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1999-04-14 13:59:12
Cook County Recorder 47.50

PREPARED BY:

After recording, return to:

David M. Shinnick
Haynes and Boone, L.L.P.
901 Main Street, Suite 3100
Dallas, Texas 75202-3789



RELEASE OF INTEREST IN AGREEMENT

(Chestnut Galleria, Chicago, Illinois)

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THIS RELEASE OF INTEREST IN AGREEMENT (this "Release") is executed as of the 9th day of April, 1999 (the "Effective Date"), by WHCLI REAL ESTATE LIMITED PARTNERSHIP, a Delaware limited partnership ("WHCLI").

RECITALS:

- A. WHCLI is the owner of that certain real property known as "Chestnut Galleria," as more particularly described on Exhibit A (the "Property");
- B. An agreement (the "Agreement") was executed on November 30, 1895 between P. Louis Biegler ("Biegler") and Walter A. Holbrook ("Holbrook") and was recorded December 21, 1895 as Document No. 2,324,257 in the Office of the Recorder of Cook County, Illinois.
- C. At the time of the Agreement, Holbrook owned certain land at the southeast corner of State and Chestnut Streets, as more particularly described in the Agreement (the "Benefitted Property"), and Biegler owned certain land adjacent to the Benefitted Property, as more particularly described in the Agreement (the "Burdened Property").
- D. WHCLI wishes to release any and all interest it may have in and under the Agreement.

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NOW, THEREFORE, WHCLI, to the extent that it has any right, title, and interest in the Agreement, hereby releases all such right, title and interest under the Agreement.

EXECUTED as of the Effective Date.

WHCLI REAL ESTATE LIMITED PARTNERSHIP,
a Delaware limited partnership

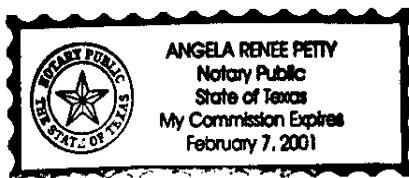
By: WHCLI Gen-Par, Inc.,
a Delaware corporation,
its general partner

By: *Maelyn Franklin*
Name: Maelyn Franklin
Title: Asst. Vice President

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

I, the undersigned, a Notary Public in and for said County, in the state aforesaid, do hereby certify that Maelyn Franklin personally known to me to be the Asst. Vice Pres of WHCLI Gen-Par, Inc., a Delaware corporation, the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act on behalf of the corporation, in its capacity as general partner of WHCLI Real Estate Limited Partnership, a Delaware limited partnership, for the use and purposes therein set forth.

Given under my hand and notarial seal this 4th day of April, 1999.



Angela Renee Petty
Notary Public

My commission expires: 2/7/2001

EXHIBIT A

Legal Description

PARCEL 1:

THE NORTH 43 FEET OF LOT 2 IN THE SUBDIVISION OF BLOCK 18 IN CANAL TRUSTEES SUBDIVISION IN THE SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 AND 2 IN LARSON'S SUBDIVISION OF LOT 1 IN THE SUBDIVISION OF BLOCK 18 IN CANAL TRUSTEE'S SUBDIVISION OF THE SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE 14 FOOT WIDE PRIVATE ALLEY LYING SOUTH OF AND ADJOINING SAID LOTS 1 AND 2, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

SUB-LOT 4 OF LOT 1 IN BLOCK 18 IN CANAL TRUSTEE'S SUBDIVISION OF SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH ALL OF THAT PART OF THE PRIVATE ALLEY ADJOINING AND LYING SOUTH, SOUTHEAST AND EAST OF SAID SUB-LOT 4, EXCEPTING THEREFROM THE EAST 5 FEET OF SAID PRIVATE ALLEY, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

LOT 3 IN THE SUBDIVISION OF LOT 1 IN BLOCK 18 IN THE CANAL TRUSTEE'S SUBDIVISION OF THE FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE 14 FOOT WIDE PRIVATE ALLEY LYING SOUTH OF AND ADJOINING SAID LOT 3, IN COOK COUNTY, ILLINOIS.

CONTAINING IN THE AGGREGATE 15,972 SQUARE FEET OF LAND, MORE OR LESS.