NOTICE AND CLAIM FOR LIEN

The undersigned Claimant, TEMPGLASS, INC. of the City of Ohio, County of Wood, and State of Ohio makes the following statement and claims a Mechanic's Lien under the law entitled "An Act to Revise the Laws in Relation to Mechanic's Liens" approved May 18, 1903 and all amendments thereto, and states:

1) The real property known and described as follows is now owned by:

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO/TRUSTEE

5³ N. LaSalle Street Chicago, IL 60690

OLD ORCHARD-URBAN VENTURE

C/O JMB Realey Corporation 900 North Michigan Avenue Chicago, IL 60611 PETT-01 RECORDING

\$22.50

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COOK COUNTY RECORDER

Legal description:

Tenant Improvement, Limited Express, Old Orchard Mali, Unit #J-8, 34 Old Orchard Shopping Center, Cicy of Skokie, County of Cook, State of Illinois, Document # 93706758, Trust #116914-09(See exhibit A attached hereto and made a part hereof.

- On or before November 5, 1994, the owner or eveners then contracted with CAPITOL CONSTRUCTION GROUP, INC. as an original contractor for the construction / improvement on the above-described premises. On or before November 5, 1994, TEMPGLASS, INC. provided materials and/or labor at the request of FIORE SKYLIGHT INC., 700 Grace Street P O Box 64, Somerdale, NJ 08083, a subcontractor on this project, for a total value of \$9,734.56, which is the fair, usual, customary, and reasonable value of such materials and/or labor. Claimant has furnished such materials and/or labor to the extent required by contract, all of which were furnished and delivered to and used in and about the improvement of the premises and of the building and other improvements thereon. The last of said materials and/or labor were furnished on or about November 8, 1994.
- There is now justly due and owing to the Claimant for the furnishing, delivery, or performance of such materials and/or labor aforesaid by Claimant the sum of \$9,734.56, which is still due and unpaid. Notice has been given to the owner and contract in the manner provided by law not less than 10 days prior hereto.



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NOTICE AND CLAIM FOR LIEN - Continued

- Claimant now claims a Lien upon the above-described premises and all 4) improvements thereon against all persons interested and also claims a Lien upon the monies or other consideration due from the aforesaid owner to the original contractor for the amount of \$9,734.56, together with interest as provided by statute.
- Notice has been duly given to the owner, and persons otherwise interested in 5) the above-described real estate, as to the status of the undersigned Claimant as provided by Section 24 of Chapter 82 of the Illinois Revised Statutes.

TEMPGLASS, INC.

February 3, 1995

Coop County Michael C. Brown, Esq. Attorney / Authorized Agent

STATE OF OHIO COUNTY OF CUYAHOGA

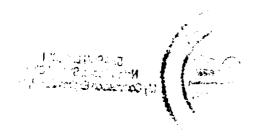
I, Michael C. Brown, the undersigned, being duly swon, state that I have read the foregoing instrument and know the contents are true, in substance and in fact.

Michael C. Brown, Esq.

Subscribed and sworn to before me this 3 February, 1995.

Muster Credit Consult, 23200 Chagun Blod for St 640 Cleveland, OH 44/22

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ASSIGNMENT AND ASSUMPTION OF FIELD OPERATING AGRESMENT

[Old Oftenerd Shopping Center - Skokie, Illinois]

THIS ASSIGNODY AND ASSUMPTION OF FIELD OPERATING AGRESOMET ithe "Assignment" is and as of the Joth day of August, 1993, by and among OLD CRCHIC-URBAN VENTURE, an Illinois general partnership ("Venture"), he ing offices c/o JMB Healty Corporation, Michigan Avenue, Chicago, Illinois everi. 111inois 60611, LASAI Marinnal Sank. North Michigan OWAL TRUST, M.A., LASALLE 300 MATIONAL TRUST, N.A., successor to LaSelle National Sank, a national banking association, not individually, but as trustee ("Former Trustee") under Trust Agreement dated November 1, 1976 and known as Trust No. 45500 (the "frust") (Venture and the Former Trustee, collectively, "Assignor") and EML-OLD ORCHARD LIMITED PARTNERSHIP, an Illinois limited partnership (the "Pertnership"), having offices at Two Horth Riverside Plaza, Chicago, Illinois 60606, and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not Individually, but as trustee ("New Trustes"), under Trust Agreement dated June 1, 1993 and known as Trust #2, 116914-09 (the "New dated June 1. Trust') (the Thoses. collectively, 60 Trust") Parchership and New ·Assignes").

WITEESETE:

WHEREAS, Venture and ZML-00 Associates Limited Partnership, Delaware limited partnership ("ZML"), have entered into that certain formation Agreement, dated as of August 10, 1991 (the "Agreement"), in accordance with which, inter alia: (1) Leaignor and ZML agreed to form the Partnership pursuant to that certain Agreement of Limited Partnership (the "Partnership Agreement"), dated August 30, 1993, with 20th acting as the Partnership's ale general partner and Venture as a limited partner, and (11) Venture has agreed to contribute its entire interest in the Property (2s defined in the Agreement) to the Partnership, which Property (together with certain land, improvements and other interests owned by third parties; te commonly known as Old Orchard Shopping Center, located in Skokie, Illinois (the 'Shopping Center'); and

MHEREAS, on or prior to the data hareof, Venture and Zoc. formed the Partnership, pursuant to the Partnership Agreement; and,

WREREAS, Venture is the sole beneficiary of the Trust; and,

WHEREAS, the Partnership desires that legal and equitable title to the real property included in the Property be held in an Illinois land trust with the Partnership as the sole beneficiary thereof, and has formed the New Trust for such purpose; and,

WHEREAS, legal and equitable title to the real property included in the Property is currently owned by the Trust; and,

BOX 333

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WHEREAS, in furtherance of the foregoing, Venture now wishes to essign to the Partnership all of its right, title and interest in the agreements it or its predecessors-in-interest have entered into with Marshall Field & Co. ("Field") respecting the operation and improvement of the Shopping Center (collectively, the "Field Operating Agreement"), which agreements comprising the Field Operating Agreement are set forth in Exhibit A attached hereto and easignment and assume Venture's obligations under the Field Operating Agreement, including without limitation those arising under the Field Radevelopment Commitment (as defined in Exhibit A attached hereto), to the extent set forth below; and former Trustee now wishes to assign all of its right, title and interest in the Field Operating Agreement, if any, to New Trustee and New Trustee wishes to essent such assignment and assume Former Trustee's obligations, if any, under the Field Operating Agreement, including without limitation those arising under the Field Redevelopment Commitment, but the extent set forth below; and

WREREAS, the legal description of the Property is set forth in Exhibit B attached is rate and made a part hereof, and the legal description for the land currently owned by Field at the Shopping Center (the "Field Parcy!") is set forth in Exhibit C attached hereto and made a part hereof:

NOW. THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, and for other good and valuable consideration, the recipt and sufficiency of which are hereby autually acknowledged, Pasignor and Assignee hereby agree as follows:

- 1. Except as set forth in Section 3 hereof, by way of contribution and not by way of sale, verture hereby transfers, assigns, conveys and sets over to the Fartne whin, all of Venture's right, title and interest in, to and under int Pield Operating Agreement.
- Former Trustee hereby sells, transfers, issigns, conveys and sets over to New Trustee all of Former Trustee's light, title and interest in, to and under the Field Operating Agreeant, if any.
- 3. Notwithstanding anything to the contrary contained herein, (a) Venture agrees to retain responsibility and liability for the covenants made by Venture relating to the Field stort in the Town and Country Shopping Center, Houston, Texas (the "TSC Covenants") set forth in the Field Redevelopment Countiment, and such TSC Covenants are not assigned by Venture hereunder and the Partnership shall have no liability therefor, and (b) Assigner does not assign to Assignee any of Assigner's right, title and interestin, to, or under any "Retained Claims" (as such term is defined in the Agreement) relating to the Field Operating Agreement (which, by

Property of Coot County Clert's Office

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LASALLE NATIONAL TRUST, N.A., as successor trustes to LaSalle National Bank, a national benking association, not individually but as Trustes under Trust Agreement dated November 1, 1976 and known as Trust No. 45500

By Cellow Cellows

ASSIGN CE:

ZML-OLD UNCHARD LIMITED PARTHERSHIP, an Illinois limited pertnership

By: ZML-00 Associates Limited Partnership, a Delaware limited partnership, its general partner

By: 200-do. inc., A an Illinois emporation, its general (arther

By: We - A

AMERICAN NATIONAL BANK AND TRUTT COMPANY OF CHICAGO, not individually bic as Trustee under Trust Agreement dated June 1, 1993 and known as Trust No. 118214-09

By:

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Included Proposed by to Upon Recording Return to:
Dougles M. Billis, Esq.
West Girbert & Eisenberg
Two N. La Salle
54.10 2100
Chicago, IL 66602

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Property of Coot County Clark's Office



NOTICE AND CLAIM FOR LIEN

The undersigned Claimant, TEMPGLASS, INC. of the City of Ohio, County of Wood, and State of Ohio makes the following statement and claims a Mechanic's Lien under the law entitled "An Act to Revise the Laws in Relation to Mechanic's Liens" approved May 18, 1903 and all amendments thereto, and states:

1) The real property known and described as follows is now owned by:

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO/TRUSTEE

33 N. LaSalle Street Chicago, IL 60690

OLD ORCHARD-URBAN VENTURE

C/O JMB Realty Corporation 900 North Michigan Avenue Chicago, IL 6061

Legal description:

Tenant Improvement, Limited Express, Old Orchard Mall, Unit #J-8, 34 Old Orchard Shopping Center, City of Skokie, County of Cook, State of Illinois, Document # 93706758, Trust #116914-09 (See exhibit A attached hereto and made a part hereof.

- On or before November 5, 1994, the owner or owners then contracted with CAPITOL CONSTRUCTION GROUP, INC. as an original contractor for the construction / improvement on the above-described premises. On or before November 5, 1994, TEMPGLASS, INC. provided materials and/or labor at the request of FIORE SKYLIGHT INC., 700 Grave Street P O Box 64, Somerdale, NJ 08083, a subcontractor on this project, for a total value of \$9,734.56, which is the fair, usual, customary, and reasonable value of such materials and/or labor. Claimant has furnished such materials and/or labor to the extent required by contract, all of which were furnished and delivered to and used in and about the improvement of the premises and of the building and other improvements thereon. The last of said materials and/or labor were furnished on or about November 8, 1994.
- There is now justly due and owing to the Claimant for the furnishing, delivery, or performance of such materials and/or labor aforesaid by Claimant the sum of \$9,734.56, which is still due and unpaid. Notice has been given to the owner and contract in the manner provided by law not less than 10 days prior hereto.

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- 4) Claimant now claims a Lien upon the above-described premises and all improvements thereon against all persons interested and also claims a Lien upon the monies or other consideration due from the aforesaid owner to the original contractor for the amount of \$9,734.56, together with interest as provided by statute.
- Notice has been duly given to the owner, and persons otherwise interested in 5) the above-described real estate, as to the status of the undersigned Claimant as provided by Section 24 of Chapter 82 of the Illinois Revised Statutes.

TEMPGLASS, INC.

February 3, 1995

Coop County Michael C. Brown, Esq.

Attorney / Authorized Agent

STATE OF OHIO COUNTY OF CUYAHOGA

I, Michael C. Brown, the undersigned, being duly sworn, state that I have read the foregoing instrument and know the contents are true, in substance and in tact

Michael C. Brown, Esq.

Subscribed and sworn to before me this 3 February, 1995.

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