1998-08-10 10:16:49

Cook County Recorder

43,00

OMNIBUS WAIVER AND RELEASE OF RIGHTS, CIENS AND SECURITY INTERESTS

(Lincoln Wall: Matteson, Illinois Property)

This OMNIBUS WAIVER AND RELEASE OF RIGHTS, LIENS AND SECURITY INTERESTS (this "Release") is executed by V.od Corp, a Delaware corporation former'y known as The Dial Corp, for the purposes hereinafter expressed.

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WHEREAS, Chicago Title and Trust Company, as Trustee under various Trust Agreements described in the documents listed on Exhibit A attached nerety and incorporated herein, together with Illinois Partners Limited Partnership (formerly known as Six Anchors Limited Partnership), a Maryland limited partnership, executed for the benefit of The Diat Corp a Delaware corporation ("Dial Corp"), certain mortgages, leases, financing statements, and other financing and lien documents, instruments and agreements, including, without limitation, these certain documents, instruments and agreements identified on Exhibit A hereto (all such documents, instruments, and agreements, including, without limitation, those listed on Exhibit A hereto, collectively are referred to as the "Dial Documents"), which Dial Documents encumber, among other property, that certain real property located in Cook County, Illinois, described on Exhibit B attached hereto and incorporated herein (the "Property"), all as more particularly described in the Dial Documents;

WHEREAS, Dial Corp changed its name to "Viad Corp", pursuant to a Certificate of Ownership and Merger dated August 15, 1996, and filed in the office of the Secretary of State of Delaware on August 15, 1996; and

WHEREAS, all amounts owed and all other obligations, duties and liabilities owed to or accruing to or for the benefit of Viad Corp under, pursuant to or in any way related to the Dial Documents have been paid and satisfied in full, and Viad Corp has waived and released, and does hereby waive and release, all rights, duties, obligations and liabilities arising thereunder;

X

BOX 333-CTI

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NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Viad Corp. beneficiary under the Dial Documents, hereby (a) releases and terminates all the Dial Documents and all rights, liens, and security interests arising thereunder, (b) waives any and all rights, liens and security interests previously arising with respect to the Property, whether arising pursuant to the Dial Documents, or otherwise, and (c) releases the Property from the Dial Documents, including, without limitation, from any and all additional liens, security interests, encumbrances and other matters not disclosed on Exhibit A, but which are held by or for the benefit of Viad Corp, without regard to how they were created or evidenced.

Viad Corp further agrees to execute all such documents, instruments and agreements (including, vithout limitation, releases and UCC-3 statements) which may be reasonably requested by any party having an interest in the Property and which are necessary or appropriate to effect the intent and purposes of this Release. This Release is to be broadly construed to effect the purpose of releasing any claim or interest that Viad Corp may now have or ever may have had, in and to the Property.

IN WITNESS WHEREOF, Viad Corp has executed this Omnibus Waiver and Release of Rights, Liens, and Security interests effective as of Hugust 5, 1998. 004

VIAD CORP,

a Delaware corporation, formerly named The Dial Corp

K.G. Nelson

Agia. Vice President - Treasurer

THIS INSTRUMENT PREPARED BY, AND AFTER RECORDING RETURN TO:

Lorne O. Liechty, Esq. Liechty & McGinnis, P.C. 10440 N. Central Expressway Suite 1100 Dallas, Texas 75231

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STATE OF ARIZONA

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COUNTY MARICOPA

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This instrument was acknowledged before me on the 29th day of July 1998, by R.G. Nelson, Vice President - Treasurer of Viad Corp, a Delaware corporation, on behalf of said corporation.



Notary Public in and for the
State of Arizona

My Commission Expires:

July 23, 2001

WOLVERING ARSONPULINCOLMRELEASES SUA



EXHIBIT A

Schedule of Dial Documents

- 1. Master Agreement dated as of September 28, 1993 but effective as of January 1, 1993, among The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10, as agent, Illinois Partners Limited Partnership, The Dial Corp and Greyhound-Dobbs Incorporated.
- 2. First Amendment to Master Agreement dated as of April 15, 1994, among Aurora SPC, Inc., Illinois Partners Limited Partnership, The Dial Corp and Greyhound-Dobbs Incorporated.
- 3. Guaranty and Mitigation Agreement dated as of September 28, 1993 but effective as of January 1, 1993 among The Dial Corp, The Trustees of Mellon Participating Mortgage Trust Commercial Property Scries 85/10 and the institutions for which The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 acts as Agent.
- 4. First Amendment to Guaranty and Miagation Agreement dated as of April 15, 1994 by and between The Dial Corp, and Aurora SPC, Inc.
- 5. Three Party Creditor Agreement dated as of September 28, 1993 but effective as of January 1, 1993 among Illinois Partners Limited Partnership, The Dial Corp and The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10.
- 6. First Amendment to Three Party Creditor Agreement dated as of April 15, 1994 among Illinois Partners Limited Partnership, The Dial Corp and Auror SPC, Inc.
- 7. Lease/Sale Agency Agreement dated as of September 28, 1993 but effective as of January 1, 1993, among Illinois Partners Limited Partnership, The Dial Corp and The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10.
- 8. First Amendment to Lease/Sale Agency Agreement dated as of April 15, 1994 among Illinois Partners Limited Partnership, The Dial Corp and Aurora SPC, Inc.
- 9. Subordination, Assignment and Intercreditor Agreement dated as of September 28, 1993 but effective January 1, 1993 between The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 and The Dial Corp (with consent of Illinois Partners Limited Partnership).
- 10. First Amendment to Subordination, Assignment and Intercreditor Agreement dated as of April 15, 1994 between Aurora SPC, Inc. and The Dial Corp.
- 11. Subordination, Non-Disturbance and Attornment Agreement (North Riverside Mall), dated as of September 28, 1993 between The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 and The Dial Corp.

- Subordination, Non-Disturbance and Attornment Agreement (Stratford Square), dated as of September 28, 1993 between the Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 and The Dial Corp.
- 14. Subordination, Non-Disturbance and Attornment Agreement (Yorktown Mall), dated as of September 28, 1993 between the Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 and The Dial Corp.
- 15. Subordination, No.1-Disturbance and Attornment Agreement (Lincoln Mall), dated as of September 28, 1993 between the Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 and The Dial Corp.
- 16. Subordination, Non-Disturbance and Attornment Agreement (Southlake Mall), dated as of September 28, 1993 between the Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 and The Dial Corp.
- 17. Subordination, Non-Disturbance and Attornment Agreement (North Riverside Mall), dated as of April 15, 1994 between The Bank of New York and The Dial Corp.
- 18. Subordination, Non-Disturbance and Attornment Agreement (Orland Square), dated as of April 15, 1994 between The Bank of New York and The Dial Corp.
- 19. Subordination, Non-Disturbance and Attornment Agreement (Stretford Square), dated as of April 15, 1994 between The Bank of New York and The Dial Corp.
- 20. Subordination, Non-Disturbance and Attornment Agreement (Yorktown Mall), dated as of April 15, 1994 between The Bank of New York and The Dial Corp.
- 21. Subordination, Non-Disturbance and Attornment Agreement (Lincoln Mall), dated as of April 15, 1994 between The Bank of New York and The Dial Corp.
- Subordination, Non-Disturbance and Attornment Agreement (Southlake Mail), dated as of April 15, 1994 between The Bank of New York and The Dial Corp.
- 23. Second Mortgage (North Riverside Mall) dated as of September 28, 1993 but effective as of January 1, 1993 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp, recorded October 13, 1993, as Document 93820419, Cook County, Illinois.

- 24. Second Mortgage (Orland Square) dated as of September 28, 1993 but effective as of January 1, 1993 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp. recorded October 13, 1993, as Document 93820409, Cook County, Illinois.
- 25. Second Mortgage (Stratford Square) dated as of September 28, 1993 but effective as of January 1, 1993 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp, recorded October 13, 1993, as Document No. R93-232830, DuPage County, Illinois.
- 26. Second N'ortgage (Yorktown Mall) dated as of September 28, 1993 but effective as of January 1, 1993 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as a state to The Dial Corp, recorded October 13, 1993, as Document R93-232821, DuPage County, Illinois.
- 27. Second Mortgage (Lincoln Mall) dated as of September 28, 1993 but effective as of January 1, 1993 from Illirois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dira Corp, recorded October 13, 1993, as Document 93820414, Cook County, Illinois.
- 28. Second Mortgage (Southlake Mall) dated as of September 28, 1993 but effective as of January 1, 1993 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp, recorded October 13, 1993, as Document 93067363, Lake County, Indiana.
- 29. First Amendment to Second Mortgage (North Riversid: Mall) dated as of April 15, 1994 from Illinois Partners Limited Partnership and Chicago Title (and Trust Company, as trustee to The Dial Corp., recorded April 22, 1994, as Document 94364505. Cook County, Illinois.
- 30. First Amendment to Second Mortgage (Orland Square) dated as of April 15, 1994 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as Justee to The Dial Corp, recorded April 22, 1994, as Document 94364495, Cook County, Illinois.
- 31. First Amendment to Second Mortgage (Stratford Square) dated as of April 15, 1994 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp, recorded April 22, 1994, as Document R94-095062, DuPage County, Illinois.
- 32. First Amendment to Second Mortgage (Yorktown Mall) dated as of April 15, 1994 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp, recorded April 22, 1994, as Document R94-095048, DuPage County, Illinois.
- 33. First Amendment to Second Mortgage (Lincoln Mall) dated as of April 15, 1994 from Illinois Partners Limited Partnership and Chicago Title and Trust Company, as trustee to The Dial Corp, recorded April 22, 1994, as Document 94364502, Cook County, Illinois.

- 35. Dial Conduit Lease (Orland Square) dated as of September 28, 1993, by and between Chicago Title and Trust Company, as Trustee, Illinois Partners Limited Partnership and The Dial Corp.
- 36. Dial Conduit Lease (Lincoln Mall) dated as of September 28, 1993, by and between Chicago Title and Trust Company, as Trustee, Illinois Partners Limited Partnership and The Dial Corp.
- 37. Dial Conduit Lease (Yorktown Mall) dated as of September 28, 1993, by and between Chicago Title and Trust Company, as Trustee, Illinois Partners Limited Partnership and The Dial Corp.
- 38. Dial Conduit Lease (Stratford Square) dated as of September 28, 1993, by and between Chicago Title and Trust Company. 23 Trustee, Illinois Partners Limited Partnership and The Dial Corp.
- 39. Dial Conduit Lease (North Riverside Mall) dated as of September 28, 1993, by and between Chicago Title and Trust Company, as Trustee, Wirkeis Partners Limited Partnership and The Dial Corp.
- 40. Dial Conduit Lease (Southlake Mall) dated as of September 28, 1993, by and between Lake County Trust County, as Trustee, Illinois Partners Limited Partnership and The Dial Corp.
- 41. Limited Power of Attorney from Illinois Partners Limited Partnership to The Dial Corp dated September 28, 1993, recorded in DuPage County on October 13, 1993, as Document 93-232835.
- 42. Limited Power of Attorney from The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 to The Dial Corp dated September 28, 1993, recorded in DuPage County on October 13, 1993, as Document 93-232834.
- 43. Limited Power of Attorney from Illinois Partners Limited Partnership to The Dial Corp dated September 28, 1993, recorded in Cook County on October 13, 1993, as Document 93820412.
- 44. Limited Power of Attorney from The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 to The Dial Corp dated September 28, 1993, recorded in Cook County on October 13, 1993, as Document 93820413.

- 45. Limited Power of Attorney from Illinois Partners Limited Partnership to The Dial Corp dated September 28, 1993, recorded in DuPage County on October 13, 1993, as Document 93-232827.
- 46. Limited Power of Attorney from The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 to The Dial Corp dated September 28, 1993, recorded in DuPage County on October 13, 1993, as Document 93-232826.
- 47. Limited Power of Attorney from Illinois Partners Limited Partnership to The Dial Corp dated September 28, 1993, recorded in Lake County, Indiana on October 13, 1993, as Document 93067364.
- 48. Limited Power of Attorney from The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 to The Dial Corp dated September 28, 1993, recorded in Lake County, Indiana on October 13, 1993, as Document 93067364.
- 49. Limited Power of Attorney f.om Illinois Partners Limited Partnership to The Dial Corp dated September 28, 1993, recorded in Cook County on October 13, 1993, as Document 93820407.
- 50. Limited Power of Attorney from The Trustees of Mellon Participating Mortgage Trust Commercial Property Series 85/10 to The Dial Corp dated September 28, 1993, recorded in DuPage County on October 13, 1993, as Document 93820408.
- 51. Limited Power of Attorney from Illinois Partners Limited Partnership to The Dial Corp dated September 28, 1993, recorded in Cook County on October 13, 1993, as Document 93820417.
- 52. Limited Power of Attorney from The Trustees of Mellon ('articipating Mortgage Trust Commercial Property Series 85/10 to The Dial Corp dated September 28, 1993, recorded in Cook County on October 13, 1993, as Document 93820418.
- 53. Limited Power of Attorney from Aurora SPC, Inc. to The Dial Corp dated April 15, 1994, recorded in DuPage County on April 22, 1994, as Document R94-095059.
- 54. Limited Power of Attorney from The Bank of New York to The Dial Corp dated April 15, 1994, recorded in DuPage County on April 22, 1994, as Document R94-095064.
- 55. Limited Power of Attorney from Aurora SPC, Inc. to The Dial Corp dated April 15, 1994, recorded in Cook County on April 22, 1994, as Document 94364499.
- 56. Limited Power of Attorney from The Bank of New York to The Dial Corp dated April 15, 1994, recorded in Cook County on April 22, 1994, as Document 94364504.
- 57. Limited Power of Attorney from Aurora SPC, Inc. to The Dial Corp dated April 15, 1994, recorded in DuPage County on April 22, 1994, as Document R94-095050.

58. Limited Power of Attorney from The Bank of New York to The Dial Corp dated April 15, 1994, recorded in DuPage County on April 22, 1994, as Document R94-095050.

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- 59. Limited Power of Attorney from Aurora SPC, Inc. to The Dial Corp dated April 15, 1994, recorded in Lake County, Indiana on April 21, 1994, as Document 94030442.
- 60. Limited Power of Attorney from The Bank of New York to The Dial Corp dated April 15, 1994, recorded in Lake County, Indiana on April 21, 1994, as Document 94030447.
- 61. Limited Fower of Attorney from Aurora SPC, Inc. to The Dial Corp dated April 15, 1994, recorded in Cook County on April 22, 1994, as Document 94364492.
- 62. Limited Power c1 Attorney from The Bank of New York to The Dial Corp dated April 15, 1994, recorded in Cook County on April 22, 1994, as Document 94364497.
- 63. Limited Power of Attorney from Aurora SPC, Inc. to The Dial Corp dated April 15, 1994, recorded in Cook County on April 22, 1994, as Document 94364506.
- 64. Limited Power of Attorney from Tn: Bank of New York to The Dial Corp dated April 15, 1994, recorded in Cook County on April 22, 1994, as Document 94364511.
- 65. UCC-1 Financing Statement showing Illinois Proteers Limited Partnership as debtor and The Dial Corp as secured party, filed with the Illinois Secretary of State as Document 3177385, with respect to North Riverside Mall.
- 66. UCC-1 Financing Statement showing Illinois Partners Limited Tartnership as debtor and The Dial Corp as secured party, filed with the Illinois Secretary of State as Document 3177384, with respect to Orland Square Mall.
- 67. UCC-1 Financing Statement showing Illinois Partners Limited Partnership as debtor and The Dial Corp as secured party, filed with the Illinois Secretary of State as Document 3177383, with respect to Stratford Square Mall.
- 68. UCC-1 Financing Statement showing Illinois Partners Limited Partnership as debtor and The Dial Corp as secured party, filed with the Illinois Secretary of State as Document 3177382, with respect to Yorktown Mall.
- 69. UCC-1 Financing Statement showing Illinois Partners Limited Partnership as debtor and The Dial Corp as secured party, filed with the Illinois Secretary of State as Document 3177386, with respect to Lincoln Mall.

- 70. UCC-1 Financing Statement showing Illinois Partners Limited Partnership as debtor and The Dial Corp as secured party, filed with the Indiana Secretary of State as Document 1872776 with respect to Southlake Mali.
- 71. UCC-1 Financing Statement showing Illinois Partners Limited Partnership as debtor and The Dial Corp as secured party, filed with the Maryland Secretary of State.
- 72. UCC-1 Financing Statement showing The Dial Corp as secured party and Chicago Title & Trust Company, as trustee of the land trust for the North Riverside Mall property, as debtor, file with the Illinois Secretary of State as Document 3177389.
- 73. UCC-1 Figureing Statement showing The Dial Corp as secured party and Chicago Title & Trust Company as trustee of the land trust for the Orland Square Mall property, as debtor, filed with the Illinois Secretary of State as Document 3177388.
- 74. UCC-1 Financing Statement showing The Dial Corp as secured party and Chicago Title & Trust Company, as trustee of the land trust for the Stratford Square Mall property, as debtor, filed with the Illinois Secretary of State as Document 3177390.
- 75. UCC-1 Financing Statement showing The Dial Corp as secured party and Chicago Title & Trust Company, as trustee of the land trust for the Yorktown Mall property, as debtor, filed with the Illinois Secretary of State as Document 3177391.
- 76. UCC-1 Financing Statement showing The Dial Corp as secured party and Chicago Title & Trust Company, as trustee of the land trust for the Lincoln Mall property, as debtor, filed with the Illinois Secretary of State as Document 3177387.
- 77. UCC-1 Financing Statement showing The Dial Corp as secured prity and Lake County Trust Company, as trustee of the land trust for the Southlake Mall property, as debtor, filed with the Indiana Secretary of State as Document 1872778.
- 78. UCC-2 Fixture Filing showing either Illinois Partners Limited Partnership or Chicago Title & Trust Company, as Trustee, as debtor, and The Dial Corp as secured party, for filing in Cook County, Illinois with respect to North Riverside Mall, Orland Square Vicil and Lincoln Mall, including, without limitation, those filed as Document Nos. 93U15954, 93U15955, 93U15956, as to Orland Square Mall, Document Nos. 93U15956 and 93U15959, as to Lincoln Mall, and as Document Nos. 93U15956 and 93U15962, as to North Riverside Mall, all as the same may have been assigned, amended or continued.

- UCC-2 Fixture Filing showing either Illinois Partners Limited Partnership or Chicago 79. Title & Trust Company, as Trustee, as debtor, and The Dial Corp as secured party, for filing in DuPage County, Illinois with respect to Stratford Square Mall and Yorktown Mall, including, without limitation, those filed as Document Nos. R93-232831 and 93U4163, as to Stratford Square Mall and Document Nos. 93U-4159 and R93-232822, and 93U-4160 and R93-232823, all as the same may have been assigned, amended or continued.
- 80. UCC-2 Fixture Filing showing either Illinois Partners Limited Partnership or Lake County Trust Company, as Trustee, as debtor and The Dial Corp as secured party, for filing in Lake County, Indiana with respect to Southlake Mall, including, without limitation those filed as The 13003.

 The Open Cooperation of Columnia Clark's Office Document Vcs. 93003521 and 93003522, all as the same may have been assigned, amended or continued.

WOLVERINGCARSONPAEXH-A.DIA

UNOFFICIENT ALCOPY

Lincoln Highway/Cicero Avenue Matteson, Illinois Cook County PIN 31-22-300-023

PARCEL 1:

LOT 2 IN LINCOLM MALL, BRING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 HORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK, COUNTY, ILLINOIS

PARCEL (1)

THE RECIPROCAL AND NON-EXCLUSIVE BASEMENTS FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSACT AND ACCOMMODATION OF PEDESTRIANS, THE INSTALLATION, OPERATION. MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY severs, water lines aft gas mains, electrical power lines, telephone lines and OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE PROTECTION WATER STORAGE TANK AND PUMPHOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, EXECTION AND MAINTENANCE OF COMMON FOUR DEPLICAS, POOTINGS, EUPPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANGS, AWNINGS, AVARM BELLS, SIGNS, LIGHTS AND LIGHTING DEVICES. DTILITY VAULTS AND OTHER SIMILAR APPORTENANCES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS, CREATED AND granted as appurtenances to the apondescribed parcel 1, all exected, defined AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED ON MARCH 24TH 1972 AS DOCUMENT NUMBER 21846183 BY AND BETWEEN CHICAGO TITLE AND THUST COMPANY, A CORPORATION OF Illinois, as trustee under trust agreement lated june 4, 1971 and known as trust NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DUIAWARE CORPORATION, J. C. PENNY PROPERTIES, INC., A DELAWARE CORPORATION, NUTTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AND WIEBOLDT ETURES, INC., AN ILLINOIS CORPORATION, IN. ON. OVER, UPON AND UNDER LOTS 1, 3, 4, 5 AND 6 IN LINCOLN MALL Subdivision aforesaid as shown on the plat plan attached to said reciprocal CONSTRUCTION OPERATION AND EASEMENT AGREEMENT

PARCEL 3:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND EARITANT SEWERS, WATER LINES AND GAS MAINS, SINCTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THE CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLIHOIS, AS TRUSTED UNDER TRUST AGREEMENT DATED JURE 4, 1971 AND EMONE AS TRUST NUMBER 57420, CARSON PIRIS SCOTT AND COMPANY, A DELAWARE CORPORATION, WINTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WISBOLDT STORES, INC., AN ILLIHOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLIHOIS, AS TRUSTED UNDER TRUST AGREEMENT DATED JULY 10, 1971 AND KNOWN AS TRUST WORSER 57855, IN, CH, OVER, UPON AND UNDER LOTE 1, 3, 4, 5, 9, 9, 10, 11 AND 12 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT