

**LEGAL DESCRIPTION OF LEASEHOLD ESTATE**

THAT PART OF LOT 1 IN IROQUOIS CENTER, BEING A SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1983 AS DOCUMENT R83-1820, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY MOST CORNER OF SAID LOT 1; THENCE SOUTH 85 DEGREES 21 MINUTES 41 SECONDS WEST, 335.12 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1, 335.12 FEET; THENCE NORTH 45 DEGREES 29 MINUTES 02 SECONDS WEST, 124.99 FEET; THENCE NORTH 44 DEGREES 30 MINUTES 58 SECONDS EAST, 226.57 FEET; THENCE SOUTH 45 DEGREES 30 MINUTES 34 SECONDS EAST, 38.56 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 30 SECONDS EAST, 29.82 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 30 SECONDS EAST, 183.67 FEET; THENCE SOUTH 51 DEGREES 06 MINUTES 37 SECONDS EAST, 146.27 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 1; THENCE SOUTH 39 DEGREES 24 MINUTES 40 SECONDS WEST, ALONG SAID SOUTHEASTERLY LINE, 95.82 FEET TO SAID POINT OF BEGINNING.

**LEGAL DESCRIPTION OF PARENT TRACT**

*PARCEL 1*

LOT 1 IN IROQUOIS CENTER, BEING A SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1983 AS DOCUMENT R83-1820, IN DUPAGE COUNTY, ILLINOIS.

*PARCEL 2 -- EASEMENT*

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS CREATED BY RECIPROCAL EASEMENT AGREEMENT DATED FEBRUARY 10, 1982 MADE BY AND BETWEEN MIDWEST BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 12, 1980 AND KNOWN AS TRUST NUMBER 80-123519, AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 10, 1981 AND KNOWN AS TRUST NUMBER 103624, RECORDED MARCH 11, 1982 AS DOCUMENT NUMBER R82-09476, OVER, ACROSS, AND THROUGH ALL DRIVEWAYS AND ACCESSWAYS NOW OR HEREAFTER CONSTRUCTED ON THE FOLLOWING DESCRIBED REAL ESTATE:

*PARCEL A (OF PARCEL 2):*

THAT PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE CENTER LINE OF BAUER ROAD, 1128.00 FEET EASTERLY OF (AS MEASURED ALONG SAID CENTER LINE BEARS NORTH 77 DEGREES 31 MINUTES 00 SECONDS EAST), THE EAST LINE OF LALLY'S ASSESSMENT PLAT, AS RECORDED NOVEMBER 26, 1956 AS DOCUMENT 824847; THENCE CONTINUING NORTH 77 DEGREES 31 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY EXTENSION OF SAID CENTER LINE, 108.65 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, 27.10 FEET; THENCE NORTH 86 DEGREES 17 MINUTES 03 SECONDS EAST, 395.88 FEET TO A POINT IN THE NORTHWESTERLY LINE OF OGDEN AVENUE; THENCE NORTH 40 DEGREES 33 MINUTES 00 SECONDS EAST, ALONG SAID NORTHWESTERLY LINE, 196.93 FEET; THENCE NORTH 39 DEGREES 13 MINUTES 59 SECONDS WEST,

550.73 FEET; THENCE NORTH 50 DEGREES 46 MINUTES 01 SECOND EAST, 131.12 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUING NORTH 50 DEGREES 46 MINUTES 01 SECOND EAST, 194.41 FEET TO A POINT IN THE CURVED SOUTHWESTERLY LINE OF IROQUOIS AVENUE, AS DEDICATED BY DOCUMENT R74-36117; THENCE SOUTHEASTERLY ALONG SAID CURVED LINE, BEING THE ARC OF A CIRCLE CONVEX NORTHEASTERLY AND HAVING A RADIUS OF 1610.00 FEET, AN ARC DISTANCE OF 35.69 FEET (THE CHORD OF WHICH ARC BEARS SOUTH 39 DEGREES 38 MINUTES 42 SECONDS EAST AND MEASURES 35.69 FEET); THENCE SOUTH 39 DEGREES 00 MINUTES 36 SECONDS EAST, ALONG SAID SOUTHWESTERLY STREET LINE, TANGENT TO THE LAST DESCRIBED CURVED LINE, 170.32 FEET; THENCE SOUTH 50 DEGREES 59 MINUTES 24 SECONDS WEST, 194.00 FEET; THENCE NORTH 39 DEGREES 13 MINUTES 59 SECONDS WEST, 205.25 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, (EXCEPT THEREFROM THE FOLLOWING DESCRIBED PROPERTY DESCRIBED AS FOLLOWS):

THAT PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE CENTER LINE OF BAUER ROAD, 1128.00 FEET EASTERLY OF (AS MEASURED ALONG SAID CENTER LINE WHICH BEARS NORTH 77 DEGREES 31 MINUTES 00 SECONDS EAST), THE EAST LINE OF LALLY'S ASSESSMENT PLAT, RECORDED NOVEMBER 26, 1956 AS DOCUMENT 824847; THENCE CONTINUING NORTH 77 DEGREES 31 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY EXTENSION OF SAID CENTER LINE, 108.65 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, 27.10 FEET; THENCE NORTH 86 DEGREES 17 MINUTES 03 SECONDS EAST, 395.88 FEET TO A POINT IN THE NORTHWESTERLY LINE OF OGDEN AVENUE (U.S. ROUTE 34) AS NOW PLATTED AND RECORDED; THENCE NORTH 40 DEGREES 33 MINUTES 00 SECONDS EAST, ALONG SAID NORTHWESTERLY LINE, 196.93 FEET; THENCE NORTH 39 DEGREES 13 MINUTES 59 SECONDS WEST, 550.73 FEET; THENCE NORTH 50 DEGREES 46 MINUTES 01 SECONDS EAST, 131.12 FEET, TO THE POINT OF BEGINNING OF THE PARCEL TO 194.41 FEET TO A POINT ON THE CURVED SOUTHWESTERLY LINE OF IROQUOIS AVENUE, AS DEDICATED BY R74-36117, SAID POINT OF BEGINNING BEING 236.01 FEET NORTHWESTERLY OF (AS MEASURED ALONG SAID SOUTHWESTERLY LINE OF IROQUOIS AVENUE) THE MOST NORTHERLY CORNER OF LOT 1 OF STEAK AND SHAKE PLAT OF SUBDIVISION, RECORDED APRIL 1, 1977 AS DOCUMENT R77-22594; THENCE SOUTHEASTERLY, ALONG SAID CURVED LINE, BEING THE ARC OF CIRCLE, CONVEX NORTHEASTERLY, AND HAVING A RADIUS OF 1,610.00 FEET, AN ARC DISTANCE OF 30.28 FEET, (THE CHORD OF SAID ARC BEARS SOUTH 39 DEGREES 44 MINUTES 28 SECONDS EAST, AND MEASURES 30.28 FEET) THENCE SOUTH 50 DEGREES 59 MINUTES 24 SECONDS WEST, 194.68 FEET; THENCE NORTH 39 DEGREES 13 MINUTES 59 SECONDS WEST, 29.52 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

*PARCEL B (OF PARCEL 2):*

THAT PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE CENTER LINE OF BAUER ROAD, 1128.00 FEET EASTERLY OF (AS MEASURED ALONG SAID CENTER LINE WHICH BEARS NORTH 77 DEGREES 31 MINUTES 00 SECONDS EAST), THE EAST LINE OF LALLY'S ASSESSMENT PLAT, RECORDED NOVEMBER 26, 1956 AS DOCUMENT 824847; THENCE CONTINUING NORTH 77 DEGREES 31 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY EXTENSION OF SAID CENTER LINE, 108.65 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, 27.10 FEET; THENCE NORTH 86 DEGREES 17 MINUTES 03 SECONDS EAST, 395.88 FEET TO A POINT IN THE NORTHWESTERLY LINE OF OGDEN AVENUE (U.S. ROUTE 34) AS NOW PLATTED AND RECORDED; THENCE NORTH 40

DEGREES 33 MINUTES 00 SECONDS EAST, ALONG SAID NORTHWESTERLY LINE, 196.93 FEET; THENCE NORTH 39 DEGREES 13 MINUTES 59 SECONDS WEST, 550.73 FEET; THENCE NORTH 50 DEGREES 46 MINUTES 01 SECOND EAST, 325.53 FEET, TO A POINT ON THE CURVED SOUTHWESTERLY LINE OF IROQUOIS AVENUE AS DEDICATED BY DOCUMENT R74-36117; THENCE SOUTHEASTERLY, ALONG SAID CURVED LINE, BEING THE ARC OF A CIRCLE, CONVEX NORTHEASTERLY, AND HAVING A RADIUS OF 1610.00 FEET, AN ARC DISTANCE OF 35.69 FEET (THE CHORD OF SAID ARC BEARS SOUTH 39 DEGREES 38 MINUTES 42 SECONDS EAST AND MEASURED 35.69 FEET); THENCE SOUTH 39 DEGREES 00 MINUTES 36 SECONDS EAST, ALONG SAID SOUTHWESTERLY LINE OF SAID IROQUOIS AVENUE, TANGENT TO THE LAST DESCRIBED CURVED LINE, 170.32 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED, AND POINT OF BEGINNING BEING 30.00 FEET NORTHWESTERLY OF (AS MEASURED ALONG SAID SOUTHWESTERLY LINE OF IROQUOIS AVENUE) THE MOST NORTHERLY CORNER OF LOT 1 OF STEAK AND SHAKE PLAT OF SUBDIVISION, RECORDED APRIL 1, 1977 AS DOCUMENT R77-22594; THENCE CONTINUING SOUTH 39 DEGREES 00 MINUTES 36 SECONDS EAST, ALONG SAID SOUTHWESTERLY LINE OF IROQUOIS AVENUE, 30.00 FEET TO THE MOST NORTHERLY CORNER OF LOT 1 OF SAID STEAK AND SHAKE PLAT OF SUBDIVISION; THENCE SOUTH 50 DEGREES 59 MINUTES 24 SECONDS WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 AND SAID LINE EXTENDED, 193.88 FEET; THENCE NORTH 39 DEGREES 13 MINUTES 59 SECONDS WEST, 30.00 FEET; THENCE NORTH 50 DEGREES 59 MINUTES 24 SECONDS EAST, 194.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

*PARCEL 3 -- EASEMENT*

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR STORM SEWER AND DRAINAGE AS CREATED BY GRANT OF STORM SEWER AND DRAINAGE EASEMENT, DATED AUGUST 9, 1982 RECORDED SEPTEMBER 8, 1982 AS DOCUMENT NUMBER R82-40682 BY AND BETWEEN THE BANK OF NAPERVILLE, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 30, 1976 AND KNOWN AS TRUST NUMBER 2590, AND OTHERS, AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 23, 1982 AND KNOWN AS TRUST NUMBER 104747, TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE A STORM SEWER SYSTEM AND APPURTENANCES THERETO OVER, UPON, ALONG, UNDER AND THROUGH THE FOLLOWING DESCRIBED LAND TOGETHER WITH THE RIGHT OF ACCESS THERETO: THAT PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF BAUER ROAD, 1128.00 FEET EASTERLY OF (AS MEASURED ALONG SAID CENTER LINE WHICH BEARS NORTH 77 DEGREES 25 MINUTES 16 SECONDS EAST), THE EAST LINE OF LALLY'S ASSESSMENT PLAT AS RECORDED NOVEMBER 26, 1956 AS DOCUMENT 824847, IN DUPAGE COUNTY, ILLINOIS; THENCE NORTH 0 DEGREES 25 MINUTES 23 SECONDS EAST, 966.15 FEET TO THE SOUTHERLY LINE OF INDIAN HILL UNIT 8, RECORDED AS DOCUMENT R79-24242, IN DUPAGE COUNTY; THENCE SOUTH 89 DEGREES 53 MINUTES 46 SECONDS WEST, ALONG THE AFORESAID SOUTHERLY LINE OF INDIAN HILL UNIT 8, 10.00 FEET; THENCE SOUTH 0 DEGREES 25 MINUTES 23 SECONDS WEST, 968.37 FEET, MORE OR LESS TO THE CENTER LINE OF AFORESAID BAUER ROAD; THENCE NORTH 77 DEGREES 25 MINUTES 16 SECONDS EAST, ALONG THE CENTER LINE OF AFORESAID BAUER ROAD, 10.26 FEET, MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

*LEGAL DESCRIPTION NOTES*

- PARCEL 2 (PARCEL A AND PARCEL B) DESCRIBED ABOVE IS A PERPETUAL EASEMENT FOR PEDESTRIAN AND VEHICULAR ACCESS OVER, ACROSS AND THROUGH ALL DRIVEWAYS AND ACCESSWAYS UPON THE LANDS COMMONLY KNOWN AS 1170 E. IROQUOIS DRIVE, NAPERVILLE, ILLINOIS (PIN:08-08-102-013), WHICH BENEFIT THE PARENT TRACT OF THE SURVEYED LANDS. SEE DOCUMENT FOR PARTICULARS.
- PARCEL 3 DESCRIBED ABOVE IS A PERPETUAL EASEMENT TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE A STORM SEWER SYSTEM. SAID EASEMENT LIES OVER THE 10 FEET ADJACENT TO AND ADJOINING THE WESTERLY MOST LINE AND BENEFITING THE PARENT TRACT OF THE SURVEYED LANDS. SEE DOCUMENT FOR PARTICULARS.