

THE CHASE MANHATTAN BANK

to

THE BANK OF NEW YORK, as Trustee
(as successor to NationsBank of Tennessee, N.A.,
as successor to Sovran Bank/Central South)

LTIC-COMMERCIAL CASE NO 73-00448E

3043

SECOND ACKNOWLEDGMENT AND CONFIRMATION
OF INTERCREDITOR AGREEMENT

Dated: as of September 30, 1997

Location: 15770 La Grange Road
Orland Park, Illinois

County: Cook

Permanent Tax No.: 27-16-403-008; Vol. 146

This instrument was prepared by and upon
~~recording should be returned to:~~

APRIL 1997
TERI WILSON
LAW AND TITLE INS. CO. Christy & Viener
150 E. PACES FERRY 620 Fifth Avenue
Rd., N.E. New York, New York 10020
SUITE 2850 Attention: Steven R. Berger, Esq.
ATLANTA, GA. 30326-1145



Lawyers Title Insurance Corporation

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SECOND ACKNOWLEDGMENT AND CONFIRMATION OF INTERCREDITOR AGREEMENT

THIS SECOND ACKNOWLEDGMENT AND CONFIRMATION OF INTERCREDITOR AGREEMENT (this "Acknowledgment") is executed as of this 30th day of September, 1997 by The Chase Manhattan Bank, as Collateral Agent ("Chase")

RECITALS

1. Pursuant to that certain Indenture dated as of June 28, 1990, as amended and supplemented by a First Supplemental Indenture dated as of July 8, 1994, a Second Supplemental Indenture dated as of July 11, 1994, a Third Supplemental Indenture dated as of December 1, 1994, a Fourth Supplemental Indenture dated as of August 15, 1995, a Fifth Supplemental Indenture dated as of April 4, 1996, a Sixth Supplemental Indenture dated as of June 25, 1996, a Seventh Supplemental Indenture dated as of April 4, 1997, an Eighth Supplemental Indenture dated as of May 16, 1997, a Ninth Supplemental Indenture dated as of June 3, 1997 and a Tenth Supplemental Indenture dated as of September 25, 1997 (collectively, the "Indenture"), among Service Merchandise Company, Inc. ("Service"), H J. Wilson Co., Inc. ("Wilson"), The Long-Term Credit Bank of Japan Limited, New York Branch, as administrative agent (the "Agent"), and Sovran Bank/Central South, as trustee (the "Original Trustee"), on June 28, 1990 Service issued its First Mortgage Secured Notes Due June 28, 2000 in the original principal amount of \$90,000,000 (the "PMF Notes"), and secured its obligations under the PMF Notes, inter alia, with mortgage liens on certain parcels of real property owned or leased by Service or Wilson (such mortgages, together with mortgages granted in substitution thereof pursuant to the terms of the Indenture, are hereinafter referred to as the "PMF Mortgages", and the parcels of real property subject to the PMF Mortgages are described in Exhibits A-1 through A-31 attached hereto and hereinafter referred to as the "PMF Mortgage Parcels").

2. Prior to Service's issuance of the PMF Notes, pursuant to that certain Credit Agreement dated as of July 24, 1989 (the "Original Credit Agreement") among Service, certain subsidiaries of Service, certain financial institutions and Chase (known at that time as "Chemical Bank"), as agent, Service and Wilson had granted mortgage liens on the PMF Mortgage Parcels to Chase to secure Service's obligations under the Original Credit Agreement (the "Original Chase Mortgages").

3. In connection with Service's issuance of the PMF Notes, Chase entered into an Intercreditor Agreement dated as of June 28, 1990, with the Original Trustee, in the form attached hereto as Exhibit B (the "Intercreditor Agreement"). The Intercreditor Agreement has been filed for record as described in Exhibit C attached hereto.

4. The Intercreditor Agreement provides that the liens and security interests of the Original Chase Mortgages and Second Mortgage Loan Documents (as such term is defined in the Intercreditor Agreement) shall be subordinate to the liens and security interests of the PMF

97913037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Mortgages and the First Mortgage Loan Documents (as such term is defined in the Intercreditor Agreement), as the same may be modified, amended or substituted, extended or refinanced

5. Effective as of June 8, 1994, Service refinanced its indebtedness under the Original Credit Agreement by entering into that certain Credit Agreement dated as of June 8, 1994 (the "Refinanced Credit Agreement") among Service, certain financial institutions and Chase, as agent, and in connection with such refinancing, Chase released the liens of the Original Chase Mortgages

6. Pursuant to a Fifth Amendment to the Refinanced Credit Agreement dated as of March 25, 1997, Service agreed to grant, and to cause its subsidiaries to grant, mortgage liens (the "Refinanced Chase Mortgages") in favor of Chase on the PMF Mortgage Parcels, subject to among other encumbrances, the PMF Mortgages

7. The Indenture and the PMF Mortgages permit Service and Wilson to encumber the PMF Mortgaged Parcels with the Refinanced Chase Mortgages, provided that each such Refinanced Chase Mortgage is subject to the Intercreditor Agreement

8. In connection with the execution of the Refinanced Chase Mortgages, Chase executed and delivered that certain Acknowledgment and Confirmation of Intercreditor Agreement in favor of Service and the Trustee in order to acknowledge, agree and confirm that the Refinanced Chase Mortgages are subject to the Intercreditor Agreement

9. The Bank of New York (the "Trustee") is the successor under the Indenture to the Original Trustee

10. Service, Wilson, the Trustee and the Agent are entering into an Eleventh Supplemental Indenture (the "Eleventh Supplemental Indenture") to the Indenture to provide for the extension and substitution of a portion of the PMF Notes through the issuance of substitute notes (the "Secured Extension Notes") in lieu of cash redemption thereof

11. To induce the Trustee and the Agent to enter into the Eleventh Supplemental Indenture, Service and Wilson have agreed to execute, as of the date hereof, to deliver and to record amendments (the "Mortgage Amendments") to the PMF Mortgages, which amendments, among other things, confirm that the PMF Mortgages secure the Secured Extension Notes

12. Chase desires to execute and deliver this Acknowledgment in favor of Service, and the Trustee in order to acknowledge, agree and confirm that the Refinanced Chase Mortgages are subordinate to the lien of the PMF Mortgages, as amended by the Mortgage Amendments, and the First Mortgage Loan Documents which secure the PMF Notes, as they may be extended and substituted by the Secured Extension Notes pursuant to the Eleventh Supplemental Indenture

999999999

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

AGREEMENTS

1 Chase hereby acknowledges, agrees and confirms that the Refinanced Chase Mortgages are subject to the Intercreditor Agreement.

2 Chase hereby acknowledges, agrees and confirms that the Refinanced Chase Mortgages are subordinate to the lien of the PMF Mortgages, as amended by the Mortgage Amendments, and the First Mortgage Loan Documents which secure the PMF Notes, as they may be extended and substituted by the Secured Extension Notes pursuant to the Eleventh Supplemental Indenture.

3 Chase hereby agrees to execute and deliver any documents or instruments and take any other actions reasonably requested by Service or the Trustee in order to further evidence and confirm that the Refinanced Chase Mortgages are subject to the Intercreditor Agreement and are subordinate to the lien of the PMF Mortgages, as amended by the Mortgage Amendments, and First Mortgage Loan Documents which secure the PMF Notes, as they may be extended and substituted by the Secured Extension Notes pursuant to the Eleventh Supplemental Indenture.

In Witness Whereof Chase has caused this Acknowledgment to be executed and delivered on the date first above written.

THE CHASE MANHATTAN BANK,
as Collateral Agent

By: William Rindfuss
Title: Vice President:

979353037

UNOFFICIAL COPY


Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF NEW YORK)
COUNTY OF NEW YORK)

I, Anthony Pazon a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that William Rindfuss personally known to me to be the Vice President of The Chase Manhattan Bank, a New York banking corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President, he signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 5th day of December, 1997.



Notary Public

Commission expires _____

ANTHONY M. PAZON
Notary Public, State of New York
No. 01PAS060425
Qualified in New York County
Commission Expires October 10, 1999

970303037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Exhibit A Property Descriptions

Property of Cook County Clerk's Office

97993037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBITS A-1 - A-31

Property of Cook County Clerk's Office

20050626

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 024
Huntsville, Alabama

EXHIBIT A-1

All that part of the Southeast quarter of Section 2, Township 4 South, Range 1 West in the City of Huntsville, Madison County, Alabama, particularly described as beginning South 00 degrees 17 minutes West 30.16 feet, South 88 degrees 45 minutes West 727.36 feet, South 12 degrees 31 minutes West 685.74 feet, South 00 degrees 23 minutes West 189.55 feet, North 78 degrees 08 minutes 30 seconds East 642.0 feet and South 11 degrees 52 minutes East 196.9 feet from the center of the East boundary of said Section 2; thence from the place of true beginning South 11 degrees 52 minutes East along the West margin of Memorial Parkway 500.0 feet; thence South 78 degrees 05 minutes 52 seconds West 609.41 feet to a point on the East margin of a 20.0 foot sanitary sewer easement as of record in Deed Book 265, page 518, Probate Records of said County; thence North 10 degrees 41 minutes 18 seconds West along the said East margin of the 20.0 foot sanitary sewer easement 500.08 feet; thence North 78 degrees 05 minutes 41 seconds East 599.13 feet to the place of beginning and containing 6.94 acres.

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 280
Leesburg, Florida

EXHIBIT A-2

PARCEL A:

Commencing at the intersection of the East line of lot 1 in Silver Lake Addition "A", according to the plat thereof as recorded in Plat Book 5, page 41, Public Records of Lake County, Florida, with the South line of Section 16, Township 19 South, Range 25 East, Lake County, Florida, run South 89°48'00" West, along said Section line 466.52 feet; thence North 13°44'00" East, 316.70 feet, more or less, to the Southerly line of the right of way of U.S. Highway 441; run thence North 63°19'00" West, along said Southerly right of way line 200.00 feet to the point of beginning of this description. From said point of beginning, continue North 68°19'00" West, along said Southerly right of way line 350.00 feet; thence South 21°41'00" West, 350.70 feet; thence South 68°19'00" East, 205.46 feet; thence South 0°12'00" East, 110.69 feet, more or less, to the South line of aforesaid Section 16; thence run North 89°48'00" East, along said South line 170 feet; thence North 13°44'00" East, 393.84 feet, more or less, to the point of beginning.

PARCEL B:

Commencing at the intersection of the East line of lot 1 in Silver Lake Addition "A", according to the plat thereof as recorded in Plat Book 5, page 41, Public Records of Lake County, Florida, with the South line of Section 16, Township 19 South, Range 25 East, Lake County, Florida, run South 89°48'00" West, along said Section line a distance of 466.52 feet; thence North 13°44'00" East, a distance of 316.70 feet, more or less, to the Southerly line of the right of way of U.S. Highway 441; thence run North 68°19'00" West, along said Southerly right of way line 550.00 feet to a concrete monument and the point of beginning of this description; from said point of beginning, run South 21°41'00" West, 350.70 feet to a concrete monument; thence North 60°04'23" West, 80.84 feet to a concrete monument; thence North 21°41'00" East, 339.11 feet to a concrete monument on the Southerly line of the right of way of said Highway 441; thence South 68°19'00" East, along said right of way line 80.0 feet to the point of beginning.

97063037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

PARCEL C:

Together with the easements granted by that certain Dedication Agreement dated May 29, 1984 and recorded in Official Record Book 809, page 919, Public Records of Lake County, Florida.

Property of Cook County Clerk's Office

97963037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 281

Gainesville, Florida

EXHIBIT A-3

A tract of land situated in the SW 1/4 of Section 33, Township 9 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows: COMMENCE at the SE corner of the SW 1/4 of Section 33, Township 9 South, Range 19 East, and run North 89 degrees, 23 minutes, 10 seconds West, along the South line of said Section 33, a distance of 731.01 feet; thence run North 00 degrees, 14 minutes, 09 seconds East, 397.65 feet; thence run North 89 degrees, 45 minutes, 51 seconds West, 60.00 feet; thence run North 00 degrees, 14 minutes, 09 seconds East, 88.57 feet thence run North 89 degrees, 45 minutes, 51 seconds West, 20.00 feet; thence run North 00 degrees, 14 minutes, 09 seconds East, along the West Right-of-Way line of NW 69th Terrace, 616.27 feet; thence run North 89 degrees, 49 minutes, 31 seconds West, 572.80 feet to the Point of Beginning; thence continue North 89 degrees, 49 minutes, 31 seconds West, 750.00 feet to the Northerly Right-of-Way line of Interstate Highway No. 75; thence run South 48 degrees, 43 minutes, 34 seconds East, along said Northerly Right-of-Way line, 206.81 feet; thence run South 56 degrees, 29 minutes, 30 seconds East, along said Northerly Right-of-Way line, 711.15 feet, thence leave said Northerly Right-of-Way line and run North 00 degrees, 10 minutes, 29 seconds East, 526.74 feet to the Point of Beginning.

Together with all right, title, and interest of Service Merchandise Company, Inc. in and to the easements granted by that certain Signage Easement dated January 26, 1988, filed February 4, 1988, and recorded in Official Records Book 1688, page 2270 of the Public Records of Alachua County, Florida.

20080226

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC#095
Holland, Ohio

Exhibit A-4

Lot number four (4) in Spring Meadows Place Plat One, a Subdivision in Springfield Township,
Lucas County, Ohio, in accordance with Volume 110 of Plats, page 64.

524149

Property of Cook County Clerk's Office

97953637

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 265
Lansing, Illinois

EXHIBIT A-5

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being:

Parcel 1.

Lot 8 (except that part described as follows:

Beginning at the Northeast corner of Lot 10, thence North 0 degrees 15 minutes 50 seconds East on the East line of Lot 10 extended North a distance of 6.5 feet; thence North 89 degrees 44 minutes 10 seconds West a distance of 15.0 feet to the West line of Lot 8; thence South 0 degrees 15 minutes 50 seconds West a distance of 6.5 feet to the North line of Lot 10; thence South 89 degrees 44 minutes 10 seconds East a distance of 15.0 feet to the point of beginning)

ALSO

The South 9.5 feet of the East 18.25 feet of the West 33.0 feet of Lot 9; also the South 1.00 foot of the East 241 feet of Lot 9;

ALSO

That part of Outlot A described as follows:

Commencing at the Most Southwesterly corner of Lot 9, thence South 89 degrees 44 minutes 10 seconds East in the South line of Lot 9 a distance of 14.75 feet to the point of beginning, thence continuing South 89 degrees 44 minutes 10 seconds East a distance of 3.25 feet to the West line of Lot 8; thence South 0 degrees 15 minutes 50 seconds West a distance of 168.5 feet; thence North 89 degrees 44 minutes 10 seconds West a distance of 3.25 feet; thence North 0 degrees 15 minutes 50 seconds East a distance of 168.5 feet to the point of beginning;

all in The Landings Planned Unit Development, being a subdivision of part of the Southwest Quarter of Section 19, Township 36 North, Range 15 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2:

Perpetual, non-exclusive easements for the purpose of parking, ingress and egress, and common utility facilities as set forth in Declaration of Reciprocal Easements and Operating Covenants recorded August 16, 1985 as Document Number 85149087 and as created by Deed from Amalgamated Trust & Savings Bank, as Trustee

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

under Trust Agreement dated June 21, 1984 and known as Trust No. 4951, to Service Merchandise Company, Inc., recorded October 15, 1985 as Document Number 85235395 and as amended by First Amendment to said Declaration recorded December 18, 1985 as Document Number 85329731 and as further amended by Second Amendment to said Declaration recorded March 11, 1988 as Document Number 88103519, over and across "Common Area" as such is defined and limited therein.

Parcel 3:

Perpetual, non-exclusive easements for ingress and egress and utility facilities as set forth in Road and Utility Reciprocal Easement Agreement dated July 31, 1985 recorded August 16, 1985 as Document Number 8646672, over that portion of North Edge Road right of way as defined and limited therein.

Commonly known as:
16795 Torrence Avenue
Lansing, Illinois

Permanent Tax Numbers:
30-19-300-019
30-19-300-020
30-19-300-029

Volume:
225 (Affects Lot 8)
225 (Affects Lot 9)
225 (Affects Outlot A)

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 549
Mundelein, Illinois

EXHIBIT A-6

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being:

Parcel 1:

Lot 4 (except the East 401.50 feet and also excepting the North 69.0 feet thereof) all in Cel-Tax Subdivision, being a subdivision of part of the South West quarter of Section 31, Township 44 North, Range 11, East of the Third Principal Meridian, and part of the North West quarter of Section 6, Township 43 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded July 23, 1979 as Document 2009073, in Book 71 of Plats, Page 18, in Lake County, Illinois,

ALSO,

Parcel 2:

That part of the South West quarter of Section 31, Township 44 North, Range 11 East of the Third Principal Meridian, and that part of the North West quarter of Section 6, Township 43 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at the South East corner of said South West quarter of Section 31; thence North along the East line of said South West quarter 269.87 feet; thence North 56 degrees 26 minutes 00 seconds West 346.55 feet to a point 462.32 feet North of the South line of said South West quarter of Section 31; thence West 562.43 feet to the North East corner of Cel-Tax Subdivision, recorded July 23, 1979, as Document 2009073; thence continuing along the North line of said Cel-Tax Subdivision 640.00 feet to the North West corner of said Cel-Tax Subdivision; thence South along the West line of said Cel-Tax Subdivision 69.0 feet for a place of beginning; thence West perpendicular to the last described line 174.0 feet; thence South perpendicular to the last described line and parallel with said West line of Cel-Tax Subdivision 410.0 feet; thence South 69 degrees 31 minutes 08 seconds East 185.74 feet to a point in said West line of Cel-Tax Subdivision; thence North along said West line of Cel-Tax Subdivision 474.99 feet to the place of beginning, in Lake County, Illinois.

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Together with the easements granted by the Reciprocal Easement and Operating Agreement dated November 3, 1980 and recorded as Document Number 2094885.

Commonly known as:
340 Townline Road
Mundelein, Illinois

Permanent Tax Numbers:
11-31-310-003 (Affects part of Parcel 1)
11-31-300-058 (Affects part of Parcel 1)
15-06-107-005 (Affects part of Parcel 2)
15-06-100-032 (Affects part of Parcel 2)

PROPERTY OF COOK COUNTY CLERK'S OFFICE

079053037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 171
Louisville, Kentucky

EXHIBIT A-7

Property situated in the County of Jefferson, State of Kentucky, more particularly described as follows:

BEING Tract # 2, a 5.288 acre tract, as shown on plat recorded in Deed Book 5700, Page 258, in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

TOGETHER WITH those easement rights and other right granted under that certain Reciprocal Easement and Development Agreement by and between Crow-Kessler #3 Limited Partnership and Service Merchandise Company, Inc. dated August 7, 1987, and recorded in Deed Book 5700, Page 264, in the aforesaid Clerk's Office. Said Instrument was re-recorded in Deed Book 5703, Page 345, and amended in Deed Book 5797, Page 644, and amended in Deed Book 5834, Page 938. Said Instrument was amended by Third Amendment to Reciprocal Easement and Development Agreement dated June 30, 1989, and recorded in Deed Book 5876, Page 312, and amended further by Fourth Amendment to Reciprocal Easement and Development Agreement dated July 18, 1989, and recorded in Deed Book 5881, Page 45, all in the aforesaid Clerk's Office.

BEING all the remaining property acquired by Service Merchandise Company, Inc. by Deed dated February 27, 1984, and recorded in Deed Book 5408, Page 264, in the aforesaid Clerk's Office.

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 283
Toledo, Ohio

EXHIBIT A-8

Parcel I: That part of the west 1/2 of the northwest 1/4 of Section 20, Town 9 south, Range 7 east, CITY of TOLEDO, LUCAS COUNTY, OHIO, bounded and described as follows:

Commencing at the intersection of the centerline of Monroe Street with the east line of the west 1/2 of the northwest 1/4 of Section 20; thence northwesterly along the centerline of Monroe Street, a distance of 52.25 feet to the point of beginning of the parcel herewith described; thence southwesterly along a line forming an angle of 94 degrees 25 minutes 30 seconds with the centerline of Monroe Street, measured from west to south, a distance of 175.98 feet; thence southeasterly parallel to the centerline of Monroe Street, a distance of 156.04 feet to a point on the east line of the west 1/2 of the northwest 1/4 of Section 20, thence southerly along the east line of the west 1/2 of the northwest 1/4 of Section 20, a distance of 338.53 feet; thence westerly at right angles to the east line of the west 1/2 of the northwest 1/4 of said Section 20, a distance of 330.0 feet; thence northerly parallel to the east line of the west 1/2 of the northwest 1/4 of said Section 20, a distance of 559.29 feet; thence southeasterly along a line parallel to the centerline of Monroe Street, a distance of 190.84 feet; thence northeasterly along a line forming an angle of 85 degrees 34 minutes 30 seconds with the last described line measured from northwest to northeast, a distance of 175.98 feet to a point on the centerline of Monroe Street; thence southeasterly along the centerline of Monroe Street, a distance of 50.15 feet to the point of beginning, containing 3.603 acres, excepting from the above described parcel, that part thereof granted to the State of Ohio in Common Pleas Court, Cause #204006.

Subject to legal highways.

Parcel II: That part of the west 1/2 of the northwest 1/4 of Section 20, Town 9 south, Range 7 east, CITY of TOLEDO, LUCAS COUNTY, OHIO, bounded and described as follows:

Commencing at the intersection of the center line of Monroe Street with the east line of the west 1/2 of the northwest 1/4 of Section 20; thence northwesterly along the center line of Monroe Street, a distance of 102.40 feet to the point of beginning of the Parcel herewith described; thence southwesterly along a line forming an angle of 94 degrees 25 minutes 30 seconds with the center line of Monroe Street, measured from west to south, a distance of 175.98 feet; thence northwesterly parallel to the center line of Monroe Street, a distance of 95.42 feet; thence northeasterly along a line forming an interior angle of 110

279330000

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

degrees 27 minutes 30 seconds, a distance of 187.27 feet to the center line of Monroe Street; thence southeasterly along the center line of Monroe Street, a distance of 147.31 feet to the point of beginning, containing .4889 acres of land, but subject to legal highways.

Parcel III: That part of the west 1/2 of the northwest 1/4 of Section 20, Town 9 south, Range 7 east in the CITY of TOLEDO, LUCAS COUNTY, OHIO, bounded and described as follows:

Beginning at the intersection of the center line of Monroe Street with the east line of the west 1/2 of the northwest 1/4 of Section 20; thence southerly along said east line of the west 1/2, a distance of 211.09 feet; thence northwesterly along a line drawn parallel to the said center line of Monroe Street, a distance of 156.04 feet; thence northeasterly along a line forming an interior angle of 94 degrees 25 minutes 30 seconds, a distance of 175.98 feet to a point in the said center line of Monroe Street; thence southwesterly along the said center line a distance of 52.25 feet to the point of beginning.

Subject to legal highways.

Together with those non-exclusive easement rights inuring to the benefit of said premises for parking purposes and for pedestrian and vehicular ingress to and egress from said premises over portions of the Replat of Monroe Secor Park westerly of and adjacent to said premises established, created, defined and limited by Reciprocal Easement Agreement recorded in Deed Records 83-040 B 10 and in Volume 99 of Plats, pages 19 and 20, in Reciprocal Easement Modification Agreement No. 1 recorded in Deed Records 83-398 A 01, in Reciprocal Easement Modification Agreement No. 2, recorded in Deed Records 84-297 B 08, in Reciprocal Easement Modification Agreement No. 3, recorded in Deed Records 84-460 B 03, in Reciprocal Easement Modification Agreement No. 4, recorded in Deed Records 85-508 B 09, in Reciprocal Easement Modification Agreement No. 5, recorded in Deed Records 86-091 A 11, and in Reciprocal Easement Modification Agreement No. 6, recorded in Deed Records 86-192 A 10, and Exhibit D-6 thereto recorded in Volume 110 of Plats, page. 13.

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 785
Allentown, Pennsylvania

EXHIBIT A-9

ALL THAT CERTAIN tract of land situate on the easterly side of Catasauga Road (T-829) in Hanover Township, Lehigh County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the easterly right-of-way line of Catasauga Road (T-829) and 80.00 feet eastwardly from the centerline of said road, said point of beginning being located S 29 degrees 00' 00" W 520.59 feet from a point at the northwesterly corner of land of Aries, Gottlieb Allentown Joint Venture; thence from the point of beginning and along Lot #2 the nine following courses and distances, (1) S 61 degrees 00' 00" E 280.00 feet to a point, (2) N 29 degrees 00' 00" E 1.00 foot to a point, (3) S 61 degrees 00' 00" E 238.00 feet to a point, (4) N 29 degrees 00' 00" E 45.00 feet to a point, (5) S 61 degrees 00' 00" E 12.00 feet to a point, (6) N 29 degrees 00' 00" E 12.00 feet to a point, (7) S 61 degrees 00' 00" E 47.00 feet to a point, (8) S 29 degrees 00' 00" W 57.00 feet to a point, and (9) S 61 degrees 00' 00" E 203.00 feet to a point; thence (10) along "Welchner Terrace" subdivision S 8 degrees 23' 00" E 149.94 feet to a point; thence (11) along land now or late of Hanover Township, S 81 degrees 16' 00" W 133.73 feet to a point; thence along Lot #1 the three following courses and distances, (12) N 61 degrees 00' 00" W 485.29 feet to a point, (13) S 29 degrees 00' 00" W 151.00 feet to a point, and (14) N 61 degrees 00' 00" W 230.00 feet to a point; thence along Lot #5 the two following courses and distances, (15) N 29 degrees 00' 00" E 58.26 feet to a point, and (16) N 61 degrees 00' 00" W 50.00 feet to a point of intersection of a curve (90.00 feet eastwardly from the centerline of the aforementioned Catasauga Road) with said easterly right-of-way line (not tangent); thence (16) along the easterly right-of-way line of said Catasauga Road (80.00 feet eastwardly from the extended centerline of Catasauga Road) N 29 degrees 00' 00" E 292.74 feet to the point of place of beginning.

BEGINNING all as shown on a plan titled "Final Plan, Proposed Commercial Development, Aries, Gottlieb Allentown Joint Venture, dated June 19, 1979, plan #P-2095, as prepared by F & M Associates, Inc., Consulting Civil Engineers, Allentown, Pennsylvania.

Together with the easements as described by a Declaration dated November 16, 1979 recorded at Book 426, Page 301 and as amended in the First Amendment to Declaration dated November 12, 1982 in Miscellaneous Book 459 Page 663.

97953035

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 985

Nashville/McNally, Tennessee

EXHIBIT A-10

A tract of land situated in the First Civil District of Metropolitan Nashville-Davidson County, Tennessee, more particularly described as follows:

Beginning at an iron pin found in the southerly right-of-way line of McNally Drive at the northeast corner of that parcel of land conveyed to William R. Sattler of record in Deed Book 6460, Page 138, R.O.D.C., Tennessee; thence,

1. With the southerly right-of-way line of McNally Drive, S 87° 19' 48" E, 274.86 feet to an iron pin found; thence,
2. With said right-of-way line, 306.33 feet along the arc of a curve to the left having a radius of 1116.80 feet, a central angle of 15° 42' 57" and a chord bearing and distance of N 84° 48' 18" E, 305.37 feet to an iron pin found; thence,
3. With said right-of-way line, N 76° 55' 58" E, 176.53 feet to an iron pin found; thence,
4. With the westerly line of that parcel of land conveyed to R.L. Eatherly of record in Deed Book 4543, Page 81, R.O.D.C., Tennessee, S 13° 02' 27" E, 69.18 feet to an iron pin found; thence,
5. With the southerly line of said tract, S 83° 32' 03" E, 667.39 feet to an iron pin found; thence,
6. With the westerly line of that parcel of land conveyed to LeRoy Norton, et al. of record in Deed Book 6266, Page 345, R.O.D.C., Tennessee, S 06° 26' 09" W, 335.56 feet to an iron pin found; thence,
7. With the northerly right-of-way line of the Louisville and Nashville Railroad, N 83° 32' 36" W, 1412.91 feet to an iron pin found; thence,
8. With the easterly line of the aforementioned conveyance to Sattler, N 02° 39' 09" E, 262.45 feet to the point of beginning and containing 457,065 Square Feet or 10.493 Acres.

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 258
Memphis, Tennessee

EXHIBIT A-11

Part of Meadow Mall Shopping Center formerly in the name of Liberty Cash Grocers, Inc., and shown on plat of Phase I of said shopping center recorded in Plat Book 85, page 58, in the Shelby County Register's Office, more particularly described as follows:

Beginning at a point in the presently northerly sideline of Winchester Road (114 feet wide) a distance of 40.33 feet westward from its tangent intersection with the westerly sideline of Ridgeway Road (90 feet wide); thence North 89 deg. 14' 27" West along said sideline of Winchester Road a distance of 609.67 feet to a point; thence North 0 deg. 17' 33" East and parallel with Ridgeway Road, a distance of 650.00 feet to a point; thence South 89 deg. 14' 27" East, and parallel with Winchester Road; a distance of 650.00 feet to a point in the westerly sideline of Ridgeway Road; thence South 00 deg. 17' 33" West along said sideline, a distance of 609.67 feet to a point of curvature therein; thence southwestwardly, along a curve to the right of radius 40.0 feet, a distance of 63.16 feet to a point in the northerly sideline of Winchester Road, the point of beginning.

BEING the property conveyed to Service Merchandise Company, Inc., by Deed of Record in Book W6, Page 5119, Register's Office for Shelby County, Tennessee.

97953037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 094
Nashville, Tennessee

EXHIBIT A-12

A tract of land in the Second Civil District of Metropolitan Nashville-Davidson County, being Lot #5, Rivergate Properties, Ltd.; as of record in plat Book 6250, page 919, R.O.D.C., Tennessee more particularly described as follows:

Beginning at a nail set on the east right-of-way line of Conference Drive, a 60-foot road, at the northwest corner of Lot 4, Rivergate Properties, Ltd. as recorded in Plat Book 6250, Page 919, R.O.D.C., Tennessee and the southwest corner of the herein described tract; thence,

1. With the east right-of-way line of Conference Drive N 26° 00' 12" W 15.03 feet to an existing tack in lead; thence,
2. With the south boundary line of Lot 6, Rivergate Properties, Ltd., the proposed south right-of-way line of Hendersonville By-Pass, State Route 386 N 34° 10' 45" E 30.99 feet to an existing nail; thence,
3. N 25° 50' 50" W 673.80 feet to an iron pin set; thence,
4. N 35° 21' 26" E 135.00 feet to an iron pin set; thence,
5. N 55° 43' 02" E 386.40 feet to an iron pin set; thence,
6. With the west boundary line of the property of the State of Tennessee, State Route 386 S 26° 24' 34" E 413.58 feet to an existing iron pin; thence,
7. With the north boundary line of lot 4, Rivergate Properties, Ltd. S 64° 09' 10" W 149.96 feet; thence,
8. S 25° 50' 50" E 440.10 feet to an existing iron pin; thence,
9. S 59° 38' 51" W 211.24 feet to a nail set; thence,
10. N 25° 50' 18" W 60.01 feet to a nail set; thence.
11. S 54° 09' 36" W 175.00 feet to the point of beginning.

Together with Easement (s) appurtenant thereto as set forth in Book 6859, page 802, and in Book 7535, page 132.

BEING the property conveyed to Service Merchandise Company, Inc., by Deed of Record in Book 6859, page 796, Register's Office for Davidson County, Tennessee.

9-20-2009

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 257
Midland, Texas

EXHIBIT A-13

Being 4.289 acres of land being LOT ONE-A (1-A), BLOCK ONE-A (1-A), MIDKIFF PLAZA ADDITION, SECTION 8, being a replat of Lots 1 and 2 of Midkiff Plaza Addition, Section 6, out of the northwest quarter of Section 16, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas, as shown by the plat recorded in Cabinet D, Page 332 of the Plat Records of Midland County, Texas, being more fully described by Metes and bounds as follows:

BEGINNING at a large nail found in the southern boundary of Loop 250 from which the northwest corner of said Section 16 bears S. $74^{\circ} 54' 30''$ W. 1423.30 feet and N. $15^{\circ} 15' 00''$ W. 151.96 feet;

THENCE N. $59^{\circ} 59' 50''$ E. along the southern boundary of Loop 250, 143.77 feet to a "PK" nail set at back of curb for an exterior corner of this tract;

THENCE N. $66^{\circ} 23' 10''$ E. along the southern boundary of Loop 250, 445.30 feet to a concrete ROW monument found for an exterior corner of this tract;

THENCE N. $75^{\circ} 13' 00''$ E. along the southern boundary of Loop 250, 5.59 feet to a 1/2" reinf. bar found for the northeast corner of this tract;

THENCE S. $15^{\circ} 08' 15''$ E. along the common boundaries this tract and the Adam's Addition, 384.34 feet to a RR spike set for the southeast corner of this tract;

THENCE S. $74^{\circ} 51' 45''$ W. 185.18 feet to a "PK" nail set for an ell corner of this tract;

THENCE N. $15^{\circ} 08' 15''$ W. 60.00 feet to a building corner found for an interior corner of this tract;

THENCE S. $74^{\circ} 51' 45''$ W. 73.15 feet to a building corner found for an interior corner of this tract;

THENCE N. $60^{\circ} 08' 15''$ W. 21.00 feet to a "PK" nail set for an ell corner of this tract;

THENCE S. $29^{\circ} 51' 45''$ W. 71.49 feet to a "PK" nail set for an exterior corner of this tract;

THENCE S. $74^{\circ} 51' 45''$ W. 272.21 feet to an "X" made in concrete for the southwest corner of this tract;

THENCE N. $15^{\circ} 08' 15''$ W. 199.81 feet to an "X" made in concrete for an ell corner of this tract;

9753530000

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

THENCE N. 30° 00' 10" W. 20.50 feet to a 1/2" iron rod found for an exterior corner of this tract;

THENCE N. 59° 59' 50" E. 25.40 feet to an "X" made in concrete for an interior corner of this tract;

THENCE N. 30° 00' 10" W. 32.50 feet to the place of beginning and containing 4.289 acres (186,823.708 square feet) of land.

Together with nonexclusive rights in and to reciprocal easements created by grant executed by Mervyn's and Developer dated April 10, 1985 and recorded in volume 783, page 350 and first amendment thereto dated April 17, 1985 and recorded in volume 783, page 366 both in the deed records, Midland County, Texas.

Property of Cook County Clerk's Office

97933037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SMC # 677

Virginia Beach, Virginia

EXHIBIT A-14

All that certain piece or parcel of ground, with the improvements thereon and the appurtenances thereunto appertaining, situate in Bayside Borough - Virginia Beach, Virginia, designated as Parcel No. 1 on a certain plan (hereinafter called "Plan") marked "SUBDIVISION OF COLUMBUS CENTER FOR VIRGINIA STATE SHOPPING PLAZAS, INC., BAYSIDE BOROUGH, VIRGINIA BEACH, VIRGINIA", prepared by Marsh and Pasquier, Inc., P.C., Engineers, etc., Virginia Beach, Va., dated May, 1979 and revised the latest revision being dated June 19, 1980, said Plan being recorded on June 30, 1980 in the Official Records of the City of Virginia Beach, Virginia, in Map Book 141, Page 15, and reference to said Plan is hereby made for the full and complete description thereof.

UNDER and SUBJECT to the obligation of Service Merchandise Company, Inc. to contribute a share of the cost of maintenance and repair of that "50' INGRESS AND EGRESS EASEMENT" located along the eastern edge and being part of Parcel 1 shown on the Plan, such share to be in the same proportion that the area of Parcel 1 bears to the sum of the areas of Parcel 1 and Parcel 2 and Parcel 3 as shown on the Plan.

IT BEING the same property conveyed unto Service Merchandise Company, Inc., a Tennessee corporation, by deed of Kettler Realty Corp., a New Jersey corporation, dated August 6, 1984, recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia in Deed Book 2352, page 2105.

97903037

Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

SMC # 019
Jensen Beach, Florida

EXHIBIT A-15

A parcel of land located in the Northeast Quarter (1/4) of Section 19, Township 37 South, Range 41 East, lying East of U.S. Highway No. 1 (S.R. 5, as recorded in Plat Book 2, Page 104) and South of S.R. 707A (Jensen Beach Boulevard) as recorded in Plat Book 9, Page 1, all in the Public Records of Martin County, Florida, more particularly described as follows:

Commence at the intersection of the East line of said Section 19 with the South Right-of-Way line of said S.R. 707A, thence S 00°26'55" W along said East line a distance of 252.41 feet; thence N 89°33'05" W a distance of 60.00 feet to the Point of Beginning:

thence S 0°25'48" W a distance of 249.98 feet;
thence S 89°32'38" W a distance of 200.07 feet;
thence N 0°26'42" E a distance of 249.96 feet;
thence S 89°33'08" E a distance of 200.01 feet;

To the Point of Beginning.

Being a parcel located within a shopping center known as Marketplace Square, being more particularly described as follows:

That portion of the N.E. 1/4 of Section 19, Township 37 South, Range 41 East, Martin County, Florida lying East of the 142.00 foot Right-of-Way of U.S. Highway No. 1 (State Road No. 5, as recorded in Deed Book 3, at Page 416 of the Public Records of Martin County, Florida) and South of the 100.00 foot Right-of-Way of Jensen Road State Road No. 707A) as recorded in Plat Book 9, at Page 1 of the Public Records of Martin County, Florida, less the South 200.00 feet thereof.

NOTE: Jensen Beach Blvd. (County Road No. 707A) was formerly titled Jensen Road.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97553037

SMC # 291
Joliet, Illinois

EXHIBIT A-16

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being:

PARCEL 1: The Leasehold Estate, created by the instrument herein referred to as the Lease, executed by: American National Bank & Trust Company of Chicago, as Trustee under Trust Agreement dated August 1, 1984 and known as Trust No. 61939, as Lessor, and Service Merchandise Company, Inc., as Lessee, dated November 1, 1985, a memorandum of which Lease was recorded February 23, 1987 as document R87-09408, which lease demises the land for a term of 20 years unless extended or sooner terminated.

NOTE: Option to extend the term of the Lease on the same terms & conditions as provided therein for ten successive periods of five years beyond the original term.

NOTE: Correction Memorandum of Lease dated _____, 1990 and recorded as document _____, covering the premises described as follows:

PARCEL "SERVICE MERCHANDISE" - That part of Lot 2 in Northridge Plaza Subdivision, a subdivision of part of the East half of the Northeast quarter of Section 6, in Township 35 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded December 2, 1985 as Document Number R85-41060, described as follows:

Commencing at the most southwesterly corner of said Lot 2, and running thence South 89 degrees 54 minutes 34 seconds East, along the south line of said Lot 2, a distance of 57.43 feet; thence North 00 degrees 05 minutes 26 seconds East a distance of 44.10 feet to the point of beginning; thence continuing North 00 degrees 05 minutes 26 seconds East a distance of 205.00 feet; thence South 89 degrees 54 minutes 34 seconds East a distance of 29.40 feet; thence North 00 degrees 05 minutes 26 seconds East a distance of 7.20 feet; thence South 89 degrees 54 minutes 34 seconds East a distance of 17.70 feet; thence South 00 degrees 05 minutes 26 seconds West a distance of 7.20 feet; thence South 89 degrees 54 minutes 34 seconds East a distance of 137.50 feet; thence North 00 degrees 05 minutes 26 seconds East a distance of 4.40 feet; thence South 89 degrees 54 minutes 34 seconds East a distance of 13.40 feet; thence South 00 degrees 05 minutes 26 seconds West a distance of 4.40 feet; thence South 89 degrees 54 minutes 34 seconds East a distance of 52.00 feet; thence South 00 degrees 05 minutes 26 seconds West a distance of 143.00 feet; thence South 89 degrees 54 minutes 34 seconds East a distance of 60.00 feet; thence South 00 degrees 05 minutes 26 seconds West a distance of

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

62.00 feet; thence North 89 degrees 54 minutes 34 seconds West a distance of 310.00 feet to the point of beginning, in the City of Joliet, Will County, Illinois, Containing 55,156 square feet.

PARCEL 2: Non-exclusive reciprocal easement for ingress & egress of vehicular & pedestrian traffic & for parking of vehicles (except construction, service & delivery trucks) for the use & benefit of respective owners, lessees, occupants, employees, agents, customers, licensees, invitees, suppliers & concessionaires over & upon land set forth in the declaration of protective covenants, restrictions & easements recorded October 11, 1984 as Document R84-31321 as amended by that certain First Amendment to Declaration of Protective Covenants, Restrictions and Easements recorded November 12, 1985 as Document R85-38579.

Commonly known as:
1300 North Larkin Avenue
Joliet, Illinois

Permanent Tax Number:
07-06-201-007

Office of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

SMC # 098
Bloomington, Illinois

EXHIBIT A-17

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being:

The leasehold estate, created by the instrument herein referred to as the Lease, executed by: Bloomington Joint Venture, an Indiana General Partnership, as lessor, and Service Merchandise Company, Inc., as lessee, dated May 8, 1987, a memorandum of which Lease was recorded January 4, 1988, as document R88-0515, which Lease demises the land for a term of years beginning September 19, 1986 and ending February 28, 2006.

Note: Said Lease provides for an option to renew for 10 successive periods of five years.

Note: Correction of memorandum of Lease recorded as Document _____

The Land:

A tract of land in the West Half of the Southwest Quarter of Section 21, Township 40 North, Range 10 East of the Third Principal Meridian, described as follows: commencing at the intersection of the East line of the West Half of said Southwest Quarter and the North right-of-way line of the Illinois Central Railroad; thence North 70 degrees 09 minutes West 175.35 feet along last said North right-of-way line; thence North 19 degrees 51 minutes East 477.23 feet to a place of beginning; thence North 87 degrees 06 minutes 44 seconds West 320 feet; thence North 2 degrees 53 minutes 16 seconds East 60 feet; thence South 37 degrees 06 minutes 44 seconds East 50 feet; thence North 2 degrees 53 minutes 16 seconds East 53 feet; thence South 87 degrees 06 minutes 44 seconds East 5 feet; thence North 2 degrees 53 minutes 16 seconds East 92 feet; thence South 87 degrees 06 minutes 44 seconds East 255 feet; thence South 2 degrees 53 minutes 16 seconds West 205 feet to the place of beginning, all in DuPage County, Illinois.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Parcel 2:

97953037

Non-Exclusive Easement for ingress and egress for the use and benefit of respective owners, lessees, occupants, employees, agents, customers, licensees, invitees, suppliers and concessionaires, as set forth in lease dated May 8, 1987 and recorded in memorandum recorded as Document R88-0515.

Commonly known as:

Army Trail Road
Bloomington, Illinois

Permanent Tax Number:
02-21-300-020

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

SMC # 287
Orland Park, Illinois

EXHIBIT A-18

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being:

Leasehold Estate, as defined in the Conditions and Stipulations of the ALTA Leasehold Policy, created in and by unrecorded Lease dated November 21, 1985 by and between Electra Properties, Inc., an Indiana corporation, Lessor, and Service Merchandise Company, Inc., Lessee, and Amendment thereto dated March 21, 1986; and recorded Assignment, Acceptance and Assumption of Tenant Leases dated December 19, 1986 recorded January 21, 1987 as Document Number 87039423 by and between Electra Properties, Inc., an Indiana corporation, Assignor, and Orland Park Joint Venture, an Indiana general partnership, Assignee, whereby said Assignor conveys to said Assignee all right, title and interest in and to said Lease shown above herein and said Assignee accepts same and assumes said Lease; and recorded Memorandum of Lease dated as of February 20, 1987 recorded March 4, 1987 as Document Number 87119915 by and between Orland Park Joint Venture, an Indiana general partnership, Lessor, and Service Merchandise Company, Inc., a Tennessee corporation, Lessee; and Correction Memorandum of Lease dated March 31, 1990 by and between Orland Park Joint Venture and Service Merchandise Company, Inc. recorded as Document No. 9032 PAS; demising and leasing the following described real estate:

That part of the South 1/2 of the Southeast 1/4 in Section 16, Township 36 North, Range 12 East of the third principal Meridian, described as follows:

Commencing at the intersection of the North line of the South 1/2 of the Southeast 1/4 of said Section 16 and the West right-of-way line of LaGrange Road (U.S. Route 45) as recorded under document number 10155684; thence South 89 degrees 51 minutes 45 seconds West along said North line 513 feet; thence South 00 degrees 11 minutes 16 seconds East 50 feet for a place of Beginning; thence continuing South 00 degrees 11 minutes 16 seconds East 135.00 feet to a point; thence South 89 degrees 48 minutes 44 seconds West; 4.57 feet to the East face of an existing wall; thence South 00 degrees 09 minutes 53 seconds East along the East face of an existing wall, 79.91 feet to the corner of an existing wall; thence South 89 degrees 50 minutes 47 seconds West along the South face of an existing wall, 33.44 feet to the corner of an existing block wall; thence South 00 degrees 01 minutes 48 seconds West along the East face of an existing block wall, 7.67 feet to the corner of an existing block wall; thence North 89 degrees 27 minutes 55 seconds West along the South face of an existing block wall, 0.75 feet to the corner of an existing block wall; thence

UNOFFICIAL COPY

10/15/11

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

97953037

North 00 degrees 16 minutes 22 seconds West along the West face of an existing block wall, 0.42 feet to the corner of an existing metal-glass enclosure; thence South 89 degrees 58 minutes 33 seconds West along the South face of an existing metal-glass enclosure, 14.23 feet to the corner of an existing metal-glass enclosure; thence North 00 degrees 07 minutes 38 seconds East along the West face of an existing metal-glass enclosure, 7.21 feet to the South face of an existing block wall; thence South 89 degrees 49 minutes 29 seconds West along the South face of an existing block wall, 137.09 feet to the corner of an existing metal-glass enclosure; thence South 00 degrees 11 minutes 16 seconds East along the East face of an existing metal-glass enclosure, 7.49 feet to a point, (said point being 4.14 feet South of South face of existing metal-glass enclosure); thence South 89 degrees 48 minutes 44 seconds West a distance of 12.03 to a point, (said point being 4.15 feet South of the Southwest corner of an existing metal-glass enclosure); thence North 00 degrees 09 minutes 54 seconds West along the West face of an existing metal-glass enclosure, 7.50 feet to the South face of an existing block wall; thence South 89 degrees 55 minutes 32 seconds West along the South face of an existing block wall, 52.28 feet to the corner of an existing block wall; thence North 00 degrees 11 minutes 04 seconds West along the West face of an existing block wall, 95.04 feet to the North face of an existing block wall; thence South 89 degrees 48 minutes 19 seconds West along the North face of an existing block wall, 5.59 feet to a point on the North face of an existing block wall; thence North 00 degrees 11 minutes 17 seconds West a distance of 52.69 feet to a point; thence South 89 degrees 48 minutes 44 seconds West a distance of 60.00 feet to a point; thence North 00 degrees 11 minutes 16 seconds West a distance of 67.00 feet to a point; thence North 89 degrees 48 minutes 44 seconds East a distance of 320.00 feet to the place of beginning, all in Cook County, Illinois.

Commonly known as:
15770 La Grange Road
Orland Park, Illinois

Permanent Tax Number:
27-16-403-008

Volume:
146

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

SMC # 226
Columbus, Ohio

EXHIBIT A-19

Approximately 51,250 square feet of land described in that certain Lease Agreement dated May 13, 1988 by and between Columbus Joint Venture ("Columbus"), as lessor, and Service Merchandise Company, Inc. ("SMC") as lessee, a memorandum of which lease, dated July 25, 1988 was filed on September 28, 1988 in Official Record 12307A09 of Franklin County, Ohio as such lease was amended by Agreement dated May 26, 1988 between Columbus and SMC, and located within the following described property:

Situated in the State of Ohio, County of Franklin, City of Columbus and in Section 1, Township 2, Range 17, United States Military Lands, containing 22.158 acres of land, more or less, said 22.158 acres being out of that tract of land conveyed to Columbus Joint Venture by deed of record in Official Record 10259F10 (hereinafter "CJV tract"), said 22.158 acres of land being more particularly bounded and described as follows:

Beginning at a point in the easterly line of said CJV tract at the point of intersection with the southerly right-of-way line of Northland Plaza Drive as said Northland Plaza Drive is designated and delineated upon the plat entitled "Northland Plaza Drive and Forest Hills Boulevard Dedication and Easements" and shown of record in Plat Book 68, Pages 55 and 56, said point of beginning being located South 3° 15' 00" West, a distance of 6.75 feet from the northeasterly corner of said CJV tract, said point of beginning also being in the westerly line of that 3.022 acres tract conveyed to Elana Del Col by deed of record in Deed Book 1900, Page 582;

thence, from said beginning point, South 3° 15' 00" West, with the easterly line of said CJV tract and with the westerly line of said 3.022 acres tract, a distance of 883.64 feet to the southeasterly corner of said CJV tract, the same being in the northerly line of Lot 14 as the same is numbered and delineated upon the subdivision plat entitled "Jordans Subdivision" and shown of record in Plat Book 17, Page 288;

thence North 86° 24' 38" West, with the southernmost line of said CJV tract and with the northerly line of said Jordans Subdivision, a distance of 826.23 feet to a southwesterly corner of said CJV tract, the same being the southeasterly corner of that 3.319 acres tract of land conveyed to Wolfe Investment Co. by deed of record in Deed Book 3550, Page 692;

thence North 3° 15' 00" East, with a westerly line of said CJV tract and with the easterly line of said 3.319 acres tract, a

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

distance of 201.65 feet to a corner of said CJV tract, the same being the northeasterly corner of said 3.319 acres tract;

thence North $86^{\circ} 24' 38''$ West, with a southerly line of said CJV tract and with the northerly line of said 3.319 acres tract, a distance of 432.36 feet to a southwesterly corner of said CJV tract;

thence North $3^{\circ} 26' 00''$ East, with a westerly line of said CJV tract, a distance of 201.65 feet to a corner of said CJV tract;

thence North $86^{\circ} 24' 38''$ West, with a southerly line of said CJV tract, a distance of 48.86 feet to an angle point in the right-of-way boundary of said Northland Plaza Drive as said Northland Plaza Drive is designated and delineated upon said plat of Northland Plaza Drive and Forest Hills Boulevard Dedication and Easements;

thence, with the right-of-way boundary of said Northland Plaza Drive, the following five courses and distances:

- 1) northwardly, with the arc of a curve to the left having a radius of 325.00 feet, a central angle of $24^{\circ} 13' 27''$ and a chord that bears North $15^{\circ} 42' 06''$ East, a chord distance of 136.39 feet to the point of tangency;
- 2) North $3^{\circ} 35' 22''$ East, 146.74 feet to the point of curvature;
- 3) eastwardly, with the arc of a curve to the right having a radius of 275.00 feet, a central angle of $139^{\circ} 33' 46''$ and a chord that bears North $73^{\circ} 22' 15''$ East, a chord distance of 516.11 feet to the point of reverse curvature;
- 4) eastwardly, with the arc of a curve to the left having a radius of 425.00 feet, a central angle of $89^{\circ} 04' 13''$ and a chord that bears South $81^{\circ} 22' 59''$ East, a chord distance of 596.14 feet to the point of reverse curvature;
- 5) eastwardly, with the arc of a curve to the right having a radius of 325.00 feet, a central angle of $37^{\circ} 49' 10''$ and a chord that bears North $72^{\circ} 59' 27''$ East, a chord distance of 210.65 feet to the point of beginning and containing 22.158 acres of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

The bearings in the foregoing description are based on the same meridian as the bearings given in the metes and bounds descriptions of record in said Official Record 1025070

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

The Deed Books, Official Record and Plat Books referred to in the foregoing description are records of the Franklin County, Ohio, Recorder.

Together with all other rights granted under such lease.

SMCDESC3.DOC

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

SMC #225
Waldorf, MarylandEXHIBIT A-20

All that piece or parcel of land lying West of U.S. Route 301 and South of West Smallwood Drive, White Plains Election District No. 6, Charles County, Maryland; being part of Schedule A of the land conveyed by St. Charles Associates Limited Partnership, a Maryland Limited Partnership, to Charles Developers Limited Partnership, an Indiana Limited Partnership, by deed dated November 19, 1985 and recorded among the Land Records of Charles County, Maryland in Liber 1096 at Folio 420 on November 20, 1985 and also being part of Parcel "B-1" as shown on a plat of subdivision entitled "Parcels 'B-1', 'B-2' & 'B-3', a Regional Shopping Center, St. Charles Communities" and recorded among said Land Records in Plat Book 35, Page 41 and being more particularly described in accordance with a survey by Harris, Smariga and Associates, Inc. as follows.

BEGINNING for the same at the Westernmost corner of an existing concrete block building, said point being located N. $48^{\circ} 56' 53''$ E. 661.47' from the Southwesterly corner of said Plat Book 35, Page 41, thence crossing said land the following nineteen (19) courses and distances and running with and binding on the Westernmost face of said building the following course and distance,

N. $38^{\circ} 40' 48''$ E. 25.00' to the corner of said building and a 12" concrete retaining wall, thence leaving said building and running with and binding on the Western face of said retaining wall the following course and distance,

N. $38^{\circ} 31' 18''$ E. 60.00' to the Northwest corner of said wall, thence running in part with and binding on the Northern face of said retaining wall the following course and distance,

S. $51^{\circ} 28' 42''$ E. 49.98' to intersect the Western face of said building, thence running with and binding on said Western face the following course and distance,

N. $38^{\circ} 30' 22''$ E. 165.29' to the Northwest corner of said building, thence running with and binding on the Northern face of said building the following course and distance,

S. $51^{\circ} 29' 06''$ E. 200.07' to the Northeast corner of said building, thence running with and binding on the Eastern face of said building the following course and distance,

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

S 38° 31' 27" W. 39.03' to a point,
thence leaving said Eastern face and running with and binding on
the Southern face of an adjoining concrete block building the
following course and distance,

S. 51° 28' 33" E. 7.11' to a point,
thence leaving said adjoining building and running with and binding
on glass walls the following two (2) courses and distances,

S. 38° 31' 27" W. 11.71'

N. 51° 28' 33" W. 7.11' to intersect
the said Eastern face of said building, thence running with and
binding on said Eastern face the following three (3) courses and
distances,

S. 38° 31' 27" W. 121.94'

S. 51° 28' 33" E. 3.00'

S. 38° 40' 42" W. 12.41' to a point,
thence leaving said Eastern face and running with and binding on
glass walls the following three (3) courses and distances,

S. 51° 19' 18" E. 3.38'

S. 38° 40' 42" W. 13.14'

N. 51° 19' 18" W. 3.28' to intersect
the said Eastern face of said building, thence running with and
binding on said Eastern face the following three (3) courses and
distances,

S. 38° 40' 42" W. 12.62'

N. 51° 28' 33" W. 2.90'

S. 38° 31' 27" W. 39.47' to the
Southeast corner of said building, thence running with and binding
on the Southern face of said building the following course and
distance,

N. 51° 28' 42" W. 250.07' to the
place of beginning. The area of land contained by the foregoing
amounts to 54,560 square feet or 1.2525 acres more or less.

97 1537C01

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A-21

97953037

#446 - Gautier, Mississippi

PARCEL 1

THAT CERTAIN PARCEL OF LAND SITUATED IN U. S. GOVERNMENT LOT 2 OF FRACTIONAL SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI, AND THERE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT A POINT WHERE THE EAST LINE OF SAID GOVERNMENT LOT 2 INTERSECTS THE NORTH RIGHT-OF-WAY LINE OF U. S. HIGHWAY 90; THENCE RUN NORTH 80 DEGREES WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF U. S. HIGHWAY 90, A DISTANCE OF 65.32 FEET; THENCE RUN NORTH 00 DEGREES 32 MINUTES WEST, A DISTANCE OF 1266.43 FEET; THENCE RUN NORTH 80 DEGREES 00 MINUTES WEST, A DISTANCE OF 285.00 FEET; THENCE RUN NORTH 10 DEGREES 00 MINUTES EAST A DISTANCE OF 210.00 FEET; THENCE RUN NORTH 20 DEGREES 48 MINUTES WEST, A DISTANCE OF 79.40 FEET; THENCE RUN SOUTH 57 DEGREES 00 MINUTES WEST, A DISTANCE OF 48.72 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 10 DEGREES WEST, A DISTANCE OF 548.43 FEET; THENCE RUN SOUTH 55 DEGREES WEST, A DISTANCE OF 113.97 FEET; THENCE RUN SOUTH 10 DEGREES WEST, A DISTANCE OF 115.00 FEET; THENCE RUN NORTH 80 DEGREES WEST, A DISTANCE OF 240.08 FEET; THENCE RUN NORTH 10 DEGREES EAST, A DISTANCE OF 119.96 FEET; THENCE RUN NORTH 80 DEGREES WEST, A DISTANCE OF 62.00 FEET; THENCE RUN NORTH 10 DEGREES EAST, A DISTANCE OF 527.71 FEET; THENCE RUN SOUTH 80 DEGREES EAST, A DISTANCE OF 279.34 FEET; THENCE RUN NORTH 57 DEGREES EAST, A DISTANCE OF 141.28 FEET, TO THE POINT OF BEGINNING. CONTAINING 5.35 ACRES, AND BEGIN THE SAME PROPERTY REFERRED TO AS LOT 7, BLOCK 1 OF SINGING RIVER MALL SUBDIVISION, AS PER PLAT FILED IN THE LAND RECORDS OF JACKSON COUNTY, MISSISSIPPI IN PLAT BOOK 16, PAGE 20.

PARCEL II

ALL EASEMENTS, RIGHTS, AND APPURTENANCES FOR THE BENEFIT OF PARCEL I GRANTED PURSUANT TO AN OPERATING AGREEMENT BY AND BETWEEN MCRAE'S INC., H. J. WILSON CO., INC., AND THE SINGING RIVER MALL COMPANY DATED JULY 3, 1978, RECORDED IN LAND DEED BOOK 623, PAGES 322-406, AND ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI, TOGETHER WITH ANY AMENDMENTS THERETO.

519130

UNOFFICIAL COPY

0000

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

HJW # 409

St. Petersburg, Florida

EXHIBIT A-22

Lot 2, HOLIDAY PARK TYRONE SECOND ADDITION, according to the plat thereof as recorded in Plat Book 71, page 77, Public Records of Pinellas County, Florida.

Being the same property conveyed to H.J. Wilson Co., Inc. by Quit Claim Deed dated June 16, 1987, recorded June 23, 1987 in Official Records Book 6523 on page 1048 of the Public Records of Pinellas County, Florida.

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

HJW #248
Decatur, Georgia

Exhibit A-23

97953037

Intentionally Left Blank

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

HJW # 250
Morrow, Georgia

EXHIBIT A-24

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 112, 12th District, Clayton County, Georgia, and being more particularly described as follows:

BEGINNING AT A POINT marked by an iron pin found 273.83 feet westerly, as measured along the northern margin of the right-of-way of Morrow Industrial Boulevard (having a right-of-way width of 100 feet), from the intersection of the northern margin of the right-of-way of Morrow Industrial Boulevard with the western margin of the right-of-way of State Road 54 (said point of beginning also being 314.23 feet westerly, as measured along the northern margin of the right-of-way of Morrow Industrial Boulevard, from the intersection of the northern margin of the right-of-way of Morrow Industrial Boulevard with the western margin of the original 60-foot right-of-way of State Road 54); THENCE S89° 26' 45"W along the northern margin of the right-of-way of Morrow Industrial Boulevard a distance of 429.58 feet to a point marked by an iron pin placed (said point being located on the eastern margin of right-of-way of Park Place); THENCE northwesterly and northerly along the northeastern and eastern margin of the right-of-way of Park Place the following three courses and distances: N69° 29' 03"W a distance of 60.09 feet to a point marked by an iron pin placed, N24° 41' 17"W a distance of 61.55 feet to a point marked by an iron pin placed, and N00° 00' 00"E a distance of 382.07 feet to a point marked by an iron pin placed (said point being located on the southeastern margin of the right-of-way of Center Street); THENCE N29° 26' 32"E along the southeastern margin of the right-of-way of Center Street a distance of 21.36 feet to a point marked by an iron pin placed; THENCE N89° 26' 45"E along the southern margin of the right-of-way of Center Street a distance of 412.90 feet to a point; THENCE southeasterly along the southern margin of the right-of-way of Center Street, and following the curvature thereof, an arc distance of 185.52 feet to a point (the preceding arc being subtended by a chord having a chord bearing of S74° 50' 04"E and a chord distance of 183.20 feet); THENCE S59° 06' 54"E along the southwestern margin of the right-of-way of Center Street a distance of 19.51 feet to a point marked by an iron pin found; THENCE S30° 53' 06"W a distance of 95.49 feet to a point marked by an iron pin found; THENCE S09° 28' 51"W a distance of 342.29 feet to the POINT OF BEGINNING.

TOGETHER WITH rights of ingress and egress contained in Warranty Deed recorded in Deed Book 793, page 362, Clayton County Records.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

HJW & 461
Baytown, Texas

EXHIBIT A- 25

3.3189 Acres of land out of the W.C. R.R. Co. Survey, A-899, Harris County, Texas and being all of Lot "G" of San Jacinto Mall Subdivision as recorded in Volume 303, Page 116, Harris County Map Records and being more particularly described by metes and bounds as follows:

COMMENCING at 5/8 inch iron rod found in the south right-of-way line of Interstate Highway 10 (U.S. Highway 90) being the most northerly northwest corner of said San Jacinto Mall Subdivision and the northeast corner of a 3.261 acre H.L. & P. Co. tract as recorded in Volume 3042, Page 09 Harris County Deed Records;

THENCE South $10^{\circ} 43' 38''$ East, a distance of 1036.25 feet to a 1/2 inch iron rod set for the POINT OF BEGINNING;

THENCE North $79^{\circ} 16' 22''$ East, a distance of 296.60 feet to a P.K. nail set for corner;

THENCE South $55^{\circ} 06' 49''$ East, a distance of 35.21 feet to a P.K. nail set for corner;

THENCE North $34^{\circ} 53' 11''$ East, a distance of 105.00 feet to a point for corner;

THENCE South $55^{\circ} 06' 49''$ East, a distance of 45.00 feet to a point for corner;

THENCE North $34^{\circ} 53' 11''$ East, a distance of 45.00 feet to a point for corner;

THENCE South $55^{\circ} 06' 49''$ East, a distance of 172.00 feet to a point for corner;

THENCE South $34^{\circ} 53' 11''$ West, a distance of 272.60 feet to a P.K. nail set for corner;

THENCE South $79^{\circ} 16' 22''$ West, a distance of 471.90 feet to a 1/2 inch iron rod set for corner in the easterly line of a 50 feet wide Humble Oil and Refining Company Easement as recorded in Volume 5353, Page 174 Harris County Deed Records;

THENCE northerly along the easterly line of said Humble Oil and Refining Company Easement, North $10^{\circ} 43' 38''$ West, a distance of 91.37 feet to a 1/2 inch iron rod set for corner;

THENCE North $79^{\circ} 40' 53''$ East, a distance of 86.50 feet to a 1/2 inch iron rod found for corner;

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

57953037

HJW # 450
Wichita, Kansas

EXHIBIT A-26

TRACT I:

A tract of land in the Northwest Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., described as follows: Commencing at the Northeast Corner of said Northwest Quarter; thence South 80.00 feet on a bearing of South 00 degrees 11'32" East along the East line of said Northwest Quarter to the South line of Maple Street; thence 1,552.22 feet on a bearing of South 89 degrees 48'05" West along the South line of Maple Street to the Easterly right-of-way line of Highway 1-235; thence 596.46 feet on a bearing of South 33 degrees 44'17" East along said Easterly right-of-way line to the point of beginning; thence 19.06 feet on a bearing of South 33 degrees 44'17" East along said Easterly right-of-way line; thence 210.60 feet on a bearing of South 31 degrees 46'51" East along said Easterly right-of-way line; thence 303.90 feet on a curve to the right along said Easterly right-of-way line said curve having a central angle of 05 degrees 46'15" and a radius of 3,017.29 feet with a long chord of 303.77 feet, the bearing of said long chord is South 26 degrees 50'55" East; thence 207.04 feet on a bearing of North 89 degrees 39'40" East; thence 38.00 feet on a bearing of South 00 degrees 20'20" East; thence 50.00 feet on a bearing of North 89 degrees 39'40" East; thence 218.02 feet on a bearing of North 00 degrees 20'20" West; thence 65.00 feet on a bearing of North 89 degrees 39'40" East; thence 171.40 feet on a bearing of North 00 degrees 20'20" West; thence 58.92 feet on a bearing of South 89 degrees 39'40" West; thence 116.00 feet on a bearing of North 00 degrees 20'20" West; thence 519.06 feet on a bearing of South 89 degrees 39'40" West to the point of beginning, Lot 9, Towne West Square Second Addition, Sedgwick County, Kansas.

TRACT II:

Together with those certain Easement Rights in and over the land described as the Penney Tract, the Montgomery Ward Tract, The Dillard Tract, and the Developer's Tract as contained in that certain Construction, Operation and Reciprocal Easement Agreement filed April 17, 1979 in Film 359, page 1063 and First Amendment to Construction, Operation and Reciprocal Easement Agreement recorded in Film 387, page 672, Film 387, page 680, Film 387, page 688 and Film 387, page 696 by and between Towne West Mall Company, Montgomery Ward Development Corporation, Montgomery Ward & Co., Incorporated, Construction Developers, Incorporated, Dillard Department Stores, Inc., J.C. Penney Properties, Inc. and H.J. Wilson Co., Inc.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97750037

HJW # 405

Lafayette, Louisiana

EXHIBIT A-27

THAT CERTAIN TRACT OF LAND, located in Section 63, T 10 S, R 4 E, Lafayette Parish, Louisiana, bounded northeasterly by Idlewood Park and property of Dumesnil and Hebert, southeasterly by Johnston Street (Louisiana Highway 167), southwesterly by property of Source Properties, Inc., and northwesterly by property of First Mart Credit Corp., being more particularly described as follows:

Commencing at the northwesterly right of way of Johnston Street (Louisiana Highway 167) and the southwesterly right of way of Idlewood Boulevard, said point being a 3/4-inch galvanized iron pipe; thence in a southwesterly direction along the northwesterly right of way of Johnston Street (Louisiana Highway 167) a distance of 250 feet to the POINT OF BEGINNING, said point being a 2-inch galvanized iron pipe; from said point of beginning proceed along the northwesterly right of way of Johnston Street (Louisiana Highway 167) South $41^{\circ}40'00''$ West a distance of 500.00 feet to the centerline of Gloucester Drive; thence along the centerline of Gloucester Drive North $46^{\circ}26'07''$ West actual (North $46^{\circ}36'$ West title) 558.70 feet to the intersection of the centerline of Gloucester Drive and the centerline of Birch Drive; thence along the centerline of Birch Drive North $42^{\circ}27'45''$ East actual (North $42^{\circ}31'30''$ East title) 499.20 feet; thence along the southwesterly property line of Lot 21, Idlewood Park South $47^{\circ}16'41''$ East actual (South $47^{\circ}16'$ East title) 160.50 feet to a 1-inch iron pipe; thence South $43^{\circ}58'12''$ West 1.64 feet actual (South $33^{\circ}02'00''$ West 1.50 feet title) to a 1-inch iron pipe; thence along the southwesterly property line of Dumesnil & Hebert, South $46^{\circ}25'14''$ East 391.27 feet actual (South $46^{\circ}36'$ East 390.4 feet title), back to the point of beginning. Said parcel of land contains 6.372 acres, more or less.

All as more fully shown on the survey by Michael J. Breaux & Associates, Inc., M.J. Breaux, R.L.S., dated June 23, 1989, revised March 21, 1990.

Improvements thereon bear 4750 Johnston Street.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

HJW # 417
Shreveport, Louisiana

EXHIBIT A-28

A tract of land situated in the Parish of Caddo, State of Louisiana, being more particularly described as Lot G according to survey map made by JOFA Engineers, Inc., dated December 4, 1974, entitled "Eastgate Plaza, A Commercial Subdivision located in Sec. 20, T17N, R13W", a copy of which is recorded in Map Book 1500, pages 39 through 45, inclusive, Official Records of Caddo Parish, Louisiana, and having such dimensions as shown on said map, and being described according to such plat as follows:

Commence at the northwest corner of Tract G as shown on the above described plat, thence North 89 degrees 54 minutes East along the South right of way of Pacific Avenue a distance of 305.5 feet to the point of curvature of a curve to the right, said curve having a central angle of 30 degrees 25 minutes, a tangent of 99.06 feet, and a radius of 362.32 feet; thence run in a Southeasterly direction along the arc of said curve and along the South right of way line of Pacific Avenue a distance of 193.4 feet to the point of tangency; thence run South 59 degrees 31 minutes east along the South right of way line of Pacific Avenue a distance of 12.4 feet to the Point of Curvature of a curve to the right or South, said curve having a central angle of 30 degrees 07 minutes, a tangent and radius of 20.0 feet; thence run Southeasterly along the arc of said curve 31.6 feet to a point of the Northwesterly right of way line of East Kings Highway, said point being the point of reverse curve of a curve to the left or South, said curve having a central angle of 8 degrees 49 minutes 25 seconds, a tangent of 91.85 feet and a radius of 1,190.5 feet; thence run in a Southwesterly direction along the arc of said curve and the Northwesterly right of way line of East Kings Highway a distance of 183.34 feet; thence run South 21 degrees 19 minutes West along the Northwesterly right of way line of East Kings Highway a distance of 276.10 feet to the point of curvature of a curve to the left or South, said curve having a central angel of 9 degrees 16 minutes, a tangent of 96.32 feet, and a radius of 1,188.52 feet; thence run in a Southwesterly direction along the arc of said curve and the Northwesterly right of way line of East Kings Highway a distance of 192.22 feet to the point of tangency; thence run South 12 degrees 03 minutes West along the Northwesterly right of way line of East Kings Highway a distance of 35.79 feet; thence run South 89 degrees 54 minutes West a distance of 250.0 feet; thence run South 0 degrees 06 minutes East a distance of 175.0 feet to a point on the North right of way line of 70th Street; thence run North 89 degrees 19 minutes 45 seconds West along the North right of way line of 70th Street a distance of 99.8 feet; thence run North 0 degrees 06 minutes West a distance of 588.31 feet; thence run North 89 degrees 54 minutes East a distance of 158.66 feet; thence run

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

North 0 degrees 06 minutes West a distance of 207.0 feet; thence run South 89 degrees 54 minutes West a distance of 26.0 feet; thence run North 0 degrees 06 minutes West a distance of 42.0 feet; thence run South 89 degrees 54 minutes West a distance of 47.5 feet; thence run North 0 degrees 05 minutes West a distance of 61.0 feet to the point of beginning.

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

97953037

HJW # 466

Memphis, Tennessee

EXHIBIT A-29

TRACT I:

A Portion of the Mall of Memphis as recorded in Plat Book 84 page 6, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a P.K. Nail set in the easterly line of Cherry Road a distance of 377.46 feet northeastwardly from the point of intersection of the tangents to a curve having a radius of 30.00 feet located at the northeast corner of Cherry Road and American Way; thence northeastwardly with the easterly line of Cherry Road and along a curve to the left having a radius of 1790.00 feet a distance of 24.00 feet to a P.K. Nail; thence, South 57 degrees 46 minutes 05 seconds East a distance of 39.04 feet to a P.K. Nail set at a point of curvature; thence, southeastwardly and along a curve to the right having a radius of 133.01 feet a distance of 58.48 feet to a P.K. Nail set at a point of reverse curvature; thence, southeastwardly and along a curve to the left having a radius of 25.00 feet a distance of 39.27 feet to a P.K. Nail set at a point of tangency; thence, North 57 degrees 25 minutes 29 seconds East a distance of 52.51 feet to a P.K. Nail; thence, South 41 degrees 04 minutes 31 seconds East a distance of 218.58 feet to a P.K. Nail; thence, North 48 degrees 55 minutes 29 seconds East a distance of 194.00 feet to a P.K. Nail; thence, South 86 degrees 04 minutes 31 seconds East a distance of 293.25 feet to a P.K. Nail; thence, South 3 degrees 55 minutes 29 seconds West a distance of 265.00 feet to a P.K. Nail; thence, South 46 degrees 14 minutes 28 seconds East a distance of 97.56 feet to a P.K. Nail; thence, South 3 degrees 55 minutes 29 seconds West a distance of 56.25 feet to a P.K. Nail; thence, North 86 degrees 04 minutes 31 seconds West a distance of 61.25 feet to a P.K. Nail; thence, South 3 degrees 55 minutes 29 seconds West a distance of 19.50 feet to a P.K. Nail; thence, North 86 degrees 04 minutes 31 seconds West a distance of 16.92 feet to a P.K. Nail; thence, South 3 degrees 55 minutes 29 seconds West a distance of 74.42 feet to the centerline of a 2-inch construction gap; thence, North 86 degrees 04 minutes 31 seconds West with the centerline of a 2-inch construction gap a distance of 182.83 feet to a P.K. Nail; thence, North 3 degrees 55 minutes 29 seconds East a distance of 43.75 feet to a P.K. Nail; thence, North 86 degrees 04 minutes 31 seconds West a distance of 38.36 feet to a P.K. Nail; thence, North 41 degrees 04 minutes 31 seconds West a distance of 539.15 feet to a P.K. Nail; thence, South 57 degrees 25 minutes 29 seconds West a distance of 53.20 feet to a P.K. Nail; thence, North 32 degrees

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

34 minutes 31 seconds West a distance of 69.00 feet to a P.K. Nail set at a point of curvature; thence, northwestwardly and along a curve to the left having a radius of 109.01 feet a distance of 47.93 feet to a P.K. Nail set a point of tangency; thence, North 57 degrees 46 minutes 05 seconds West a distance of 38.70 feet to the point of beginning and containing an area of 4.417 Acres.

TRACT II:

Together with Easements appurtenant thereto as set forth in Book T7, page 9981.

97953037

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

HJW # 448
Denton, Texas

EXHIBIT A-30

All that certain tract or parcel of land lying and being situated in the J. W. McGowan Survey, Abstract 797, and the R.H. Hopkins Survey Abstract, Abstract 1694, Denton County, Texas, being a portion of that certain tract of land conveyed to Denton Mall Company by deed recorded in Volume 858, Page 211, Deed Records, Denton County, Texas, and being Lot 2, Block 1 of Golden Triangle Addition, according to the Replat recorded in Cabinet B, Page 124, Plat Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the Northeasterly Right-of-Way line of Interstate Highway 35-E and the Southerly Right-of-Way line of San Jacinto Boulevard (an 80.00 foot wide public street);

THENCE North 41 degrees 51 minutes 00 seconds East along said South Right-of-Way line a distance of 341.33 feet to the point-of-beginning of a curve to the right whose radius point bears South 48 degrees 09 minutes 00 seconds East 960.0 feet;

THENCE along said curve to the right and along said South Right-of-Way line in a Northeasterly direction through a central angle of 20 degrees 47 minutes 00 seconds a distance of 348.23 feet to the end of said curve;

THENCE North 62 degrees 38 minutes 00 seconds East continuing along said Right-of-Way line a distance of 872.53 feet to the beginning of a curve to the left whose radius point bears North 27 degrees 22 minutes 00 seconds West 1040.0 feet;

THENCE along said curve to the left and continuing along said South Right-of-Way line in a Northeasterly direction through a central angle of 12 degrees 49 minutes 00 seconds a distance of 232.64 feet to the end of said curve;

THENCE North 49 degrees 49 minutes 00 seconds East continuing along said South Right-of-Way line a distance of 359.92 feet to the intersection of said South Right-of-Way line with the Southwesterly Right-of-Way line of Colorado Boulevard, a 100 foot wide public street;

THENCE South 40 degrees 11 minutes 00 seconds East along said Southwesterly Right-of-Way line a distance of 337.43 feet to the Point-of-Beginning of the tract herein described;

THENCE South 49 degrees 49 minutes 00 seconds West a distance of 44.39 feet to a point;

UNOFFICIAL COPY

Property of Cook County Clerk's Office