#### ADDENDUM TO COVENANT

This Addendum to Covenant is entered into for the express purpose of amending that certain covenant dated June 6, 1995, made by Orchard Park Limited Partnership, an Illinois limited partnership (the "Partnership") as ground lessee of the property legally described on Exhibit A attached to the covenant, which Covenant was recorded June 6, 1995, in the Office of the Recorder of Deeds, Cook County, Illinois as Document No. 95367599 (the "Covenant").

The Partnership, the ground lessee of the property legally described on Exhibit A attached hereto (the "Property"), does hereby covenant and agree for itself, its successors and assigns, to subject the Property to the covenants, terms and conditions of the Covenant, and the Covenant is hereby amended to include within the property therein described the Property described on Exhibit A attached hereto.

June 14, 1995

DEPT-01 RECORDING 142222 TRAN 0872 06/16 42697 TRAN 0872 06/16 DEPT-10 PENALTY RECORDER

Orchard Park Limited Partnership, an Illinois limited partnership

By: Orchard Park, L.L.C., an Illinois limited liability company, its general partner

OPT, INC., its member

Property Address: Vacant land located at Weed Street and Clybourn Avenue, Chicago, Illinois

P.I.N.

17-04-101-029-000

17-04-101-044-000

17-04-101-045-000

17-04-101-048-000

17-04-101-051-000

17-04-101-052-000

17-04-101-031-000

.R DEPT-10 PENALTY

TRAN 0872 05/16

COOK COUNTY RECORDER

Property of Cook County Clerk's Office

| STATE OF ILLINOIS | · )       |
|-------------------|-----------|
| COUNTY OF COOK    | ) SS<br>) |

The foregoing instrument was acknowledged before me this // day of 1995, by Christine M. J. Oliver, President, and Carey Overstreet, Company, general partner of Orchard Park Limited Partnership, an Illinois limited liability on behalf of said limited liability company and said limited partnership.

"OFFICIAL SEAL"
Lisa M. Tharpe
Notary Public, State of Illinois
My Cramission Expres 9/23/96

Tharpe
State of illinois
Expires 9(23)96
Notary Public

Notary Public

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Property of Coot County Clerk's Office

PARCEL 1 (PROPOSED BLOCK 1 IN ORCHARD PARK):

THAT PART OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH EAST LINE OF CLYBOURN AVENUE, AS SAID STREET IS SHOWN ON THE PLAT OF BUTTERFIELD'S ADDITION TO CHICAGO, WITH THE CENTER LINE OF WEED STREET, AS SHOWN ON THE PLAT OF C. J. HULL'S SUBDIVISION OF LOTS 155 AND 156 IN SAID BUTTERFIELD'S ADDITION;

THENCE NORTH 45 DEGREES EAST, ALONG SAID CENTER LINE OF WEED STREET, A DISTANCE OF 235 FEET TO A POINT ON A LINE 235 FEET NORTH EAST OF AND PARALLEL WITH THE NORTH EAST LINE OF CLYBOURN AVENUE AFORESAID;

THENCE SCAL 45 DEGREES BAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 105.30 FEET TO A POINT ON A LINE 105.30 FEET SOUTH EAST OF AND PARALLEL WITH THE CENTER LINE OF WEED STREET PROFESAID;

IMBNUE SOUTH 45 CAGREES WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 235 FEET TO A POINT ON THE AFORESAL NORTH EAST LINE OF CLYBOURN AVENUE;

THENCE NORTH 45 DEGREES PAST, ALONG SAID NORTH EAST LINE OF CLYBOURN AVENUE, A DISTANCE OF 105.30 FEET TO THE POINT OF BEGINNING;

IN COOK COUNTY, ILLINOIS.

PARCEL 2 (PROPOSED BLOCK 2 IN ORCHAFD PAPK):

THAT PART OF THE WEST 1/2 OF THE NORTH W.S. 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH EAST LINE OF CLYBOURN AVENUE, AS SAID STREET IS SHOWN ON THE PLAT OF BUTTERFIELD'S ADJITION TO CHICAGO, WITH THE CENTER LINE OF WEED STREET, AS SHOWN ON THE PLAT OF C. J. HULL'S SUBDIVISION OF LOTS 155 AND 156 IN SAID BUTTERFIELD'S ADDITION:

THENCE SOUTH 45 DEGREES EAST, ALONG SAID NORTH EAST LINE OF CYTBOURN AVENUE, A DISTANCE OF 105.30 FEET TO A POINT OF INTERSECTION WITH A LINE 105.30 FEET SOUTH EAST OF AND PARALLEL WITH SAID ORIGINAL SOUTH EAST LINE OF WEED STREET, SAID POINT BEING THE POINT OF BEGINNING:

THENCE NORTH 45 DEGREES EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 225 FEET TO A POINT ON A LINE 235 FEET NORTH EAST OF AND PARALLEL WITH THE NORTH EAST LINE OF CLYBOURN AVENUE AFORESAID:

THENCE SOUTH 45 DEGREES EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 44.70 FEET TO A POINT ON A LINE 150 FEET SOUTH EAST OF AND PARALLEL WITH THE CENTER LINE OF WEED STREET AFORESAID;

THENCE SOUTH 45 DEGREES WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 94 FEET TO A POINT ON A LINE 141 FEET NORTH EAST OF AND PARALLEL WITH THE NORTH EAST LINE OF CLYBOURN AVENUE AFORESAID;

THENCE SOUTH 45 DEGREES EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 73.30 FEET TO A POINT ON A LINE 223.30 FEET SOUTH EAST OF AND PARALLEL WITH THE CENTER LINE OF WEED STREET AFORESAID;

THENCE SOUTH 45 DEGREES WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 141 FEET TO A POINT ON THE AFORESAID NORTH EAST LINE OF CLYBOURN AVENUE:

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THENCE NORTH 45 DEGREES WEST, ALONG SAID NORTH EAST LINE OF CLYBOURN AVENUE, A DISTANCE OF 118 FEET TO THE POINT OF BEGINNING LCOPY
IN COOK COUNTY, ILLINOIS.

PARCEL 3 (PROPOSED BLOCK 4 IN ORCHARD PARK):

THAT PART OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH,

RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH EAST LINE OF CLYBOURN AVENUE, AS SAID STREET IS SHOWN ON THE PLAT OF BUTTERFIELD'S ADDITION TO CHICAGO, WITH THE CENTER LINE OF WEED STREET, AS SHOWN ON THE PLAT OF C. J. HULL'S SUBDIVISION OF LOTS 155 AND 156 IN SAID BUTTERFIELD'S ADDITION;

THENCE SOUTH 45 DEGREES EAST, ALONG SAID NORTH EAST LINE OF CLYBOURN AVENUE, A DISTANCE OF 272.0 FEET TO A POINT OF INTERSECTION WITH A LINE 223.30 FEET SOUTH EAST OF AND PARALLEL WITH SAID CENTER LINE OF WEBD STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 45 DEGRESS RAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 141 FEET TO A POINT ON A LINE 141 NORTH RAST OF AND PARALLEL WITH THE NORTH EAST LINE OF CLYBOURN AVENUE AFORESAID;

THENCE SOUTH 45 DEGREES EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 41.50 FEET TO A POINT ON A LINE 264.80 FEET SOUT! ELST OF AND PARALLEL WITH THE CENTER LINE OF WEED STREET AFORESAID;

THENCE SOUTH 45 DEGREES WEST, ALONG SAY, PARALLEL LINE, A DISTANCE OF 19 FEET TO A POINT ON A LINE 122 FEET NORTH EAST OF AND PARALLEL WITH THE NORTH EAST LINE OF CLYBOURN AVENUE AFORESAID;

THENCE SOUTH 45 DEGREES EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 24.50 FEET TO A POINT OF TANGENCY WITH A CURVED LINE CONVEX TO THE LAST AND HAVING A RADIUS OF 10 FEET:

THENCE SOUTHWARDLY ALONG SAID CURVED LINE, AN ARC DISTANCE OF 15.71 FERT TO A POINT OF TANGENCY:

THENCE DUE SOUTH ALONG A STRAIGHT LINE TANGENT TO THE LAST DESCRIBED CURVED LINE, A DISTANCE OF 22.63 FRET TO A POINT OF TANGENCY WITH A CURVED LINE COPYEX TO THE SOUTH EAST AND HAVING A RADIUS OF 10 FRET;

THENCE SOUTHWARDLY AND WESTWARDLY ALONG SAID CURVED LINE, A DISTANCE OF 15 71 FEET TO A POINT OF TANGENCY WITH A LINE 315.30 FEET SOUTH BAST OF AND PARALLEL WIT. THE CENTER LINE OF WEED STREET AFORESAID;

THENCE SOUTH 45 DEGREES WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 96 FEET TO A POINT ON THE AFORESAID NORTH EAST LINE OF CLYBOURN AVENUE;

THENCE NORTH 45 DEGREES WEST, ALONG SAID NORTH EAST LINE OF CLYBOURN AVENUE, A DISTANCE OF 92 FEET TO THE POINT OF BEGINNING;

IN COOK COUNTY, ILLINOIS.

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#### COVENANT

Orchard Park Limited Partnership, an Illinois limited partnership, ground lessee of the property legally described on Exhibit A attached hereto (the "Property") does hereby covenant and agree for itself, its successors and assigns, that the maintenance and repair of the common water and sewer lines constructed by the undersigned and located anywhere on the Property from the point of connection to the sewer and water mains in the public way, shall be the responsibility of the ground lessee of the approximately 10 attached townhomes intended to be constructed thereon by the undersigned and shall not be the responsibility of the City of Chicago. The undersigned further states that this covenant shall be binding upon all of its grantees. This covenant is made to induce the City of Chicago to furnish server and water service to the above-described premises.

Dated: June 6, 1995

Orchard Park, L.L.C., an Illinois limited company, its general partner

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an Illinois ..

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By: OPT, Inc., its member like fine with Culter and Company.

Avenue, ( PAC. Office Property Address: Vacant Land located at Weed Street and Clybourn Avenue, Chicago, Illinois.

P.I.N. 17-04-101-029-0000 17-04-101-044-0000 17-04-101-045-0000 17-04-101-048-0000 17-04-101-051-0000 17-04-101-052-0000 17-04-102-031-0000

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