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**AGREEMENT**  
(Acknowledging  
Performance of the Real  
Estate Sale Contract  
Dated July 15, 1992, as  
Amended, Recorded as  
Document 95273615, and  
Acknowledgement of  
Right of First Refusal)

97328551

DEPT-01 RECORDING \$45.00  
T8666 TRAM 4827 05/09/97 12:50:00  
#0127 & SA #-97-328551  
COOK COUNTY RECORDER

Agreement made as of April 25, 1997, by and between  
Hannett S. (Henry) Gee, Doris Gee, Walter M. Gee, Mah's Food  
Corporation and Mid-City National Bank of Chicago, not  
individually, but as Trustee under a Trust Agreement dated  
November 6, 1992, known as Trust No. 2426 (the "Gees"); and  
Edward G. Tom, Leslie S. Tom and American National Bank and Trust  
Company of Chicago, as Trustee under a Trust Agreement dated May  
26, 1994, and known as Trust No. 118338-03 (the "Toms").

### RECITALS

WHEREAS, Hannett S. (Henry) Gee and Edward G. Tom,  
individually and in their representative capacities executed and  
delivered that certain Real Estate Sale Contract dated July 15,  
1992 and amended by Amendments to Real Estate Sale Contract dated  
October 7, 1992 and October 9, 1992 (the "Real Estate Sale  
Contract") with respect to the real estate legally described in  
Schedules 1 and 2 to said Real Estate Sale Contract and attached  
hereto as Exhibits A and B. The real estate described in Exhibit A  
shall be referred to herein as the "Gee Property," and the real  
estate described in Exhibit B shall be referred to herein as the  
"Tom Property"; and

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WHEREAS, the Real Estate Sale Contract was recorded in the Office of the Recorder of Deeds, Cook County, Illinois, on April 26, 1995 as Document No. 95273615; and

WHEREAS, the Gee Property was at the closing thereof conveyed to Mid-City National Bank of Chicago, not individually but as Trustee under a Trust Agreement dated November 6, 1992 and known as Trust No. 2426, and Walter Gee and Doris Gee are beneficiaries of said land Trust No. 2426; and

WHEREAS, the Gees and the Toms are parties to certain litigation with respect to the Real Estate Sale Contract pending in the Circuit Court of Cook County, Illinois (96 CH 08475) (the "Litigation"); and

WHEREAS, the Gees and the Toms have agreed to settle and dismiss the Litigation in accordance with that certain Settlement Agreement dated of even date herewith; and

WHEREAS, in accordance with the terms of such Settlement Agreement, the Gees and the Toms have agreed that Hannett S. Gee shall continue to have a right of first refusal to purchase the Tom Property as set forth herein and that the Real Estate Sale Contract shall in all other respects be deemed of no further force or effect.

NOW, THEREFORE, in consideration of the agreements set forth below, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, it is agreed as follows:

All terms and conditions of said Real Estate Sale Contract, as amended, have been fully performed or satisfied; and, shall have no further force or effect, except that the right of first refusal

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granted by the terms of Paragraph 16 thereof shall remain in full force and effect, as modified herein:

The Toms hereby grant Hannett S. Gee a right of first refusal to purchase the Tom Property. In the event the Toms receive a bona fide offer to purchase the Tom Property, The Toms shall provide Hannett S. Gee or his nominee with a copy of the offer and Hannett S. Gee (or his nominee) shall have fifteen (15) days within which to exercise the right of first refusal on the same terms and conditions as contained in the bona fide offer. If the net consideration to be paid to the Toms in an offer declined by Hannett S. Gee (or his nominee) is reduced by more than ten percent (10%), The Toms shall notify Hannett S. Gee (or his nominee), who shall then have five (5) business days within which to exercise the right of first refusal on the same terms and conditions as contained in the amended offer. This right of first refusal will terminate and have no further force and effect upon conveyance of title to the offeror whose offer Hannett S. Gee (or his nominee) declined. If title is not conveyed, then the right of first refusal shall continue.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed the foregoing Agreement as of the day and year first above written.

Hannett S. Gee  
Hannett S. Gee

Doris Gee  
Doris Gee

Mah's Food Corporation

By: [Signature]

Title: PRESIDENT

ATTEST:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Walter M. Gee  
Walter M. Gee

Mid-City National Bank of Chicago,  
not individually, but as Trustee  
under a Trust Agreement dated  
November 6, 1992, known as Trust  
No. 2426

By: [Signature]

Title: VICE PRESIDENT AND TRUST OFFICER

ATTEST:

By: [Signature]

Title: Assistant Vice President  
& Trust Officer

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Edward G. Tom  
Edward G. Tom

American National Bank and Trust  
Company of Chicago, as Trustee  
under a Trust Agreement dated  
\_\_\_\_\_ 19\_\_\_\_,  
and known as Trust No. 118338-03

Leslie S. Noy  
Leslie S. Noy

By: [Signature]

Title: ANITA LUTKUS  
OFFICER

ATTEST:  
Attestation made by American National  
Bank and Trust Company of Chicago

Title: \_\_\_\_\_

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STATE OF ILLINOIS )

SS.  
COUNTY OF COOK

I, AMY L. WOOD, a notary public in and for the state  
and County aforesaid, do hereby certify that before me this day  
personally appeared Hannett S. Coe, known to me to be the same  
person whose name is subscribed to the above and foregoing  
Agreement, and acknowledged to me that he executed and delivered  
the above and foregoing as his free and voluntary act, for the uses  
and purposes set forth in said Agreement.

IN WITNESS WHEREOF, I have set my hand and seal this 2nd  
day of April, 1997.  
[Signature]

[Signature]  
Notary Public



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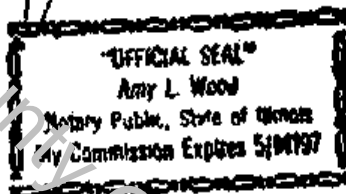
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, Amy L. Wood, a notary public in and for the State and County aforesaid, do hereby certify that before me this day personally appeared Doris Gee, known to me to be the same person whose name is subscribed to the above and foregoing Agreement, and acknowledged to me that she executed and delivered the above and foregoing as her free and voluntary act, for the uses and purposes set forth in said Agreement.

IN WITNESS WHEREOF, I have set my hand and seal this 2nd day of April, 1997.

*[Signature]*  
Notary Public

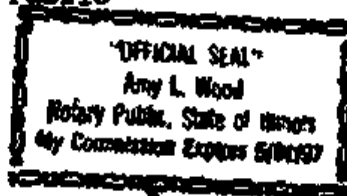
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.



I, Amy L. Wood, a notary public in and for the State and County aforesaid, do hereby certify that before me this day personally appeared Walter M. Gee, known to me to be the same person whose name is subscribed to the above and foregoing Agreement, and acknowledged to me that he executed and delivered the above and foregoing as his free and voluntary act, for the uses and purposes set forth in said Agreement.

IN WITNESS WHEREOF, I have set my hand and seal this 2nd day of April, 1997.

*[Signature]*  
Notary Public



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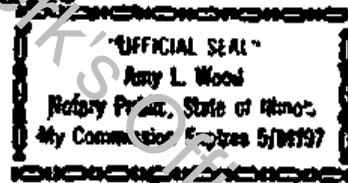
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STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK    )

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that before me this day in person appeared Hannah H. [unclear], personally known to me to be the [unclear] President of Mab's Food Corporation, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ Secretary of said corporation, and each severally acknowledged that they signed and delivered the foregoing instrument in the respective capacities herein set forth, pursuant to authority given by the corporation, as the free and voluntary act of said corporation, and as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 2nd day of April, 1997.

*[Signature]*  
Notary Public



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STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK    )

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that before me this day in person appeared W. THOMAS, personally known to me to be the ~~VICE PRESIDENT AND TRUST OFFICER~~ President of Mid-City National Bank and Trust Company of Chicago, a banking corporation, and Joseph Q. Loker, ~~Assistant Vice President~~ Assistant Vice President personally known to me to be the ~~A Trust Officer~~ Trust Officer of said banking corporation, and each severally acknowledged that they signed and delivered the foregoing instrument in the respective capacities herein set forth, pursuant to authority given by the banking corporation, as the free and voluntary act of said banking corporation, and as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 8<sup>th</sup> day of MAY, 1997.

OFFICIAL SEAL  
VIRGINIA L. LARSON  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. JUNE 9, 1992

Virginia L. Larson  
Notary Public

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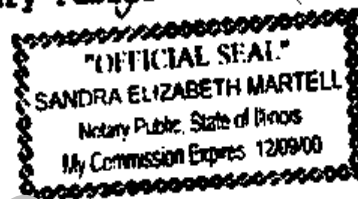
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STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, Sandra E. Martell, a notary public in and for the State and County aforesaid, do hereby certify that before me this day personally appeared Edward G. Tom, known to me to be the same person whose name is subscribed to the above and foregoing Agreement, and acknowledged to me that he executed and delivered the above and foregoing as his free and voluntary act, for the uses and purposes set forth in said Agreement.

IN WITNESS WHEREOF, I have set my hand and seal this 25<sup>th</sup> day of April, 1997.

Sandra Elizabeth Martell  
Notary Public



STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, SIMON CHUENKAN YAO, a notary public in and for the State and County aforesaid, do hereby certify that before me this day personally appeared Leslie S. Moy, known to me to be the same person whose name is subscribed to the above and foregoing Agreement, and acknowledged to me that he executed and delivered the above and foregoing as his free and voluntary act, for the uses and purposes set forth in said Agreement.

IN WITNESS WHEREOF, I have set my hand and seal this 28<sup>TH</sup> day of April, 1997.

Simon Chuenkan Yao  
Notary Public



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STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK    )

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that before me this day in person appeared ANITA LUTKUS  
~~TRUST OFFICER~~, personally known to me to be the \_\_\_\_\_ Vice President of American National Bank and Trust Company of Chicago, a banking corporation, and \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ Trust Officer of said banking corporation, and each severally acknowledged that they signed and delivered the foregoing instrument in the respective capacities herein set forth, pursuant to authority given by the banking corporation, as the free and voluntary act of said banking corporation, and as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 3 day of April, 1997.



Cynthia K. Harris  
Notary Public

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## EXHIBIT A

That part of Block 11 in South Branch Addition to Chicago in the North West 1/4 of Section 28, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the South East corner of said Block 11, said point being also the intersection of the North line of W. 24th Place with the Westerly line of S. Wallace Street; thence North 90 degrees, 00 minutes, 00 seconds West along said North line of W. 24th Place for a distance of 186.0 feet to a point; thence North 54 degrees, 09 minutes, 42 seconds West along a line which intersects the Southerly line of S. Archer Avenue, as widened, at a point which is 228.0 feet Southwesterly of the intersection of the Westerly line of S. Wallace Street and the Southerly line of S. Archer Avenue as widened, for a distance of 57.89 feet to a point; said point being the place of beginning for the tract hereinafter described; thence North 35 degrees, 50 minutes, 18 seconds East 20.07 feet; thence North 31 degrees, 40 minutes, 50 seconds West, 1.13 feet; thence North 58 degrees, 15 minutes, 10 seconds East 81.39 feet; thence North 31 degrees, 44 minutes, 50 seconds West, 95.34 feet to a point on the Southerly line of S. Archer Avenue, as widened; thence Southwesterly along said Southerly line, which is a curve, convex to the Southeast having a radius of 2,050.0 feet for an arc distance of 147.86 feet; thence South 1/2 degrees, 09 minutes, 42 seconds East 124.49 feet to the place of beginning all in Cook County, Illinois.

Property Address: 2411 South Archer Avenue, Chicago, Illinois:

PIN: 17-28-112-002-0000

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## EXHIBIT B

Block 11 in South Branch Addition to Chicago in the North West 1/4 of Section 28, Township 39 North, Range 14, East of the Third Principal Meridian, except part of said block taken for widening Archer Avenue; except Lots 6 to 9, inclusive, in said Block 11; and also except that part of Lot 5 in said Block 11, that part of Lots 8 to 13, inclusive, and that part of the vacated alley lying Southerly of and adjoining to said Lot 5 which lies Southwesterly of a straight line that extended from a point on the South line of said Lot 8, which point is 186 feet West of the West line of South Wallace Street; thence to a point in said Lot 5 which point is on the Southerly line of South Archer Avenue, as widened, and is 228 feet Southwesterly of the intersection of the Westerly line of South Wallace Street and the Southerly line of South Archer Avenue, as widened, in H. L. Stewart's resubdivision of Lots 11 to 15, inclusive, in said Block 11, and also excepting therefrom that part of said Block 11 described as follows: that part of Block 11 in South Branch Addition to Chicago in the North West 1/4 of Section 28, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the South East corner of said Block 11, said point being also the intersection of the North line of W. 24th Place with the Westerly line of S. Wallace Street; thence North 90 degrees, 00 minutes, 00 seconds West along said North line of W. 24th Place for a distance of 186.0 feet to a point; thence North 32 degrees, 09 minutes, 42 seconds West along a line which intersects the Southerly line of S. Archer Avenue, as widened, at a point which is 228.0 feet Southwesterly of the intersection of the Westerly line of S. Wallace Street and the Southerly line of S. Archer Avenue as widened, for a distance of 57.89 feet to a point; said point being the place of beginning for the tract hereinafter described; thence North 35 degrees, 50 minutes, 18 seconds East 20.07 feet; thence North 31 degrees, 44 minutes, 50 seconds West, 1.13 feet; thence North 58 Degrees, 15 minutes, 10 seconds East 81.39 feet; thence North 31 degrees, 44 minutes, 50 seconds West, 95.34 feet to a point on the Southerly line of S. Archer Avenue, as widened; thence Southwesterly along said Southerly line, which is a curve, convex to the Southeast having a radius of 2,050.0 feet for an arc distance of 147.86 feet; thence South 54 degrees, 09 minutes, 42 seconds East 124.49 feet to the place of beginning all in Cook County, Illinois.

Property Address: 2401 South Archer Avenue, Chicago, Illinois:

PIN: 17-28-112-002-0000

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