f) of the Act states:

"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of a release of a hazardous substance:

(1) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;

(3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance."

2. Section 4(q) of the Act states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states:

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"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times the amount of any costs incurred by the State of Illinois as a result of such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act states:

"Notwithstanding any other provision or rule or law, except as provided otherwise in subsection (b), the owner or operator or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

## IV. ENVIRONMENTAL INFORMATION

### A. Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage, or handling of "hazardous substance", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration, and manner as they are sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property?

Yes \_\_\_\_\_

No X

2. Has the transferor ever conducted operations on the property which involved the processing, storage, or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes X

No \_\_\_\_\_

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3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment, or disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes \_\_\_\_\_

No X

4. Are there any of the following specific units (operating or closed) at the property that are used or were used by the transferor to manage wastes, hazardous wastes, hazardous substances, or petroleum?

	YES	NO
Landfill	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>
Land Treatment	_____	<u>X</u>
Waste Pile	_____	<u>X</u>
Incinerator	_____	<u>X</u>
Storage Tank (Above Ground)	_____	<u>X</u>
Storage Tank (Underground)	<u>X</u>	_____
Container Storage Area	_____	<u>X</u>
Injection Wells	_____	<u>X</u>
Wastewater Treatment Units	_____	<u>X</u>
Septic Tanks	_____	<u>X</u>
Transfer Stations	_____	<u>X</u>
Waste Recycling Operations	_____	<u>X</u>
Waste Treatment Detoxification	_____	<u>X</u>
Other Land Disposal Area	_____	<u>X</u>

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document.

5. Has the transferor ever held any of the following in regard to this real property?

(A) Permits for discharges of wastewater to waters of the State	Yes _____	No <u>X</u>
(B) Permits for emissions to the atmosphere.	Yes _____	No <u>X</u>
(C) Permits for any waste storage, waste treatment, or waste disposal operation.	Yes _____	No <u>X</u>

6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes \_\_\_\_\_  
No X

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7. Has the transferor taken any of the following actions relative to this property?

- (A) Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes \_\_\_\_\_  
No X
- (B) Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes \_\_\_\_\_  
No X
- (C) Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes \_\_\_\_\_  
No X

8. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal governmental actions?

- (A) Written notification regarding known, suspected, or alleged contamination on or emanating from the property. Yes \_\_\_\_\_  
No X
- (B) Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes \_\_\_\_\_  
No X
- (C) If item (B) was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. Yes \_\_\_\_\_  
No \_\_\_\_\_  
N/A

9. Environmental Releases During Transferor's Ownership.

(A) Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under state or federal laws? See Note. Yes \_\_\_\_\_  
No X

(B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site? See Note. Yes \_\_\_\_\_  
No X

(C) If the answers to questions (A) and (B) are Yes, have any of the following actions or events been associated with a release on the property? See Note.

\_\_\_\_\_ Use of a cleanup contractor to remove or treat materials including soils, pavement, or other

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surficial materials?

\_\_\_ Assignment of in-house maintenance staff to remove or treat materials including soils, pavement, or other surficial materials?

\_\_\_ Designation, by the IEPA or the IEMA, of the release as "significant" under the Illinois Chemical Safety Act

\_\_\_ Sampling and analysis of soils?

\_\_\_ Temporary or more long term monitoring of groundwater at or near the site?

\_\_\_ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water?

\_\_\_ Coping with fumes from subsurface storm drains or inside basements, etc?

\_\_\_ Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site?

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes \_\_\_

No X

11. Is there any explanation needed for clarification of any of the above answers or responses?

Note: An overflow at the on-site UST resulted in minor contamination of diesel fuel of the tank peagravel backfill. Visually contaminated peagravel has been removed and will be disposed. Testing will be conducted on the remaining peagravel. Visual evidence does not indicate that the overflow was a reportable quantity.

## B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

1. Provide the following information about the previous owner or about any entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name: Village of Rosemont - acquired property through condemnation.

Type of business/  
or property usage \_\_\_\_\_

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property:

	YES	NO
Landfill	___	___
Surface Impoundment	___	___
Land Treatment	___	___
Waste Pile	___	___

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Incinerator	_____	_____
Storage Tank (Above Ground)	_____	_____
Storage Tank (Underground)	_____	_____
Container Storage Area	_____	_____
Injection Wells	_____	_____
Wastewater Treatment Units	_____	_____
Septic Tanks	_____	_____
Transfer Stations	_____	_____
Waste Recycling Operations	_____	_____
Waste Treatment Detoxification	_____	_____
Other Land Disposal Area	_____	_____

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## V. CERTIFICATION

- A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

HIGGINS-MANNHEIM PROPERTIES, an Illinois general partnership

By: ROSEMONT ASSOCIATES LIMITED PARTNERSHIP, an Illinois limited partnership, general partner

By: SIMON ROSEMONT, INC., an Indiana corporation, general partner

By:  \_\_\_\_\_

David Simon, Vice President

By: IMP DEVELOPERS LIMITED PARTNERSHIP, an Illinois limited partnership, general partner

By: ROSEMONT ASSOCIATES LIMITED PARTNERSHIP, an Illinois limited partnership, general partner

By: SIMON ROSEMONT, INC., an Indiana corporation, general partner

By:  \_\_\_\_\_

David Simon Vice President

TRANSFEROR

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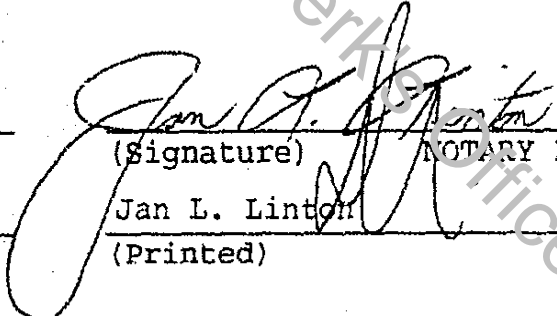
STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

I, JAN L. LINTON, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that David Simon, Vice President of Simon Rosemont, Inc., an Indiana corporation ("SRI"), SRI being the general partner of Rosemont Associates Limited Partnership, an Illinois limited partnership ("RALP"), RALP being a general partner of Higgins-Mannheim Properties, an Illinois general partner of Higgins-Mannheim Properties, an Illinois general partnership ("Higgins") and also the general partner of HMP Developers Limited Partnership, an Illinois limited partnership ("HMP"), HMP being the other general partner of Higgins, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President, appeared before me this day in person and acknowledged that he signed and delivered said instrument as such officer of said corporation, as his own free and voluntary act and as the free and voluntary act of the corporation in said corporation's capacity as general partner of RALP, in its capacity as general partners of both HMP and Higgins, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 17<sup>th</sup> day of April, 1993.

My Commission Expires:

My County of Residence:

  
\_\_\_\_\_  
(Signature) NOTARY PUBLIC  
Jan L. Linton  
\_\_\_\_\_  
(Printed)

JAN L. LINTON, Notary Public  
County of Residence: Marion  
My Commission Expires Oct. 22, 1993

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B. This form was delivered to me with all elements completed as of March 25, 1993.

THE CHASE MANHATTAN BANK, N.A., a  
national banking association

By:

*Alfred R. Koch*  
Alfred R. Koch, VICE PRESIDENT

MORTGAGEE

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COOK COUNTY CLERK'S OFFICE  
100 N. LAUREL ST. CHICAGO, IL 60602

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STATE OF New York )  
COUNTY OF NY ) SS:

On the 22 day of April, 1993, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared ALFRED R. KOCH who acknowledged himself to be the Vice President of The Chase Manhattan Bank, N.A., a national association, and acknowledged that he, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing his name as Alfred R. Koch and desired that the same might be recorded as such.

WITNESS my hand and seal the day and year aforesaid.

My Commission Expires: \_\_\_\_\_

  
(Signature) NOTARY PUBLIC

My County of Residence: \_\_\_\_\_

(Printed)

LOUELLA JOHNSON  
Notary Public, State of New York  
No. 01J04847995  
Qualified in Kings County  
Commission Expires April 6, 1995

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EXHIBIT "A"

5. THE LAND REFERRED TO IN THIS POLICY IS IN THE STATE OF ILLINOIS, COUNTY OF COOK AND IS DESCRIBED AS FOLLOWS:

PARCEL 4:

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 A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, WITH A LINE 449.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 869.69 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF LAND CONDEMNED FOR THE WIDENING OF HIGGINS ROAD IN CASE NO. 65L8179, IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE AND ALONG THE SOUTHERLY LINE OF LAND CONDEMNED FOR THE WIDENING OF HIGGINS ROAD IN SAID CASE NO. 65L7109 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, 18.61 FEET TO THE EAST LINE OF LAND CONDEMNED FOR HIGGINS ROAD IN SAID CASE NUMBER 65L7109; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SAID LAST DESCRIBED EAST LINE, 6.29 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF HIGGINS ROAD, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID HIGGINS ROAD; THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE, 36.15 FEET; THENCE SOUTH 39 DEGREES 39 MINUTES 24 SECONDS WEST, 27.09 FEET TO AN INTERSECTION WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 837.28 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 87 DEGREES 39 MINUTES 06 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 35.03 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 5:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 153.00 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE

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CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 274.26 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 219.46 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, 191.06 FEET; THENCE SOUTH 45 DEGREES, 00 MINUTES, 00 SECONDS WEST, 60.13 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 44.23 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 8.00 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 43.53 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, 48.68 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 89.18 FEET; TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS

## PARCEL 6:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 427.26 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 251.92 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 32.53 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 53.70 FEET; THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST, 149.63 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 230.11 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 219.46 FEET; TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

## PARCEL 7:

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 A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 153.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 89.18 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.68 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 43.53 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 8.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 44.23 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, 60.13 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 141.06 FEET TO A POINT 447.18 FEET NORTH AND 704.15 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 33, AS MEASURED ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 AND ALONG A LINE AT RIGHT ANGLES THERETO; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 260.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE MINNEAPOLIS ST. PAUL AND SAULT STS. MARIE RAILROAD

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(FORMERLY THE CHICAGO AND WISCONSIN RAILROAD); THENCE SOUTH 14 DEGREES, 51 MINUTES, 36 SECONDS EAST ALONG SAID LAST DESCRIBED WESTERLY LINE, 365.99 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 87 DEGREES, 39 MINUTES, 06 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 573.81 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS

## PARCEL 8:

EASEMENT FOR THE BENEFIT OF PARCELS 4, 5, 6, 7, AND 9 AFORESAID AS CREATED BY GRANT FROM THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE SECRETARY OF THE AIR FORCE, TO LASALLE NATIONAL BANK, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 7, 1983 AND KNOWN AS TRUST NUMBER 107291 DATED APRIL 11, 1985 AND RECORDED APRIL 18, 1985 AS DOCUMENT 27516767 FOR A RIGHT OF WAY FOR A ROAD OR STREET FOR A TERM OF 50 YEARS COMMENCING APRIL 11, 1985 OVER, ACROSS, IN, AND UPON LANDS OF THE UNITED STATES DESCRIBED AS FOLLOWS:

## TRACT NO. 208:

THE SOUTH 50 FEET OF THE WEST 467.84 FEET OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

## TRACT NO. 209:

THE SOUTH 50 FEET, LYING WEST OF THE WEST LINE OF THE RIGHT OF WAY OF THE MINNEAPOLIS, ST. PAUL AND SAULT STE. MARIE RAILROAD, OF THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING SOUTH OF THE CENTER LINE OF HIGGINS ROAD AND WEST OF A LINE DRAWN PARALLEL TO AND 1064 FEET WEST OF (AS MEASURED ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 SECTION 33,) THE EXTENSION NORTH OF THE EAST LINE OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND EAST OF THE EXTENSION NORTH OF THE WEST LINE OF THE EAST 1360.92 FEET OF SAID NORTHWEST FRACTIONAL QUARTER, EXCEPT THE RIGHT OF WAY OF THE MINNEAPOLIS, ST. PAUL AND SAULT STE. MARIE RAILROAD;

## ALSO

THE SOUTH 50 FEET OF THE SOUTHWEST 1/4 OF SECTION 33, LYING WEST OF THE WEST LINE, EXTENDED NORTH TO THE CENTER LINE OF HIGGINS ROAD, OF THE EAST 20.62 CHAINS OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE WEST 467.84 FEET THEREOF, IN COOK COUNTY, ILLINOIS.

## PARCEL 9:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 WITH A LINE 484.69

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FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 (THE WEST LINE OF SAID SOUTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 153.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 89.18 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.68 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 43.53 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 8.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 44.23 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, 60.13 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 141.06 FEET TO A POINT FOR A PLACE OF BEGINNING, SAID POINT BEING 447.18 FEET NORTH AND 704.15 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 33, AS MEASURED ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 AND ALONG A LINE AT RIGHT ANGLES THERETO; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 280.11 FEET; THENCE NORTH 72 DEGREES, 34 MINUTES, 18 SECONDS WEST, 149.63 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 53.70 FEET; THENCE SOUTH 45 DEGREES, 00 MINUTES, 00 SECONDS WEST, 32.53 FEET; TO A POINT ON A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, SAID POINT BEING 679.18 FEET, AS MEASURED ALONG SAID PARALLEL LINE, NORTH OF THE AFORESAID POINT OF COMMENCEMENT; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 158.10 FEET; THENCE NORTH 39 DEGREES, 39 MINUTES, 24 SECONDS EAST, 27.09 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF HIGGINS ROAD, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID ROAD; THENCE SOUTH 72 DEGREES, 34 MINUTES, 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE, 382.55 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT STE. MARIE RAILROAD (FORMERLY THE CHICAGO AND WISCONSIN RAILROAD); THENCE SOUTH 14 DEGREES, 51 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED WESTERLY LINE, 378.97 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 260.00 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS

## PARCEL 10:

EASEMENT FOR THE BENEFIT OF PARCELS 4, 5, 6, 7 AND 9 AS SET FORTH IN THE EASEMENT AGREEMENT DATED NOVEMBER 7, 1984 AND RECORDED NOVEMBER 27, 1984 AS DOCUMENT 27350220 MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 7, 1983 AND KNOWN AS TRUST NUMBER 107291 ("DEVELOPER"), LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 27, 1984 AND KNOWN AS TRUST NUMBER 108833 ("ADJOINING OWNER"), HOLIDAY INNS, INC. (EMBASSY SUITES DIVISION), A TENNESSEE CORPORATION ("HOLIDAY") AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 1, 1984 AND KNOWN AS TRUST NUMBER 108520 ("HOLIDAY'S ASSIGNEE") AND AS CREATED BY RECIPROCAL EASEMENT AGREEMENT DATED MARCH 1, 1985 AND RECORDED MAY 29, 1985 AS DOCUMENT 85038933 MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 7, 1983 AND KNOWN AS TRUST NUMBER 107291 ("DEVELOPER"), LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 27, 1984 AND KNOWN AS TRUST NUMBER 108833 ("ADJOINING OWNER") AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 1, 1984 AND KNOWN AS TRUST NUMBER 108520 ("HOLIDAY'S ASSIGNEE") TO CONSTRUCT, INSTALL, USE, MAINTAIN, REPAIR AND REPLACE SUCH WATER AND GAS MAINS, SANITARY SEWER AND STORM SEWER LINES, LATERALS, FEEDERS AND BASINS, LIGHTING POLES AND APPARATUS, ELECTRICAL CONDUITS AND TRANSFORMERS AND THE ACCESSORY FACILITIES RELATING TO ALL OF THE FOREGOING AS SHALL

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BE NECESSARY OR REQUIRED BY LAW TO SERVE PARCELS 4, 5, 6, 7 AND 9 WITH WATER, SEWER, GAS, ELECTRICAL, TELEPHONE COMMUNICATION AND OTHER UTILITY SERVICES IN, UNDER, OVER AND UPON A 20 FOOT STRIP CONTIGUOUS TO THE PERIMETER OF THE LAND HERETOFORE DESCRIBED:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF MANNHEIM ROAD, BEING A LINE 33.0 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, WITH A LINE 50.0 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 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE OF MANNHEIM ROAD, 276.87 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN CASE NO. 65L7109, CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THENCE NORTH 87 DEGREES 35 MINUTES 51 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTH LINE, 11.91 FEET TO THE EAST LINE OF LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN SAID CASE NO. 65L7109; THENCE NORTH 00 DEGREES 13 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED LINE, 248.60 FEET TO A POINT ON A LINE 575.0 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, SAID POINT BEING 45.0 FEET EAST OF THE INTERSECTION OF SAID LAST DESCRIBED PARALLEL LINE WITH THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 01 DEGREES 36 MINUTES 37 SECONDS EAST ALONG THE EAST LINE OF THE LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN CASE NO. 65L8179, CIRCUIT COURT OF COOK COUNTY, ILLINOIS, 25.96 FEET TO A POINT FOR A PLACE OF BEGINNING, THE FOLLOWING FOUR COURSES ARE ALONG THE EAST, SOUTH EAST OR SOUTHWESTERLY LINE OF LAND CONDEMNED FOR THE WIDENING OF HIGGINS ROAD AND MANNHEIM ROAD IN SAID CASE NO. 65L8179; THENCE NORTH 01 DEGREES 36 MINUTES 37 SECONDS EAST, 153.41 FEET; THENCE NORTH 03 DEGREES 40 MINUTES 18 SECONDS EAST, 187.38 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 48.26 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 50.0 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 93.75 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS NORTH 53 DEGREES 42 MINUTES 51 SECONDS EAST, 80.61 FEET); THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST, 338.24 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 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 335.0 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 404.0 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 11:

EASEMENT FOR THE BENEFIT OF PARCELS 4, 5, 6, 7 AND 9 AFORESAID AS CREATED BY EASEMENT AGREEMENT DATED NOVEMBER 7, 1984 AND RECORDED NOVEMBER 27, 1984 AS DOCUMENT 27350220 MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 7, 1983 AND KNOWN AS TRUST NUMBER 107291 ("DEVELOPER"), LA SALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 27, 1984 AND KNOWN AS TRUST NUMBER 108833 ("ADJOINING OWNER"), HOLIDAY INNS, INC. (EMBASSY SUITES DIVISION), A TENNESSEE CORPORATION ("HOLIDAY") AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST

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AGREEMENT DATED JUNE 1, 1984 AND KNOWN AS TRUST NUMBER 108520 ("HOLIDAY'S ASSIGNEE") FOR INGRESS AND EGRESS OF VEHICULAR AND PEDESTRIAN TRAFFIC OVER AND UPON ALL ROADS, STREETS, SIDEWALKS, WALKWAYS AND OTHER RIGHTS OF WAY FROM TIME TO TIME DESIGNED OR INTENDED FOR VEHICULAR AND/OR PEDESTRIAN TRAFFIC NOW OR HEREAFTER INSTALLED OR CONSTRUCTED WITHIN ANY PART OF THE FOLLOWING DESCRIBED PARCEL OF LAND, TO WIT:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF MANNHEIM ROAD, BEING A LINE 33.0 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4, WITH A LINE 50.0 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 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE OF MANNHEIM ROAD; 275.87 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN CASE NO. 65L7109, CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THENCE NORTH 87 DEGREES 35 MINUTES 51 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTH LINE, 11.01 FEET TO THE EAST LINE OF LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN CASE NO. 65L7109; THENCE NORTH 00 DEGREES 13 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED LINE, 248.60 FEET TO A POINT ON A LINE 575.0 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4, SAID POINT BEING 45.0 FEET EAST OF THE INTERSECTION OF SAID LAST DESCRIBED PARALLEL LINE WITH THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 01 DEGREES 36 MINUTES 37 SECONDS EAST ALONG THE EAST LINE OF LAND CONDEMNED FOR THE WIDENING OF MANNHEIM ROAD IN CASE NO. 65L8179, CIRCUIT COURT OF COOK COUNTY, ILLINOIS; 25.86 FEET TO A POINT FOR A PLACE OF BEGINNING. THE FOLLOWING FOUR COURSES ARE ALONG THE EAST, SOUTHEAST OR SOUTHWESTERLY LINE OF LAND CONDEMNED FOR THE WIDENING OF HIGGINS ROAD AND MANNHEIM ROAD IN SAID CASE NO. 65L8179; THENCE NORTH 01 DEGREES 36 MINUTES 37 SECONDS EAST, 153.41 FEET; THENCE NORTH 07 DEGREES 40 MINUTES 18 SECONDS EAST, 187.38 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 48.26 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 50.0 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 93.75 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS NORTH 53 DEGREES 42 MINUTES 51 SECONDS EAST, 80.61 FEET); THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST, 338.24 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 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 335.0 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 404.0 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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