

## AGREEMENT

The undersigned, LASALLE NATIONAL TRUST, N.A., as Trustee under Trust Agreement dated September 12, 1989 and known as Trust no. 114753, as to Parcel 1, and LASALLE NATIONAL TRUST, N.A. as Successor Trustee to the EXCHANGE NATIONAL BANK OF CHICAGO, as Trustee under Trust Agreement dated August 7, 1979 and known as Trust No. 35759 as to Parcel 2, owners of the real property parcels as described below, in the County of Cook and State of Illinois, mutually agree and covenant, for each of them and for their successors and assigns, and for their respective beneficiaries, their heirs, executors, administrators and assigns, hereby place the following restriction on the use and occupancy of the said parcels:

DEPT-01 RECORDING \$25.50  
T07777 TRAN 7343 08/16/95 14139:00  
#2969 BK \*-95-541303  
COOK COUNTY RECORDER

"The property at 4004-4020 South Wentworth Avenue, Cook County, Chicago, Illinois, has been involved in a cleanup conducted by the United States Environmental Protection Agency pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. Sections 9601-9675. In the course of that cleanup, a decision was made, with the consent of the then current owner, to allow lead contaminated soil to remain under a concrete foundation located in the northeastern portion of the property, and under a concrete foundation beneath a metal shredding process located in the center-east portion of the property. Both concrete foundations must be retained in perpetuity to limit exposure to lead contaminated soils."

1. This agreement is made in consideration of the mutual interest of the beneficiaries of the undersigned in the real property described below and for the purpose of limitation of exposure to any lead contaminated soils therein.

2. (A) Parcel 1 is legally described as follows:

Lots 1,2 and 3 in Block 1 in American Bridge Company's Subdivision of that part of Block 3 lying South of Union Stock Yards Railroad and of Block 6 of Pryors Subdivision of part of the North East Quarter (1/4) of Section 4, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PERMANENT INDEX NO's. 20-04-212-037-0000 and  
20-04-212-038-0000

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(B) Parcel 2 is legally described as follows:

Lots 4,5, 6, and 7 in Block 1 in American Bridge Company's Subdivision of that part of Block 3 lying South of Union Stock Yards Railroad and of Block 6 of Pryors Subdivision of part of the North East Quarter (1/4) of Section 4, Township 38 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois. PERMANENT INDEX NO. 20-04-212-072-0000

3. This agreement constitutes a mutual restrictive covenant running with the land, and all successive future owners of the real property described above shall have the same right to invoke and enforce its provisions as the undersigned.

4. Any deed, lease, conveyance, or contract made in violation of this agreement shall be void and may be set aside on petition of one or more of the undersigned. All successors in interest of the undersigned, and of the heirs, executors, administrators, or assigns, of the beneficiaries of said land trusts shall also be deemed parties to this agreement to the same effect as the undersigned.

5. When any deed, lease, conveyance or contract made in violation of this agreement is set aside by a decree of a court of competent jurisdiction, all costs and all expenses of the proceedings shall be taxed against the offending party or parties, and shall be declared by the court to constitute a lien against the real property wrongfully deeded, sold, leased, or conveyed, until paid. Such lien may be enforced in any manner that the court may order.

6. This agreement shall take effect and be in full force from and after the date of execution hereof by the parties and shall continue in force in perpetuity.

TRUSTEE'S EXONERATION PROVISION STAMPED ON PAGE 3 HEREOF.

DATED: August 15<sup>th</sup> 1995

LASALLE NATIONAL TRUST, N.A.,  
as Trustee under T.A. dated 9-12-89 and  
known as Trust No. 114753, and not personally

LASALLE NATIONAL TRUST, N.A.,  
as Successor Trustee to the Exchange National  
Bank of Chicago, as Trustee under T.A. dated  
8-7-79 and known as Trust No. 35760, and  
not personally

By: [Signature]  
Title: SR. VICE PRESIDENT

By: [Signature]  
Title: SR. VICE PRESIDENT

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