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**CP FINANCING TRUST,
Mortgagor**

to

**THE FIRST NATIONAL
BANK OF CHICAGO
as Trustee
Mortgagee**

DEFT-01 RECORDING \$51.00
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98485 DT *96-342233
COOK COUNTY RECORDER

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MORTGAGE SPREADER AND RELEASE AGREEMENT

Dated as of April 29, 1996

County & State: Cook County, Illinois

**PREPARED BY AND UPON
RECORDATION RETURN TO:**

Coffield Ungaretti & Harris
Suite 3500
Three First National Plaza
Chicago, Illinois 60602
Attention: Robert E. Bull
Facsimile No. 312-977-4405

96342233

BOX 333-CTI

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11/11/11

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MORTGAGE SPREADER AND RELEASE AGREEMENT

THIS MORTGAGE SPREADER AND RELEASE AGREEMENT (the "Agreement"), made as of the 29th day of April, 1996, by and between CP FINANCING TRUST, a Maryland Real Estate Investment Trust, having its principal place of business at 401 North Michigan Avenue, Chicago, Illinois 60611 ("Mortgagor"), and THE FIRST NATIONAL BANK OF CHICAGO, a national banking association, having its principal office at One First National Plaza, Chicago, Illinois 60670-0126, as trustee for the benefit of the holders of the Note under the Indenture (each defined herein) ("Mortgagee").

RECITALS:

WHEREAS, Mortgagor is the owner of the Property and certain Additional Properties (as defined in the Mortgage as hereinafter defined) (collectively the "Loan Collateral"); and

WHEREAS, pursuant to the terms of that certain Indenture dated as of November 1, 1995, between Mortgagor and Mortgagee, as trustee for the equal and ratable benefit of the holders of mortgage collateralized notes in the original principal amount of \$50,000,00.00 (the "Note"), Mortgagor received the proceeds of the Note (the "Loan"); and

WHEREAS, the Loan and the indebtedness, obligations and liabilities of Mortgagor evidenced by the Note are secured by, among other things, that certain Mortgage, Assignment of Rents and Leases and Security Agreement dated as of November 1, 1995 between Mortgagor and Mortgagee, as trustee, and recorded with the Cook County Recorder's Office on December 5, 1995 as Document No. 95844847 and Other Security Documents, as defined in the Mortgage (hereinafter collectively referred to as the "Loan Documents"); and

WHEREAS, Mortgagor has, pursuant to the terms of the Mortgage, requested the release of those certain properties legally described on Exhibit A hereto from the Loan Collateral ("Release Properties") and, in exchange, has agreed to tender to the Mortgagee those certain Substitute Premises (as defined in the Mortgage) legally described on Exhibit B; and

WHEREAS, the parties desire to modify the Mortgage so that the lien thereof shall be released from the Released Properties and spread to encumber the Substitute Premises;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mortgagor hereby agrees as follows:

1. The parties acknowledge the recitals to this Agreement are true and correct and shall be deemed a part of the agreement contained herein.
2. Mortgagor hereby grants, bargains, sells, conveys, assigns, transfers, mortgages, remises, releases, aliens, hypothecates, pledges, delivers, sets over, warrants and confirms unto Mortgagee, its successors and assigns forever, the Substitute Premises legally described on Exhibit B attached hereto,

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together with all property, rights and interests related thereto described and encompassed by the definition of "Property" contained in the Mortgage. The Mortgage is hereby restated, affirmed and spread to encompass and describe the Substitute Premises and each and every term, covenant, condition, and warranty contained in the Mortgage is hereby incorporated by reference and is hereby affirmed and restated, specifically with respect to the Substitute Premises.

3. Mortgagor hereby covenants and warrants it is well and lawfully seized of a good, absolute and indefeasible title to the Substitute Premises in law, in fee simple, and it possesses the authority and full power to sell, assign, convey mortgage and encumber the same as herein and in the Mortgage set forth, and the Substitute Premises are free and clear of all mortgages, liens, charges, security interests and encumbrances whatsoever, except for those certain exceptions set forth on Exhibit C attached hereto (the "Permitted Exceptions"), and Mortgagor further covenants and agrees to forever warrant and defend the same to Mortgagee and its successors and assigns, against the claims and demands of all persons whomsoever.

4. In accordance with the foregoing, the Mortgage is hereby modified in order that the terms "Property" and "Loan Collateral," as those terms are defined therein, shall mean and include the Substitute Premises.

5. In consideration for Mortgagor's mortgage of the Substitute Premises to the Mortgagee, Mortgagee hereby remises, releases, conveys and quitclaims unto Mortgagor, its heirs, legal representatives and assigns, all right, title, interest, claim or demand whatsoever Mortgagee may have acquired in, through or by (i) the Mortgage; (ii) the Indenture; and (iii) the Other Security Documents, as to the premises therein described as follows, situated in the County of Cook, State of Illinois

as shown on Exhibit A attached hereto
and made a part hereof

together with all the appurtenances and privileges thereunto belonging or appertaining.

6. The Indenture, Mortgage and Other Security Documents are hereby further modified in order that all references to the "Mortgage," as that term is defined in the Indenture, Mortgage and Other Security Documents, shall mean and include this Agreement.

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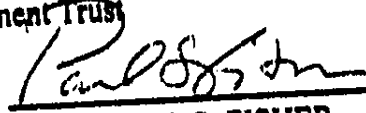
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IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the date first above written.

CP FINANCING TRUST, a Maryland Real Estate
Investment Trust

By:



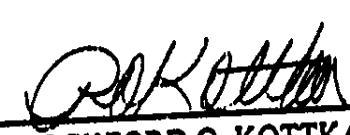
Name: PAUL S. FISHER

Title: Treasurer

ATTEST:

[SEAL]

By:

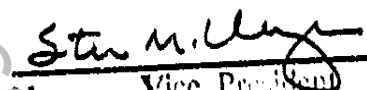


Name: ROCKFORD O. KOTTKA

Title: Vice President

THE FIRST NATIONAL BANK OF CHICAGO,
a national banking association, as Trustee

By:



Name: Vice President

Title: Steven M. Warner

ATTEST:

[SEAL]

By:



Name: G. Marshall

Title: Assistant Secretary

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11/11/11 10:11:11 AM

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STATE OF Illinois)
COUNTY OF Cook) SS

I, Cindy A. Novik, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that ROCKFORD O. KOTTKA and PAUL S. FISHER, the Vice President and Treasurer, respectively of CP FINANCING TRUST, a Maryland Real Estate Investment Trust, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said trust, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 24 day of April, 1996.

Cindy A. Novik
Notary Public

My commission expires:

12-1-94



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STATE OF ILLINOIS
COUNTY OF COOK) SS

I, Nilda Sierra, a Notary Public in and for said County, in the State
aforesaid, DO HEREBY CERTIFY, that Steven M. Wagner and T. Marshall, the Vice
President and (Assistant Secretary), respectively of THE FIRST NATIONAL BANK OF
CHICAGO, ("Mortgagee Trustee") who are personally known to me to be the same persons
whose names are subscribed to the foregoing instrument, appeared before me this day in person
and acknowledged that they signed and delivered the said instrument as their own free and
voluntary act and as the free and voluntary act of said Bank as Mortgagee Trustee for the equal
and ratable benefit of the holders of mortgaged collateralized notes as set forth therein, for the
uses and purposes therein set forth; and the said (Assistant) Secretary did then and there
acknowledge that (s)he as custodian of the corporate seal of said Bank, did affix the seal as his
(her) own free and voluntary act, and as the free and voluntary act of said Bank as Mortgage
Trustee for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 09 day of April, 1996.

Nilda Sierra
Notary Public

My commission expires:

11-12-97



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EXHIBIT A

Legal Description

LOT 239 IN CENTEX INDUSTRIAL PARK UNIT 128, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 34, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDRESS: 1390 Lunt, Elk Grove Village

Tax No. 08-34-202-024

LOT 1 AND THE EAST 90.33 FEET OF LOT 2 OF UNIT NO. 2, THE "ST. CHARLES" ILLINOIS INDUSTRIAL DEVELOPMENT OF THE CENTRAL MANUFACTURING DISTRICT IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART CONVEYED TO THE COUNTY OF KANE BY DEED RECORDED JAN. 12, 1994 AS DOCUMENT 94K004621) IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

ADDRESS: 315 Kirk Rd., St. Charles

Tax Nos. 09-25-301-006
09-25-301-008

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EXHIBIT B

Legal Description

PARCEL 1:

THE NORTH 50 FEET OF A RECTANGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT 933.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 AND 1032.22 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHERLY A DISTANCE OF 700.00 FEET TO A POINT; 1029.80 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE AND 1633.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE WESTERLY ON A LINE 1633.0 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 200.00 FEET; THENCE SOUTHERLY 700.00 FEET TO A POINT 1232.22 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE EASTERLY 200.00 FEET ALONG A LINE 933.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 1A:

EASEMENT FOR INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF SEWER, WATER, ELECTRICITY, GAS, TELEPHONE, TELEGRAPH AND OTHER UTILITY LINES OVER AND ON A TRACT OF LAND DESCRIBED AS FOLLOWS:

A RECTANGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMENCING AT A POINT IN THE SOUTH LINE OF THE SOUTHWEST 1/4 1000.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHERLY 1633 FEET ON A STRAIGHT LINE TO A POINT WHICH IS 994.5 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE WESTERLY 35 FEET ON A LINE WHICH IS 1633 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE; THENCE SOUTHERLY 1633 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE EASTERLY 35 FEET TO THE POINT OF BEGINNING (EXCEPT THEREFROM THE SOUTH 35 FEET WHICH IS THE NORTH 1/2 OF WEST 47TH STREET AS NOW OPENED) AS CREATED FOR THE BENEFIT OF PARCEL 1, BY GRANT FROM CHICAGO AND WESTERN INDIANA RAILROAD COMPANY AND THE BELT RAILWAY COMPANY OF CHICAGO TO READY FOODS CANNING CORPORATION, A CORPORATION OF ILLINOIS, DATED JANUARY 7, 1955 AND RECORDED JANUARY 25, 1955 AS DOCUMENT NO. 16131256, IN COOK COUNTY, ILLINOIS

PARCEL 2:

AN IRREGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT WHICH IS 1633 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4, AND 1229.80 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3; THENCE NORTHWESTERLY, A DISTANCE OF 62.85 FEET MORE OR LESS, TO A POINT WHICH IS 89.88 FEET NORTH OF THE POINT OF BEGINNING AND 20 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO THE EXTENSION NORTHERLY OF THE WEST LINE OF PROPERTY CONVEYED BY WARRANTY DEED DATED JANUARY 7, 1955, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, COOK COUNTY, ILLINOIS, ON JANUARY 25, 1955, AS DOCUMENT NO. 16131256; THENCE NORTHERLY ALONG A LINE 20

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FEET WEST OF AND PARALLEL TO THE NORTHERLY EXTENSION OF SAID WEST LINE OF THE AFORESAID CONVEYED PARCEL, A DISTANCE OF 632 FEET TO A POINT WHICH IS 1246.78 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE EASTERLY ON A LINE WHICH IS 2324.58 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 192.07 FEET MORE OR LESS TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE BELT RAILWAY COMPANY OF CHICAGO, WHICH POINT IS 1054.71 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3; THENCE SOUTHEASTERLY IN A STRAIGHT LINE, 350.50 FEET, MORE OR LESS, TO A POINT WHICH IS 993.1 FEET WEST OF THE SAID NORTH AND SOUTH CENTER LINE AND 1280 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTHERLY 347 FEET TO A POINT WHICH IS 994.5 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE AND 1633 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE WESTERLY ON A LINE 1633 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, 235 FEET TO THE POINT OF BEGINNING (EXCEPT THE EAST 35 FEET THEREOF, AS MEASURED AT RIGHT ANGLES TO EACH OF THE NORTHEASTERLY AND EASTERLY LINES OF THE AFORESAID DESCRIBED TRACT OF LAND)

PARCEL 2A:

EASEMENT FOR THE BENEFIT OF PARCEL 2) AS CREATED BY DEED FROM THE BELT RAILWAY COMPANY OF CHICAGO, A CORPORATION OF ILLINOIS, TO PERK FOODS COMPANY, A CORPORATION OF ILLINOIS, DATED OCTOBER 31, 1963 AND RECORDED NOVEMBER 8, 1963 AS DOCUMENT NO. 18966200 FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF SEWER, WATER, ELECTRICITY, GAS, TELEPHONE, TELEGRAPH, AND OTHER UTILITY LINES OVER, UPON, IN AND ALONG AN IRREGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4, 1000.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHERLY 1280 FEET ON A STRAIGHT LINE TO A POINT WHICH IS 993.1 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE NORTHWESTERLY ON A STRAIGHT LINE A DISTANCE OF 350.50 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE BELT RAILWAY COMPANY OF CHICAGO, WHICH POINT IS 1054.71 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE WESTERLY ON A LINE WHICH IS 2324.58 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 35.56 FEET, MORE OR LESS, TO A POINT ON A LINE WHICH IS 35 FEET SOUTHWESTERLY OF AND PARALLEL TO THE LAST DESCRIBED COURSE; THENCE SOUTHEASTERLY ON A LINE WHICH IS 35 FEET SOUTHWESTERLY OF AND PARALLEL TO SAID NORTHEASTERLY RIGHT OF WAY LINE TO AN INTERSECTION WITH A LINE WHICH IS 35 FEET WEST OF AND PARALLEL TO FIRST DESCRIBED COURSE; THENCE SOUTHERLY ON A LINE 35 FEET WEST OF AND PARALLEL TO SAID DESCRIBED COURSE, A DISTANCE OF 1973.61 FEET, MORE OR LESS TO THE SOUTH LINE OF SAID SECTION 3; THENCE EAST ALONG SAID SOUTH LINE 35 FEET TO THE POINT OF BEGINNING (EXCEPT THEREFROM THE SOUTH 33 FEET WHICH IS THE NORTH 1/2 OF WEST 47TH STREET AS NOW OPENED)

PARCEL 3:

AN IRREGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, COMMENCING AT A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4, 1000.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHERLY 1280 FEET ON A STRAIGHT LINE TO A POINT WHICH IS 993.1 FEET WEST OF AND NORTH AND SOUTH CENTER LINE; THENCE NORTHWESTERLY ON A STRAIGHT LINE, A DISTANCE OF 350.50 FEET MORE OR LESS TO A POINT

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WHICH IS 1084.71 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE AND 2324.58 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE WESTERLY ON A LINE WHICH IS 2324.58 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 35.56 FEET MORE OR LESS TO A POINT ON A LINE WHICH IS 35 FEET SOUTHWESTERLY OF AND PARALLEL TO THE LAST DESCRIBED COURSE; THENCE SOUTHEASTERLY ON A LINE WHICH IS 35 FEET SOUTHWESTERLY OF AND PARALLEL TO SAID LAST DESCRIBED COURSE TO AN INTERSECTION WITH A LINE WHICH IS 35 FEET WEST OF AND PARALLEL TO FIRST DESCRIBED COURSE; THENCE SOUTHERLY ON A LINE 35 FEET WEST OF AND PARALLEL TO THE LAST DESCRIBED COURSE, A DISTANCE OF 1973.61 FEET MORE OR LESS TO THE SOUTH LINE OF SAID SECTION 3; THENCE EAST ALONG SAID SOUTH LINE 35 FEET TO THE POINT OF BEGINNING (EXCEPT THEREFROM THE SOUTH 1883 FEET AND ALSO EXCEPT THEREFROM THE EASTERLY 1 FOOT), IN COOK COUNTY, ILLINOIS

PARCEL 4:

(EXCEPT THE EASTERLY 1 FOOT THEREOF) AN IRREGULAR PARCEL OF LAND IN THE EAST 1/2 OF THE WEST 1/2 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERN RIGHT OF WAY LINE OF BELT RAILWAY COMPANY OF CHICAGO WHICH POINT IS 1084.71 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3, AND 2324.58 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 3; THENCE NORTHWESTERLY 752.90 FEET MORE OR LESS TO A POINT WHICH IS 1186.8 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF THE NORTH 1/2 OF SAID SECTION 3 AND 3063.60 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 3; THENCE NORTHERLY 237 FEET TO A POINT WHICH IS 1184.74 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF THE NORTH 1/2 OF SAID SECTION 3; THENCE WEST ON A LINE 3300.60 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 3, 79.46 FEET TO A POINT WHICH IS 1264.05 FEET WEST OF THE EXTENSION NORTH OF THE NORTH AND SOUTH CENTER LINE OF SAID SOUTH 1/2 OF SECTION 3; THENCE SOUTH 616.02 FEET TO A POINT WHICH IS 2684.58 FEET NORTH OF THE SOUTH LINE AND 1266.41 FEET WEST OF THE EXTENSION NORTH OF THE NORTH AND SOUTH CENTER LINE OF THE SOUTH 1/2 OF SAID SECTION 3; THENCE EAST ON A LINE 2684.58 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 3, 21.00 FEET; THENCE SOUTH 360.00 FEET TO A POINT 2324.58 FEET NORTH OF THE SOUTH LINE AND 1246.78 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3; THENCE EAST 192.07 FEET MORE OR LESS TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 4A:

EASEMENT FOR THE BENEFIT OF PARCELS 3 AND 4 FOR THE PURPOSES OF INGRESS AND EGRESS AND FOR PUBLIC UTILITIES AS CREATED BY DEED DATED NOVEMBER 4, 1968 AND RECORDED JANUARY 7, 1969 AS DOCUMENT NO. 20721762, FROM THE BELT RAILWAY COMPANY OF CHICAGO TO PERK FOODS COMPANY, UPON, OVER AND ACROSS THE FOLLOWING DESCRIBED PREMISES:

A RECTANGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4 1000.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHEASTERLY 933 FEET ON A STRAIGHT LINE TO A POINT 997.22 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE

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WESTERLY 35 FEET ON A LINE WHICH IS 933 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE; THENCE SOUTHERLY 933 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE EASTERLY 35 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET WHICH IS THE NORTH 1/2 OF WEST 47TH STREET AS NOW OPENED);

ALSO

THE EASTERLY 1 FOOT OF AN IRREGULAR PARCEL OF LAND IN THE EAST 1/2 OF THE WEST 1/2 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE BELT RAILWAY COMPANY WHICH POINT IS 1054.71 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3 AND 2324.58 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 3; THENCE NORTHWESTERLY 752.90 FEET MORE OR LESS TO A POINT WHICH IS 1186.8 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF THE NORTH 1/2 OF SAID SECTION 3, AND 3063.60 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 3; THENCE NORTHERLY 237 FEET TO A POINT WHICH IS 1184.74 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF THE NORTH 1/2 OF SAID SECTION 3; THENCE WEST ON A LINE 3300.60 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 3, 79.46 FEET TO A POINT WHICH IS 1264.05 FEET WEST OF THE EXTENSION NORTH OF THE NORTH AND SOUTH CENTER LINE OF SAID SOUTH 1/2 OF SECTION 3; THENCE SOUTH 616.02 FEET TO A POINT WHICH IS 2684.58 FEET NORTH OF THE SOUTH LINE AND 1266.41 FEET WEST OF THE EXTENSION NORTH OF THE NORTH AND SOUTH CENTER LINE OF THE SOUTH 1/2 OF SAID SECTION 3; THENCE EAST ON A LINE 2684.58 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 3, 21.00 FEET; THENCE SOUTH 160.00 FEET TO A POINT 2324.58 FEET NORTH OF THE SOUTH LINE AND 1246.78 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3; THENCE EAST 192.07 FEET MORE OR LESS TO THE POINT OF BEGINNING, AND THE EASTERLY 1 FOOT OF AN IRREGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4 1000.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHERLY 1980 FEET ON A STRAIGHT LINE TO A POINT WHICH IS 993.1 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE NORTHWESTERLY ON A STRAIGHT LINE, A DISTANCE OF 350.50 FEET MORE OR LESS TO A POINT WHICH IS 1054.71 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE AND 2324.58 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE WESTERLY ON A LINE WHICH IS 2324.58 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 35.56 FEET MORE OR LESS TO A POINT ON A LINE WHICH IS 35 FEET SOUTHWESTERLY OF AND PARALLEL TO THE LAST DESCRIBED COURSE; THENCE SOUTHEASTERLY ON A LINE WHICH IS 35 FEET SOUTHWESTERLY OF AND PARALLEL TO SAID LAST DESCRIBED COURSE TO AN INTERSECTION WITH A LINE WHICH IS 35 FEET WEST OF AND PARALLEL TO SAID DESCRIBED COURSE; THENCE SOUTHERLY ON A LINE 35 FEET WEST OF AND PARALLEL TO SAID DESCRIBED COURSE, A DISTANCE OF 1973.61 FEET MORE OR LESS TO THE SOUTH LINE OF SAID SECTION 3; THENCE EAST ALONG SAID SOUTH LINE 35 FEET TO THE POINT OF BEGINNING (EXCEPT THEREFROM THE SOUTH 33 FEET). ALL IN COOK COUNTY, ILLINOIS

PARCEL 3:

EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AND PARCEL 2 AS CREATED BY EASEMENT AGREEMENT DATED SEPTEMBER 11, 1979 BETWEEN L. AND M. CLUB, INCORPORATED, A MINNESOTA CORPORATION, AND LAGROU MOTOR SERVICE, INC., A CORPORATION OF ILLINOIS, AND RECORDED ON OCTOBER 9, 1979 AS DOCUMENT NO. 25182107 OVER THE FOLLOWING DESCRIBED PROPERTY:

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THE SOUTH 75 FEET OF THE NORTH 125 FEET OF A RECTANGULAR PARCEL OF LAND IN THE
SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
MERIDIAN, COMMENCING AT A POINT 933.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST
1/4 AND 1032.22 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE
NORTHERLY A DISTANCE OF 700.0 FEET TO A POINT, 1029.80 FEET WEST OF SAID NORTH AND
SOUTH CENTER LINE AND 1633.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4;
THENCE WESTWARD ON A LINE 1633.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF
SAID SOUTHWEST 1/4 A DISTANCE OF 200.00 FEET; THENCE SOUTHERLY 700.00 FEET TO A POINT
1232.22 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE EASTERLY
200.00 FEET ALONG A LINE 933.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE TO THE
POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Address: 4400 S. Kolmar, Chicago, Illinois

Tax Nos.: 19-03-316-006
19-03-316-014
19-03-316-015

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EXHIBIT B CONTINUED

Legal Description

A parcel of land being a part of the Northeast Quarter of the Southeast Quarter of Section Thirty-three (33), Township Thirty-eight (38) North, Range Two (2) East, in the City of South Bend, Portage Township, St. Joseph County, Indiana, and being more particularly described as follows, viz: Commencing at the Northeast corner of the Southeast Quarter of Section 33; thence South 0 degrees 07 minutes 29 seconds West along the East line of said Southeast Quarter a distance of 815.52 feet; thence North 89 degrees 40 minutes 09 seconds West a distance of 40.00 feet to a point on the West right-of-way line of Bendix Drive, said point being the place of beginning for this description; thence continuing North 89 degrees 40 minutes 09 seconds West along the North right-of-way line of Voorde Drive a distance of 961.09 feet (to the Southeast corner of a parcel of land described in a Warranty Deed from Weyerhaeuser Company to Hugh W. Silberman, et al. and recorded in the Office of the Recorder of St. Joseph County, Indiana, as Document No. 7708992); thence North 0 degrees 19 minutes 51 seconds East (along the East line of said parcel a distance of 455.00 feet to the South line of a 40 foot wide right-of-way granted to the Chicago South Shore and South Bend Railroad in Deed Record 644, page 140-143 in said Recorder's Office; thence South 89 degrees 40 minutes 09 seconds East along said South line and the projection of said line a distance of 959.45 feet to said West line of Bendix Drive; thence South 0 degrees 07 minutes 29 seconds West along said West line a distance of 455.00 feet to the point of beginning.
Subject to legal highways.

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EXHIBIT C (PERMITTED EXCEPTIONS)

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REAL ESTATE TAXES NOT YET DUE AND PAYABLE.
RAILROAD RIGHTS OF WAY AND SWITCH AND SPUR TRACKS, IF ANY.

(AFFECTS PARCELS 1, 1A, 2 AND 4)

RIGHTS OF BLOOMFIELD INDUSTRIES, INC. TO TAP ON TO THE SPRINKLER WATER SERVICE
LINE OWNED BY WALSH LAB, INC., AND RUNNING NORTH FROM 47TH STREET IN THAT
CERTAIN EASEMENT STRIP ADJOINING THE EAST LINE OF KOLMAR AVENUE, CONTAINED IN
AGREEMENT BETWEEN SAID PARTIES DATED NOVEMBER 17, 1958 AND RECORDED DECEMBER
2, 1958 AS DOCUMENT 17393001.

(AFFECTS PARCELS 1A, 2A, 3, 4A AND 5)

EASEMENT FOR THE BENEFIT OF OTHER PROPERTY CREATED BY INSTRUMENT RECORDED
FEBRUARY 28, 1950 AS DOCUMENT 14743288 FOR THE ESTABLISHMENT OF A PERMANENT
ROADWAY FOR THE USE OF VEHICLES AND PEDESTRIANS OVER, UPON AND ALONG PART OF
PARCEL 2A.

(AFFECTS PARCELS 1A, 2A AND 4A)

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CHICAGO TITLE INSURANCE COMPANY
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COMMITMENT FOR TITLE INSURANCE
SCHEDULE B (CONTINUED)

ORDER NO.: 1401 007608238 D2

EASEMENT FOR THE BENEFIT OF OTHER PROPERTY CREATED BY INSTRUMENT RECORDED JANUARY 25, 1955 AS DOCUMENT 16131256 FOR INGRESS AND EGRESS FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF SEWER, WATER, ELECTRICITY, GAS, TELEPHONE, TELEGRAPH AND OTHER UTILITY LINES OVER AND ON PART OF PARCEL 2A.
(AFFECTS PARCELS 1A, 2A AND 4A)

GRANT OF EASEMENT MADE BY THE CHICAGO AND WESTERN INDIANA RAILROAD COMPANY AND THE BELT RAILWAY COMPANY OF CHICAGO TO THE CHICAGO RIVER AND INDIANA RAILROAD COMPANY, THE RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, MAINTAIN AND OPERATE SEWERS THROUGH, UNDER AND ALONG THE LAND RECORDED JANUARY 20, 1942 AND RECORDED MAY 18, 1942 AS DOCUMENT 12094044.
(AFFECTS PARCELS 4 AND 4A)

EASEMENT FOR INGRESS AND EGRESS AND UTILITY FACILITIES AS CREATED BY WARRANTY DEED FROM CHICAGO AND WESTERN INDIANA RAILROAD COMPANY, A CORPORATION OF ILLINOIS, TO READY FOODS CANNING CORPORATION, A CORPORATION OF ILLINOIS, DATED JANUARY 7, 1955 AND RECORDED JANUARY 25, 1955 AS DOCUMENT 16131256 OVER THE SOUTH 700 FEET OF PARCEL 3.
(AFFECTS PARCELS 1A, 2A AND 3)

EASEMENT FOR INGRESS AND EGRESS AND UTILITY FACILITIES AS CREATED BY WARRANTY DEED FROM THE BELT RAILWAY COMPANY OF CHICAGO, A CORPORATION OF ILLINOIS, TO PERK FOODS COMPANY, A CORPORATION OF ILLINOIS DATED OCTOBER 31, 1963 AND RECORDED NOVEMBER 8, 1963 AS DOCUMENT 18966200.
(AFFECTS PARCELS 1A, 2A, 3 AND 4A)

TERMS, PROVISIONS AND CONDITIONS RELATING TO SAID EASEMENTS DESCRIBED AS PARCELS 1A, 2A, 4A AND 5 CONTAINED IN THE INSTRUMENTS CREATING SUCH EASEMENTS.

RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENTS.

(AFFECTS PARCELS 1A, 2A, 4A AND 5)

ENCROACHMENT OF CONCRETE SLAB LOCATED MAINLY ON THE LAND OVER AND UPON THE PROPERTY SOUTH OF AND ADJOINING THE LAND.

(AFFECTS PARCEL 1)

COVENANTS AND CONDITIONS CONTAINED IN EASEMENT AGREEMENT DATED SEPTEMBER 11, 1979 AND RECORDED OCTOBER 9, 1979 AS DOCUMENT 25182107 MADE BY L & M CLUB, INC. A MINNESOTA CORPORATION TO LAGROU MOTOR SERVICE, INC., A CORPORATION OF ILLINOIS, FOR MAINTENANCE, REPAIR, RENEWAL AND COST, OF SEWER LINES.
(AFFECTS PARCEL 5)

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CHICAGO TITLE INSURANCE COMPANY
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COMMITMENT FOR TITLE INSURANCE
SCHEDULE B (CONTINUED)

ORDER NO.: 1401 007608238 D2

COVENANTS AND CONDITIONS CONTAINED IN EASEMENT AGREEMENT DATED NOVEMBER 13, 1979 AND RECORDED NOVEMBER 27, 1979 AS DOCUMENT 25257062 MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 47650 TO L & M CLUB, INC., A MINNESOTA CORPORATION, FOR USE, MAINTENANCE, REPAIR AND RENEW RAILROAD SPUR TRACK OVER THE WESTERLY 15 FEET OF PARCEL 1.
(AFFECTS THE WESTERLY 15 FEET OF PARCEL 1)

RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES.
(AFFECTS PARCELS 1A, 2A, 3 AND 4A)

NOTE: DRAINAGE ASSESSMENTS, DRAINAGE TAXES, WATER RENTALS AND WATER TAXES ARE INCLUDED IN GENERAL EXCEPTION (5) HEREINBEFORE SHOWN AND SHOULD BE CONSIDERED WHEN DEALING WITH THE LAND.

(A) ENCROACHMENT OF THE CHAIN LINK FENCE AND BLACKTOP LOCATED MAINLY ON THE LAND OVER ONTO THE LAND WEST AND ADJOINING BY 32.82 FEET AND 35.88 FEET, RESPECTIVELY;

(B) POSSIBLE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PREMISES LOCATED NORTH, WEST AND EAST OF AND ADJOINING THE LAND OVER THE LAND;

AS DISCLOSED BY SURVEY NO. 951562 PREPARED BY JENS K. DOE DATED NOVEMBER 27, 1995.

RIGHTS OF HOME DEPOT U.S.A., INC. AS DISCLOSED BY ALTA STATEMENT DATED NOVEMBER 28, 1995, AS TENANT ONLY.

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