

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
57 N. LaSalle Street
Chicago, IL 60690

OLD ORCHARD-URBAN VENTURE
C/O JMB Realty Corporation
900 North Michigan Avenue
Chicago, IL 60611

DEPT-01 RECORDING \$22.50
TR#6535 TRAX 4706 03/07/95 09:54:00
#6533 # J J * 75-152364
COOK COUNTY RECORDER

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.

- 2) 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 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**.
- 3) 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 5 4 5 2 3 1 1

- 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.
- 5) Notice has been duly given to the owner, and persons otherwise interested in 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

By:


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 fact.


Michael C. Brown, Esq.

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


Notary Public



SHARON L. OLGIN
Notary Public, State of Ohio
My Commission Expires Jan. 9, 1999

Master Credit Consultant
23200 Chagrin Blvd.
Ste 640
Cleveland, OH 44122

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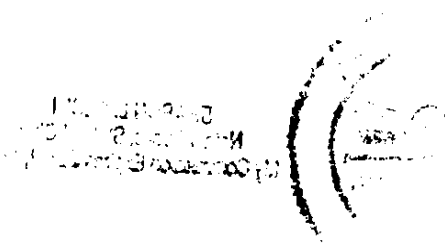


EXHIBIT A

93706758

This instrument, made this 20th day of August 10, 1990, between

LaSalle National Trust, N.A., a national banking association, Chicago, Illinois, as Trustee under the provisions of a Deed or Deeds

in Trust, duly recorded and delivered to said Bank in pursuance of a Trust agreement dated the 1st day

of November 1976, and known in Trust Number 45500 (the Trust),

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO
AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 17, 1990
AND KNOWN AS TRUST NO. 116916-09

Address of Grantee: 32 W. LaSalle Street
Chicago, Illinois 60690

77.00
642

Whereof, the said Trustee, in full payment of the sum of

THE SUM OF 100,000 Dollars of 10.00

and other goods and valuable considerations hereunto due hereby guaranteed convey unto the Grantee, the following

land and premises, situated in Cook County, State of Illinois

SEE EXHIBIT A ATTACHED HERETO AND MAKE A PART HEREOF FOR LEGAL DESCRIPTION

SEE EXHIBIT B ATTACHED HERETO AND MAKE A PART HEREOF FOR ITEMS TRANSFER
IS SUBJECT TO

VILLAGE of SKOKIE, ILLINOIS

Property Address: Old Orchard Shopping Center, Skokie, Illinois
Permanent tract number: See Exhibit A attached hereto
together with the interests and appurtenances thereto belonging

Illinois Development Tax
State Code Chapter 18
Amount: \$18678288 PAID: Chicago
M1127

To Have And To Hold the same unto the Grantee as aforesaid and to the heirs, assigns, executors and assigns of the

Grantee forever.

This conveyance is made pursuant to direction and with authority to convey directly to the trust grantee named herein. The powers and authority conferred upon said trust grantee are recited on the reverse side hereof and incorporated herein by reference.

This Deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said Trustee by the terms of said Deed or Deeds in Trust delivered to said Trustee in pursuance of the Trust agreement above mentioned. This Deed is made subject to the lien of every Trust Deed or Mortgage (if any) thereon of record in said County affecting the said real estate or any part thereof given to secure the payment of money and remaining unextinguished as the date of the delivery hereof.

In Witness Whereof, the Trustee has caused its corporate seal to be hereunto affixed and has caused its name to be signed to hereon present by its Assistant Vice President and attested by its Assistant Secretary, the day and year first above written.

Attest:
LaSalle National Bank

LaSalle National Trust, N.A.
as Trustee as aforesaid.
SUCCESSOR

Barbara A. Stock
Assistant Secretary

By Randy Collins
Assistant Vice President

This instrument was prepared by: <u>Barbara Collins/cto</u>	LaSalle National Trust, N.A. Real Estate Trust Department 135 South LaSalle Street Chicago, Illinois 60603-4199
--	--

BOX 333

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74-16-835 DN P.C.

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EXHIBIT 1700/5 J

PARCEL 1:

LOTS 1, 6 AND 7 IN OLD CHICAGO, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID LOT 7 THAT PART HERETOFORE CONVEYED TO THE STATE OF ILLINOIS BY SAID FILED VERDICT IS, 12/7 AM DECEMBER 18 233347;) ALSO (EXCEPT THAT PART OF LOT 1 DESCRIBED AS FOLLOWS) COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88 DEGREES, 00 MINUTES, 04 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 641.25 FEET TO THE POINT OF BEGINNING, BEING A CORNER OF SAID LOT 1; THENCE SOUTH 80 DEGREES, 23 MINUTES, 37 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 218.06 FEET; THENCE NORTH 88 DEGREES, 24 MINUTES, 23 SECONDS WEST 116.14 FEET; THENCE NORTH 89 DEGREES, 33 MINUTES, 37 SECONDS EAST 218.06 FEET TO THE EAST LINE OF SAID LOT 1; THENCE SOUTH 88 DEGREES, 00 MINUTES, 04 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 116.14 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 TO 40 INCLUSIVE IN BLOCK 2 AND LOTS 1, 2, 3 INCLUSIVE AND LOTS 16 TO 40 INCLUSIVE IN BLOCK 3, TOGETHER WITH ALL OF THE NORTH NORTH AND SOUTH ALLEYS, 16 FEET WIDE, IN SAID BLOCKS 2 AND 3; ALSO ALL OF WACKER BLADE STREET, 66 FEET WIDE, LYING BETWEEN AND ADJOINING SAID BLOCKS 2 AND 3, FROM THE WEST LINE OF LAVENDER AVENUE TO THE EAST LINE OF LAWLER AVENUE; ALSO SAID NORTH 33 FEET OF WACKER BLADE STREET, 66 FEET WIDE; LYING NORTH AND ADJOINING SAID BLOCK 1, BETWEEN THE WEST LINE OF LAVENDER AVENUE AND THE EAST LINE OF LAWLER AVENUE; ALSO THAT PART OF WACKER LAVENDER AVENUE, 32 FEET WIDE, LYING BETWEEN THE NORTH LINE OF LOT 15 IN SAID BLOCK 2 EXTENDED EAST AND THE NORTH LINE OF SAID SOUTH 33 FEET OF WACKER BLADE STREET EXTENDED EAST; ALL IN HAWKWOOD SUBDIVISION, BEING A SUBDIVISION OF THE EAST 15 ACRES OF THE SOUTH 30 ACRES OF THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

PARCEL 3:

LOTS 15 AND 16 (EXCEPT THAT PART TAKEN FOR THE VENTURE OF BRIDGE BOLLIVAND) AND THE EAST 1/2 OF WACKER ALLEY ADJOINING SAID LOTS 15 AND 16 IN BLOCK 3 BEING "WELLS CENTER BLOCK", BEING A SUBDIVISION OF THE SOUTH EAST 1/4 OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF THE SOUTH EAST 1/4 ALSO EAST 16 ACRES OF NORTH EAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 4:

LOT 7 (EXCEPT THAT PART TAKEN FOR THE VENTURE OF BRIDGE BOLLIVAND) AND THE EAST HALF OF THE WACKER ALLEY ADJOINING SAID LOT 7 IN BLOCK 3 IN "WELLS CENTER BLOCK", BEING A SUBDIVISION OF THE SOUTH EAST 1/4 OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF THE SOUTH EAST 1/4; ALSO THE EAST 16 ACRES OF THE NORTH EAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

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PARCEL 1:

THAT PART OF LOT 1 IN OLD ORCHARD, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 1, 1957 AS DOCUMENT NUMBER 16864547, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 15 DEGREES, 33 MINUTES, 27 SECONDS, WEST ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 379.04 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 11 DEGREES, 33 MINUTES, 14 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 130.04 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 73 DEGREES, 37 MINUTES, 55 SECONDS EAST 13.45 FEET; THENCE SOUTH 04 DEGREES, 20 MINUTES, 00 SECONDS EAST, 255.36 FEET; THENCE NORTH 73 DEGREES, 37 MINUTES, 55 SECONDS WEST, A DISTANCE OF 136.87 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 11 DEGREES, 33 MINUTES, 14 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 141.73 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

THAT PART OF LOT 3 IN OLD ORCHARD, BEING A SUBDIVISION IN THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 1, 1957 AS DOCUMENT NUMBER 16864547, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID LOT 3, BEING 168.73 FEET NORTHEASTERLY OF THE MOST SOUTHERLY CORNER THEREOF; THENCE NORTH 04 DEGREES, 00 MINUTES, 26 SECONDS EAST 75.92 FEET; THENCE SOUTH 80 DEGREES, 33 MINUTES, 34 SECONDS EAST 27.70 FEET TO THE EASTERLY LINE OF SAID LOT 2, THENCE SOUTH 20 DEGREES 43 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY LINE 84.12 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 7:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1, 5, AND 7 AS CREATED BY DEED FROM MARSHALL FIELD & COMPANY TO OLD ORCHARD HOLDINGS TRUST INC. DATED OCTOBER 21, 1958 AS DOCUMENT NUMBER 16394376 AND FILED ON OCTOBER 20, 1958 AS DOCUMENT NUMBER 161826915, AND SUPPLEMENTED AND AMENDED BY INSTRUMENT RECORDED NOVEMBER 21, 1966 AS DOCUMENT NUMBER 18761446, AND AS SUPPLEMENTED BY RESERVATION CONFIRMATION OF DEED FROM LA SALLE NATIONAL TRUST, N. A., AS TRUSTEE UNDER TRUST AGREEMENT DATED BY DEED 1, 1976 AND KNOWN AS TRUST NUMBER 45580 TO MARSHALL FIELD & COMPANY, A DELAWARE CORPORATION RECORDED APRIL 26, 1993 AS DOCUMENT NUMBER 93305016, FOR ENGINEERING, SURVEYING AND MARKING OVER PORTIONS OF THE FOLLOWING "ENCLINED LAND":

LOTS 3, 4 AND 5 IN OLD ORCHARD, BEING A SUBDIVISION IN THE EAST 1/2 OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, INCLUDING THEREFROM THAT PART OF LOT 3 IN OLD ORCHARD, BEING A SUBDIVISION IN THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 1, 1957 AS DOCUMENT NUMBER 16864547, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID LOT 3, BEING 168.73 FEET NORTHEASTERLY OF THE MOST SOUTHERLY CORNER THEREOF; THENCE NORTH 04 DEGREES, 00 MINUTES, 26 SECONDS EAST 75.92 FEET; THENCE SOUTH 80 DEGREES, 33 MINUTES, 34 SECONDS EAST 27.70 FEET TO THE EASTERLY LINE SAID LOT 3; THENCE SOUTH 20 DEGREES, 43 MINUTES,

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60 SECONDS WEST ALONG SAID EASTERN LINE 68.63 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY ILLINOIS, AND ALSO EXCEPTED THEREFROM THAT PART OF LOT 3 IN OLD ORCHARD, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 1, 1957 AS DOCUMENT NUMBER 14864547, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 83 DEGREES, 22 MINUTES, 17 SECONDS, WEST ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 379.99 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 13 DEGREES, 23 MINUTES, 14 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 136.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 73 DEGREES, 57 MINUTES, 58 SECONDS EAST 65.45 FEET; THENCE SOUTH 08 DEGREES, 10 MINUTES, 04 SECONDS EAST, 115.94 FEET; THENCE NORTH 73 DEGREES, 57 MINUTES, 25 SECONDS WEST, A DISTANCE OF 116.87 FEET TO THE WEST LINE OF SAID LOT 3; THENCE NORTH 13 DEGREES, 23 MINUTES, 14 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 368.71 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 1 TO 36, BOTH INCLUSIVE, AND LOTS 38 TO 40, BOTH EXCLUSIVE IN BLOCK 1 IN HARBORWOOD ESTATE, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO

THAT PART OF LOT 1 IN OLD ORCHARD, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 1, 1957 AS DOCUMENT NUMBER 14864547, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 08 DEGREES, 04 MINUTES, 00 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 641.38 FEET TO THE POINT OF BEGINNING, BEING A CORNER OF SAID LOT 1; THENCE SOUTH 83 DEGREES, 23 MINUTES, 17 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 133.70 FEET; THENCE NORTH 08 DEGREES, 10 MINUTES, 23 SECONDS WEST 115.16 FEET; THENCE SOUTH 83 DEGREES, 23 MINUTES, 17 SECONDS EAST 235.69 FEET TO THE EAST LINE OF SAID LOT 1; THENCE SOUTH 08 DEGREES, 04 MINUTES, 00 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 116.16 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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11/15/2012

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- 10-09-411-022
- 10-09-411-041
- 10-09-411-042
- 10-09-411-051
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- 10-09-411-055
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- 10-09-411-057
- 10-09-415-041
- 10-09-423-039
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- 10-09-423-042
- 10-09-423-043

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11/15/2011

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ASSIGNMENT AND ASSUMPTION OF FIELD OPERATING AGREEMENT
(Old Orchard Shopping Center - Skokie, Illinois)

THIS ASSIGNMENT AND ASSUMPTION OF FIELD OPERATING AGREEMENT (the "Assignment") is made as of the 30th day of August, 1993, by and among OLD ORCHARD-URBAN VENTURE, an Illinois general partnership ("Venture"), having offices c/o JMB Realty Corporation, 900 North Michigan Avenue, Chicago, Illinois 60611, LASALLE NATIONAL TRUST, N.A., successor to LaSalle National Bank, 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 "Trust") (Venture and the Former Trustee, collectively, "Assignor") and ZNL-OLD ORCHARD LIMITED PARTNERSHIP, an Illinois limited partnership (the "Partnership"), having offices at Two North Riverside Plaza, Chicago, Illinois 60606, and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not individually, but as trustee ("New Trustee"), under Trust Agreement dated June 1, 1993 and known as Trust No. 116314-09 (the "New Trust") (the Partnership and New Trustee, collectively, "Assignee").

5700
Burr

W I T N E S S E T H:

WHEREAS, Venture and ZNL-OO Associates Limited Partnership, a Delaware limited partnership ("ZNL"), have entered into that certain Formation Agreement, dated as of August 30, 1993 (the "Agreement"), in accordance with which, inter alia: (i) Assignor and ZNL agreed to form the Partnership pursuant to that certain Agreement of Limited Partnership (the "Partnership Agreement"), dated August 30, 1993, with ZNL acting as the Partnership's sole general partner and Venture as a limited partner, and (ii) Venture has agreed to contribute its entire interest in the Property (as defined in the Agreement) to the Partnership, which Property (together with certain land, improvements and other interests owned by third parties) is commonly known as Old Orchard Shopping Center, located in Skokie, Illinois (the "Shopping Center"); and,

WHEREAS, on or prior to the date hereof, Venture and ZNL formed the Partnership, pursuant to the Partnership Agreement; and,

WHEREAS, 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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74-26-025 DN P.L.

PROPERTY

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WHEREAS, in furtherance of the foregoing, Venture now wishes to assign 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 made a part hereof, and the Partnership wishes to accept such assignment and assume Venture's obligations under the Field Operating Agreement, including without limitation those arising under the Field Redevelopment 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 accept 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, to the extent set forth below; and

WHEREAS, the legal description of the Property is set forth in Exhibit B attached hereto and made a part hereof, and the legal description for the land currently owned by Field at the Shopping Center (the "Field Parcel") 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 receipt and sufficiency of which are hereby mutually acknowledged, Assignor 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, Venture hereby transfers, assigns, conveys and sets over to the Partnership, all of Venture's right, title and interest in, to and under the Field Operating Agreement.

2. Former Trustee hereby sells, transfers, assigns, conveys and sets over to New Trustee all of Former Trustee's right, title and interest in, to and under the Field Operating Agreement, 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 store in the Town and Country Shopping Center, Houston, Texas (the "T&C Covenants") set forth in the Field Redevelopment Commitment, and such T&C Covenants are not assigned by Venture hereunder and the Partnership shall have no liability therefor, and (b) Assignor does not assign to Assignee any of Assignor's right, title and interest in, to, or under any "Retained Claims" (as such term is defined in the Agreement) relating to the Field Operating Agreement (which, by

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

By: *Ramsey Collins*
Its: President

ASSIGNEE:

ZML-OLD ORCHARD LIMITED PARTNERSHIP, an Illinois limited partnership

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

By: ZML-OO, Inc., an Illinois corporation, its general partner

By: *[Signature]*
Its: V.P.

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not individually but as trustee under Trust Agreement dated June 1, 1993 and known as Trust No. 11824-09

By: *[Signature]*
Its: [Signature]

FORM 1091-0048-A
REVISED 4/22/79

COOK COUNTY, ILLINOIS
FILED FOR RECORD

23 SEP -3 PM 2:31

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Instrument Prepared by &
Upon Recording Return to:
Douglas M. Ellis, Esq.
Neal Garber & Eisenberg
Two N. La Salle
S. 10 2100
Chicago, IL 60602

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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
63 N. LaSalle Street
Chicago, IL 60690

OLD ORCHARD-URBAN VENTURE
C/O JMB Realty Corporation
900 North Michigan Avenue
Chicago, IL 60611

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.

- 2) 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 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.
- 3) 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

- 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.
- 5) Notice has been duly given to the owner, and persons otherwise interested in 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

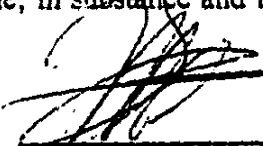
By:



 Michael C. Brown, Esq.
 Attorney / Authorized Agent

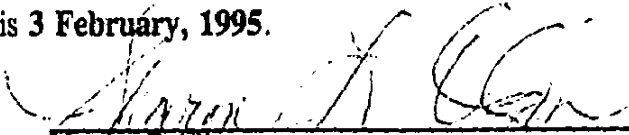
STATE OF OHIO
COUNTY OF CUYAHOGA

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 fact.



 Michael C. Brown, Esq.

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



 Notary Public



SHARON L. OLGIN
 Notary Public, State of Ohio
 My Commission Expires Jan. 8, 1999

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