

THIS INSTRUMENT PREPARED BY:

Patrick T. Brankin
Schain, Burney Banks & Kenny, Ltd.
70 West Madison Street
Suite 4500
Chicago, IL 60602
and
Christian G. Spesia
Spesia & Ayers
1415 Black Road
Joliet, Illinois 60435

AND RETURN TO:

Village Clerk
Village of Manhattan
245 S. State Street, P. O. Box 31
Manhattan, Illinois 60442

THE ABOVE SPACE FOR RECORDER'S USE

FIRST AMENDMENT TO ANNEXATION AGREEMENT

THIS FIRST AMENDMENT to the Annexation Agreement (“First Amendment”) dated and entered into as of this ___ day of _____, 2011 (“Effective Date”) by and between the **VILLAGE OF MANHATTAN, an Illinois home rule municipal corporation, Will County, Illinois (the “Village”), BLIZZARD BLUE PROPERTIES, LLC, an Illinois limited liability company, (“Blizzard Blue”), STANDARD BANK AND TRUST, as Trustee under Trust No. 16771, dated 11/17/2000 (“Standard Bank Trust”), MANHATTAN GRADE SCHOOL DISTRICT NO. 114, MANHATTAN FIRE PROTECTION DISTRICT, MANHATTAN PARK DISTRICT, MANHATTAN TOWNSHIP, FIRST NATIONAL BANK OF MANHATTAN AS TRUSTEE UNDER TRUST NO. 623, and FIRST NATIONAL BANK OF MANHATTAN AS TRUSTEE UNDER TRUST NO. 381** (hereinafter the “Parties” or the “Owners”).

WITNESSETH:

WHEREAS, the Village, Theodore A. Kulhan, as Trustee of the Theodore A. Kulhan Trust dated March 17, 1987, Wilma V. Kulhan as Trustee of the Wilma V. Kulhan Trust dated March 17, 1987, First National Bank of Manhattan as Trustee under Trust No. 317 dated January 14, 1993 and NLSB/New Lenox as Trustee under Trust no. 491 dated April 29, 1979, NLSB/New Lenox as Trustee under Trust No. 2052 dated February 23, 1996, Heritage Trust Company as Trustee under Trust No. 93-5024 dated September 16, 1993, Municipal Trust and Savings Bank as Trustee under Trust No. 1147 dated March 19, 1997, Mary C. Juhant and Premier Development No. 1, LLC, an Illinois limited liability company entered into a an Annexation Agreement dated July 15, 1997 and

recorded as Doc. No. R97-0746001 (“Agreement”) providing *inter alia* for the establishment of certain zoning classifications, construction and development approvals, the conveyance of land and the dedication of roadways related to all or a portion of a certain approximately 640 acre parcel bordered by Baker Road, Cedar Road, Smith Road and Eastern Avenue (“Annexation Property”) legally described on Exhibit 1 attached hereto and made a part hereof; and

WHEREAS, Blizzard Blue owns approximately 187 acres of the Annexation Property as shown and legally described in Exhibit 2 attached hereto and made a part hereof; and

WHEREAS, the Standard Bank Trust owns approximately 388 acres of the Annexation Property as shown and legally described in Exhibit 3 attached hereto and made a part hereof; and

WHEREAS, Manhattan Grade School District No. 114 owns 12.1 acres of the Annexation Property as shown and legally described in Exhibit 4 attached hereto and made a part hereof; and

WHEREAS, the Village owns approximately 2.07 acres of the Annexation Property as shown and legally described in Exhibit 5 attached hereto and made a part hereof; and

WHEREAS, Manhattan Fire Protection District owns 1.46 acres of the Annexation Property as shown and legally described on Exhibit 6 attached hereto and made a part hereof; and

WHEREAS, Manhattan Park District owns 9.12 acres of the Annexation Property as shown and legally described on Exhibit 7 attached hereto and made a part hereof; and

WHEREAS, Manhattan Township owns 3.0 acres of the Annexation Property as shown and legally described on Exhibit 8 attached hereto and made a part hereof; and

WHEREAS, First National Bank of Manhattan as Trustee under Trust No. 623 owns .56 acres of the Annexation Property as shown and legally described on Exhibit 9 attached hereto and made a part hereof; and

WHEREAS, First National Bank of Manhattan as Trustee under Trust No. 381 owns .46 acres of the Annexation Property as shown and legally described on Exhibit 10 attached hereto and made a part hereof; and

WHEREAS, the Parties hereto all of which own a portion of the Annexation Property and together are the owners of approximately 629 acres of the Annexation Property desire to amend the terms of the Agreement as to those approximately 629 acres pursuant to Article XXXVI(T) of the Agreement, to provide for certain additional matters not anticipated at the time that the Agreement was executed; and

WHEREAS, all notices, publications, procedures, public hearings and other matters required for the consideration and approval of this First Amendment to the Annexation Agreement have been made, given, held and performed by the Village as required by 65 ILCS 5/7-1-1 and

5/11-15.1-1 *et seq.* and all other applicable statutes, and all applicable ordinances, regulations and procedures of the Village; and

WHEREAS, the Parties hereto desire to amend the Agreement to abrogate all of its terms and terminate the Agreement as it applies to their respective parcels; and

WHEREAS, the First Amendment was submitted, pursuant to the applicable provisions of the Illinois Municipal Code, to the President and Board of Trustees of the Village (hereinafter referred to as the “Corporate Authorities”) and a public hearing was scheduled and held for public comment pursuant to proper notice, as provided by statute on October 4, 2011; and

WHEREAS, the Corporate Authorities of the Village have considered this First Amendment and determined that the First Amendment to the Agreement is in the best interests of the Village and its residents; and

WHEREAS, by a favorable vote of two-thirds (2/3) of the Corporate Authorities of the Village then holding office, the Village has considered the question of this First Amendment and has adopted an ordinance approving this First Amendment and authorizing execution thereof; and

WHEREAS, in connection with the Annexation of the Annexation Property, the Village previously adopted Ordinance No. 639, An Ordinance Authorizing Execution of the Agreement and Ordinance No. 641, An Ordinance Zoning Land Newly Annexed; and

WHEREAS, the Parties, consistent with the terms and conditions of the Agreement and consistent with Illinois law, have agreed to the terms and conditions set forth in this First Amendment as evidenced by the signatures affixed hereto.

NOW, THEREFORE, in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following amendment of the Agreement.

1. **Incorporation of Recitals.** The foregoing recitals are material to this First Amendment and are incorporated into this First Amendment as if fully stated herein.

2. **Prior Agreements, Conflict.** As to the approximately 629 acres owned by the Owners, this First Amendment supercedes the prior Annexation Agreement in its entirety and as to any other Amendments thereto, if any, all provisions set forth therein shall be considered null and void.

3. **Termination of the Agreement and Current Uses.**

A. **Termination of the Agreement.** The Parties as the successor owners to approximately 629 acres of the Annexation Property hereby agree that the Agreement is hereby terminated and declared null and void as it applies to the Owners’ respective parcels, with the exception of those previous dedications of property for government sites and roadway purposes, which is hereby acknowledged. The Parties further agree that the Annexation Property shall remain

annexed to the Village and shall remain zoned in accordance with Ordinance No. 641 unless changed by future zoning amendment.

B. **Current Uses.** Portions of the Subject Property are being used at the present time for residential, farming and general agricultural uses and for the Manhattan Township's salt dome and maintenance garage. In reviewing the First Amendment, the Village gave due consideration to the continuation of such current uses.

Notwithstanding any provision of the Village's Zoning Ordinance or Subdivision Control Ordinance now in effect which may be in conflict with the current uses of the Subject Property, such current uses (including existing well[s] and septic systems) shall be deemed to be permitted legally non-confirming uses under the Village's Zoning Ordinance and Subdivision Control Ordinance. The Parties agree, however, that any and all structures and improvements currently located on the Subject Property shall be subject to the Village's Health Code, Safety Code and/or Fire Code currently in effect and as they are amended from time to time.

4. **Enforcement/Remedies.** It is agreed that the parties hereto may in law or equity, by suit, action, mandamus, injunction or any other proceeding, including specific performance, enforce and compel the performance of this First Amendment, which shall include the right of the Parties to recover a judgment for monetary damages against each other. In addition to all other remedies provided under this paragraph, the Party which is at fault shall pay reasonable expenses (including attorneys' fees) incurred by the Party or Parties successful in enforcing its rights hereinunder. The Parties hereto acknowledge and recognize that the agreements contained herein are special, unique and extraordinary in character and that in the event of a breach or threatened breach of this First Amendment by either party (the "Breaching Party"), in addition to all other remedies at law, in equity or otherwise available to the other party (the "Aggrieved Party"), the Aggrieved Party shall have the right, if it so elects, to institute and prosecute proceedings in any court of competent jurisdiction to enforce in whole or in part the specific performance of this First Amendment by the Breaching Party from Commencing or continuing said breach and/or to cause by injunction the Breaching Party to correct and cure said breach or threatened breach. Nothing herein shall be construed as prohibiting the Aggrieved Party from pursuing any other remedies at law, in equity or otherwise available to it for any breach or threatened breach of this First Amendment. The Breaching Party further agrees that any breach on its part herein shall be considered unique and the Aggrieved Party shall have the right to injunctive relief, both mandatory and restrictive temporary and permanent, and the Breaching Party does hereby waive the requirement of the filing of any bond by the Aggrieved Party for the issuance of any such temporary or permanent injunction or equitable relief.

5. **Roadway Dedications.**

A. **Eastern Avenue.** District 114, the Park District and Manhattan Township shall dedicate to the Village a ten (10) foot right-of-way from their westerly property lines for Eastern Avenue simultaneous with the execution of this First Amendment. The dedications shall be in the form of Exhibits 11, 12 and 13 attached hereto and incorporated herein by reference.

B. **Baker Road.** Manhattan Fire Protection District shall dedicate an additional ten (10) foot right-of-way from the existing north property line to create a sixty (60) foot right-of-way from the north Section line of Section 9, simultaneous with the execution of this First Amendment. The dedication shall be in the form of Exhibit 14 attached hereto and incorporated herein by reference.

6. **Tax Rebates.** The Village agrees to rebate all of its portion of the tax bill commencing in tax year 2011, payable in 2012, for the parcels owned by First National Bank of Manhattan Trust Nos. 381 and 623, and described in Exhibits 9 and 10 subject to the following conditions. The rebate shall terminate upon the first to occur of the following conditions: (1) any of the respective owners' sale or conveyance of all or a portion of their respective parcels, including a sale or conveyance of the beneficial interests in the land trusts, but the rebate shall not terminate as the result of a transfer by will, trust, transfer on death instrument, or intestacy resulting from the death of an owner described in this paragraph, or (2) any change in use of the respective parcels. The Village's rebate shall be paid within fourteen (14) days of the respective Owner's presentation of proof of payment of the tax bill, along with a copy of the tax bill.

7. **No Objection.** The beneficial owners of First National Bank of Manhattan Trust Nos. 381 and 623, and persons residing in the existing residences on Baker Road owned by those respective Trusts, have no objection to the rezoning and planned unit development for the remainder of the Annexation Property to the Village's BP Business Park District, the R-5 District for a mixture of single-family, duplex and townhome residences, and the C-3 General Commercial District.

8. **Amendment.** The Parties and/or their respective successors and assigns may, by mutual consent, agree in writing to amend the terms and conditions set forth in this First Amendment. However, only the written approval of the legal title holder of an interest in the property subject to the amendment shall be required to execute an amendment to this First Amendment. Specifically, no amendment of this First Amendment shall be required to change the zoning of all or any portion of the Annexation Property. No purported oral amendment to the First Amendment shall be binding or enforceable.

9. **Entire Agreement.** This First Amendment sets forth all agreements, understandings, and covenants between and among the Parties. This First Amendment supersedes all prior agreements, negotiations and understandings, written or oral, and is a full integration of the entire agreement of the Parties.

10. **Notices.** Notices hereunder shall be in writing and delivered by personal service or by U.S. certified mail, postage prepaid and return receipt requested, or by overnight courier to the parties at the following addresses:

If to the Village:

Village of Manhattan
P.O. Box 31
Manhattan, IL 60442
Attn: Village President

with a copy to:

Spesia & Ayers
1415 Black Road
Joliet, IL 60435
Attn: Christian G. Spesia

If to Blizzard Blue:

Blizzard Blue Properties, LLC
c/o Linda Weber
9550 W. Higgins Road
Rosemont, IL 60118

with a copy to:

Schain, Burney, Banks & Kenny, Ltd.
70 W. Madison, Suite 4500
Chicago, IL 60602
Attn: Patrick T. Brankin

If to Standard Bank:

STANDARD BANK AND TRUST, as Trustee under
Trust No. 16771, dated 11/17/2000
7800 W. 95th St.
Hickory Hills, IL 60457

with a copy to:

Paul W. Carroll
Gould & Ratner, LLP
222 N. LaSalle, Suite 800
Chicago, IL 60601

If to School District No. 114:

Manhattan School District No. 114
25440 S. Gougar Road
Manhattan, Illinois 60442

with a copy to:

Sraga Hauser, LLC
19730 Governors Highway, Suite 10
Flossmoor, Illinois 60422

If to Manhattan Fire Protection District:

Manhattan Fire Protection District
100 Park Road, P. O. Box 65
Manhattan, Illinois 60442

with a copy to:

Thomas J. Gilbert
Ottosen Britz Kelly Cooper & Gilbert
9990 West 190th Street, Suite A
Mokena, Illinois 60448

If to Manhattan Park District:

Manhattan Park District
205 Gustafson Street
Manhattan, Illinois 60442

with a copy to:

Timothy J. McGrath
Law Office of Timothy J. McGrath, P.C.
440 S. State Street, P. O. Box 615
Manhattan, Illinois 60442

If to Manhattan Township:

Manhattan Township
24645 South Eastern Avenue, P. O. Box 127
Manhattan, Illinois 60442

with a copy to:

If to FNB Manhattan Trust #623: First National Bank of Manhattan as
Trustee under Trust #623
230 South State Street
Manhattan, Illinois 60442

If to FNB Manhattan Trust #381: First National Bank of Manhattan as
Trustee under Trust #381
230 South State Street
Manhattan, Illinois 60442

11. **Time of the Essence.** Time is of the essence of this Agreement and of each and every provision hereof.

12. **Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Agreement, or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Agreement, or any part thereof. The Corporate Authorities of the Village hereby declare that it would have approved such section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

13. **Counterparts.** This Amendment may be executed in several counterparts, all of which shall be an original and all of which shall constitute but one and the same Agreement.

14. **Binding on Successors.** This First Amendment shall insure to the benefit of and be binding upon the parties hereto, the successors in title of the owners of record, their respective successors,

grantees, lessees and assigns and upon successor corporate authorities of the Village and successor municipalities.

It is understood and agreed by and between the parties hereto that this First Amendment shall run with the land and shall be assignable.

[SIGNATURES APPEAR ON THE NEXT PAGE]

112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147

**MANHATTAN GRADE SCHOOL DISTRICT
NO. 114**

By: _____
Its: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the authorized signatory for MANHATTAN GRADE SCHOOL DISTRICT NO. 114 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 acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this ___ day of _____, 2011.

Notary Public

148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186

MANHATTAN FIRE PROTECTION DISTRICT

By: _____
Its: _____

ATTEST:

By: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the authorized signatory for MANHATTAN FIRE PROTECTION DISTRICT, 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 acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this ___ day of _____, 2011.

Notary Public

187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225

MANHATTAN PARK DISTRICT

By: _____

Its: _____

ATTEST:

By: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the authorized signatory for MANHATTAN PARK DISTRICT, 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 acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this ___ day of _____, 2011.

Notary Public

264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305

FIRST NATIONAL BANK OF MANHATTAN AS TRUSTEE UNDER TRUST NO. 623

By: _____
Its: _____

ATTEST:

By: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the authorized signatory for FIRST NATIONAL BANK OF MANHATTAN AS TRUSTEE UNDER TRUST NO. 623, 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 acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this ___ day of _____, 2011.

Notary Public

306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350

**FIRST NATIONAL BANK OF MANHATTAN
AS TRUSTEE UNDER TRUST NO. 381**

By: _____
Its: _____

ATTEST:

By: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, personally known to me to be the authorized signatory for FIRST NATIONAL BANK OF MANHATTAN AS TRUSTEE UNDER TRUST NO. 381, 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 acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this ___ day of _____, 2011.

Notary Public

EXHIBIT A . PART 1

PARCEL 1:

A PARCEL OF LAND LYING IN THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: THE WEST ½ OF THE NORTHWEST ¼ OF SAID SECTION 9 (EXCEPT THE EAST 750 FEET OF THE WEST 1049 FEET OF THE NORTH 750 FEET OF SAID NORTHWEST ¼ THEREOF) (ALSO EXCEPTING THAT PART OF SAID NORTHWEST ¼ OF SAID SECTION 9 DESCRIBED AS FOLLOWS: BEGINNING AT A STONE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 9; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 05 MINUTES 55 SECONDS WEST 563.97 FEET AS MEASURED ALONG THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 9 TO AN IRON ROD; THENCE SOUTH 89 DEGREES 55 MINUTES 19 SECONDS EAST, A DISTANCE OF 429.76 FEET, TO AN IRON ROD; THENCE NORTH 01 DEGREES 30 MINUTES 51 SECONDS WEST A DISTANCE OF 119.41 FEET, TO AN IRON ROD; THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS EAST, A DISTANCE OF 49.16 FEET, TO AN IRON ROD; THENCE SOUTH 58 DEGREES 49 MINUTES 32 SECONDS EAST, A DISTANCE OF 50.65 FEET, TO AN IRON ROD; THENCE NORTH 20 DEGREES 57 MINUTES 22 SECONDS EAST, A DISTANCE OF 208.07 FEET, TO AN IRON ROD; THENCE SOUTH 51 DEGREES 33 MINUTES 28 SECONDS EAST, A DISTANCE OF 90.01 FEET, TO AN IRON ROD; THENCE NORTH 39 DEGREES 17 MINUTES 40 SECONDS EAST, A DISTANCE OF 140.00 FEET, TO AN IRON ROD; THENCE SOUTH 50 DEGREES 42 MINUTES 20 SECONDS EAST, A DISTANCE OF 370.10 FEET, TO AN IRON ROD; THENCE SOUTH 00 DEGREES 01 MINUTES 43 SECONDS EAST, A DISTANCE OF 49.57 FEET, TO AN IRON ROD; THENCE SOUTH 65 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 171.39 FEET, TO AN IRON ROD; THENCE SOUTH 60 DEGREES 29 MINUTES 44 SECONDS EAST, A DISTANCE OF 148.95 FEET, TO AN IRON ROD ON THE EAST LINE OF THE WEST ½ OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE SOUTH 00 DEGREES 07 MINUTES 02 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 475.44 FEET, TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE WEST ½ OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE NORTH 89 DEGREES 56 MINUTES 01 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 9, A DISTANCE OF 1324.09 FEET TO THE POINT OF BEGINNING), ALL IN WILL COUNTY, ILLINOIS, (EXCEPT THAT PART TAKEN FOR ROAD PURPOSES AND SUBJECT TO EASEMENTS).

PARCEL 2:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE

NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 34.42 FEET TO A PK NAIL; THENCE NORTH 50.00 FEET PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 9 FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 1,877.84 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 23 SECONDS WEST 696.42 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 38 SECONDS EAST 191.72 FEET; THENCE NORTH 05 DEGREES 14 MINUTES 47 SECONDS EAST 561.45 FEET; THENCE SOUTH 84 DEGREES 45 MINUTES 13 SECONDS EAST 1,832.55 FEET TO THE WEST RIGHT OF WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 53 SECONDS EAST 1,281.89 FEET TO THE POINT OF BEGINNING, ALL IN WILL COUNTY, ILLINOIS.

PARCEL 3:

A PARCEL OF LAND IN THE WEST ½ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 2,648.14 FEET TO A STONE AT THE NORTHWEST CORNER OF SAID SOUTHWEST ¼; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 1,718.70 FEET TO AN IRON ROD ON THE WESTERLY RIGHT OF WAY LINE OF THE WABASH RAILROAD BEING A POINT ON CURVE; THENCE SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE ON A CURVE CONVEX TO THE NORTHWEST HAVING A RADIUS OF 1943.08 FEET, AN ARC DISTANCE OF 493.99 FEET, AND A CHORD BEARING OF SOUTH 29 DEGREES 36 MINUTES 52 SECONDS WEST TO A POINT OF TANGENT; THENCE SOUTH 19 DEGREES 21 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 2338.43 FEET TO AN IRON ROD ON THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 9; THENCE SOUTH 89 DEGREES 55 MINUTES 04 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 714.61 FEET TO THE POINT OF BEGINNING,

(EXCEPTING THEREFROM THAT PART OF THE LAND FALLING IN THE FOLLOWING FOUR TRACTS:

TRACT 1:

THE SOUTH 50.00 FEET OF THE SOUTHWEST ¼ OF SECTION 9 LYING WEST OF THE WESTERLY RIGHT OF WAY LINE OF THE WABASH RAILROAD COMPANY IN TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN;

TRACT 2:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 2598.14 FEET TO A POINT; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECONDS EAST A DISTANCE OF 15.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 12 MINUTES 32 SECONDS EAST A DISTANCE OF 2375.55 FEET TO A POINT; THENCE SOUTH 03 DEGREES 53 MINUTES 44 SECONDS EAST A DISTANCE OF 223.13 FEET TO A POINT; THENCE NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST A DISTANCE OF 29.35 FEET TO A POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

TRACT 3:

A PARCEL OF LAND IN THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼ OF SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 635.16 FEET TO A POINT; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 15.00 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 795.17 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 667.42 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 12 MINUTES 32 SECONDS EAST A DISTANCE OF 695.17 FEET TO AN IRON ROD AT A POINT OF CURVE; THENCE SOUTHWESTERLY ON A CURVE CONVEX TO THE SOUTHEAST HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 157.08 FEET AND A CHORD BEARING OF SOUTH 44 DEGREES 47 MINUTES 28 SECONDS WEST TO A POINT OF TANGENT; THENCE SOUTH 89 DEGREES 47 MINUTES 28 SECONDS WEST A DISTANCE OF 567.42 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

TRACT 4:

A PARCEL OF LAND IN THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼ OF SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 288.99 FEET TO A POINT; THENCE SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST A DISTANCE OF 15.00 FEET TO AN IRON ROD

BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 346.24 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 567.42 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ON A CURVE CONVEX TO THE SOUTHEAST HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 157.08 FEET AND A CHORD BEARING OF NORTH 44 DEGREES 47 MINUTES 28 SECONDS EAST, TO A POINT OF TANGENT; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 508.17 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 474.51 FEET TO AN IRON ROD ON THE WESTERLY RIGHT OF WAY LINE OF THE WABASH RAILROAD; THENCE SOUTH 19 DEGREES 19 MINUTES 21 SECONDS WEST ALONG THE WESTERLY RIGHT OF WAY LINE A DISTANCE OF 1017.00 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST A DISTANCE OF 801.94 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE NORTH 00 DEGREES 05 MINUTES 55 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 9 A DISTANCE OF 563.97 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 55 MINUTES 19 SECONDS EAST A DISTANCE OF 429.76 FEET TO AN IRON ROD; THENCE NORTH 01 DEGREES 30 MINUTES 51 SECONDS WEST A DISTANCE OF 119.41 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS EAST A DISTANCE OF 49.16 FEET TO AN IRON ROD; THENCE SOUTH 58 DEGREES 49 MINUTES 32 SECONDS EAST A DISTANCE OF 50.65 FEET TO AN IRON ROD; THENCE NORTH 20 DEGREES 57 MINUTES 22 SECONDS EAST A DISTANCE OF 208.07 FEET TO AN IRON ROD; THENCE SOUTH 51 DEGREES 33 MINUTES 28 SECONDS EAST A DISTANCE OF 90.01 FEET TO AN IRON ROD; THENCE NORTH 39 DEGREES 17 MINUTES 40 SECONDS EAST A DISTANCE OF 140.00 FEET TO AN IRON ROD; THENCE SOUTH 50 DEGREES 42 MINUTES 20 SECONDS EAST A DISTANCE OF 370.10 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 01 MINUTES 43 SECONDS EAST A DISTANCE OF 49.57 FEET TO AN IRON ROD; THENCE SOUTH 65 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 171.39 FEET TO AN IRON ROD; THENCE SOUTH 60 DEGREES 29 MINUTES 44 SECONDS EAST A DISTANCE OF 148.95 FEET TO AN IRON ROD ON THE EAST LINE OF THE WEST ½ OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE SOUTH 00 DEGREES 07 MINUTES 02 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 475.44 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE WEST ½ OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE NORTH 89 DEGREES 56 MINUTES 01 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHWEST

¼ OF SAID SECTION 9 A DISTANCE OF 1324.09 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE WEST 15.00 FEET, IN WILL COUNTY, ILLINOIS.

PARCEL 5:

A PARCEL OF LAND IN THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECONDS EAST ALONG THE SOUTH LINE OF SAID NORTHWEST ¼, A DISTANCE OF 1,324.09 FET TO THE EAST LINE OF THE WEST ½ OF SAID NORTHWEST ¼ FOR THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 02 SECONDS WEST 1,010.76 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 26 SECONDS EAST 529.78 FEET; THENCE SOUTH 50 DEGREES 47 MINUTES 01 SECONDS EAST 530.51 FEET TO AN IRON ROD ON THE WESTERLY RIGHT OF WAY LINE OF THE WABASH RAILROAD; THENCE SOUTH 39 DEGREES 23 MINUTES 08 SECONDS WEST 681.96 FEET ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID WABASH RAILROAD TO AN IRON ROD AT A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE ON A CURVE CONVEX TO THE NORTHWEST HAVING A RADIUS OF 1,943.08 FEET WITH AN ARC DISTANCE OF 186.67 FEET AND A CHORD THAT BEARS SOUTH 29 DEGREES 22 MINUTES 00 SECONDS WEST TO A POINT OF TANGENT ON THE NORTH LINE OF SAID SOUTHWEST ¼ OF SECTION 9; THENCE NORTH 89 DEGREES 56 MINUTES 01 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHWEST ¼, A DISTANCE OF 394.61 FEET TO THE POINT OF BEGINNING; ALL IN WILL COUNTY, ILLINOIS.

Exhibit 3 to First Amendment (10 pp.)

EXHIBIT A PART 2

PART 1

THE EAST 31 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, ALL IN TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS, EXCEPTING THEREFROM THE RIGHT-OF-WAY FOR THE WABASH RAILROAD COMPANY, THE RIGHT-OF-WAY FOR CEDAR ROAD, THE RIGHT-OF-WAY FOR BAKER ROAD, AND THAT PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 59 MINUTES 05 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 9 A DISTANCE OF 736.74 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 12 MINUTES 16 SECONDS EAST A DISTANCE OF 50.00 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 12 MINUTES 16 SECONDS EAST A DISTANCE OF 276.63 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 47 MINUTES 44 SECONDS WEST A DISTANCE OF 250.00 FEET TO AN IRON ROD; THENCE NORTH 00 DEGREES 12 MINUTES 16 SECONDS WEST A DISTANCE OF 277.59 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 59 MINUTES 05 SECONDS EAST A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING; ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 50 FEET OF SAID SECTION 9 LYING OUTSIDE THE BOUNDARIES OF THE RIGHT-OF-WAY OF BAKER ROAD, IF ANY, ALL IN WILL COUNTY, ILLINOIS.

PART 2

PARCEL 1:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE WABASH RAILROAD, IN TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH 50 FEET THEREOF; ALSO EXCEPT THE EAST 31 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9; ALSO EXCEPT A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECONDS EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,324.09 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER FOR THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 02 SECONDS WEST 1,010.76 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 26 SECONDS EAST 529.78 FEET; THENCE SOUTH 50 DEGREES 47 MINUTES 01 SECONDS EAST 530.51 FEET TO AN IRON

ROD ON THE WESTERLY RIGHT-OF-WAY LINE OF THE WABASH RAILROAD; THENCE SOUTH 39 DEGREES 23 MINUTES 08 SECONDS WEST 681.96 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID WABASH RAILROAD TO AN IRON ROD AT A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE ON A CURVE CONVEX TO THE NORTHWEST HAVING A RADIUS OF 1,943.08 FEET WITH AN ARC DISTANCE OF 186.67 FEET AND A CHORD THAT BEARS SOUTH 29 DEGREES 22 MINUTES 00 SECONDS WEST TO A POINT OF TANGENT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 9; THENCE NORTH 89 DEGREES 56 MINUTES 01 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 394.61 FEET TO THE POINT OF BEGINNING, ALL IN WILL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE WABASH RAILROAD, IN TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

PARCEL 3:

A PARCEL OF LAND IN THE EAST HALF OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 34.42 FEET TO A PK NAIL ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE NORTH 00 DEGREES 11 MINUTES 52 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1877.44 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING, SAID POINT BEING THE NORTHEAST CORNER OF PARCEL 4 OF THE LAND CONVEYED BY DOCUMENT NUMBER R97-45801; THENCE NORTH 84 DEGREES 46 MINUTES 04 SECONDS WEST ALONG THE NORTH LINE OF PARCEL 4 OF THE LAND CONVEYED BY DOCUMENT NUMBER R97-45801 A DISTANCE OF 2146.82 FEET TO AN IRON ROD, SAID POINT ALSO BEING ON AN EAST LINE OF THE LAND CONVEYED BY DOCUMENT NUMBER R96-37528; THENCE ALONG THE BOUNDARIES OF THE LAND CONVEYED BY SAID DOCUMENT NUMBER R96-37528 THE FOLLOWING SIX COURSES AND DISTANCES; THENCE NORTH 20 DEGREES 41 MINUTES 07 SECONDS WEST A DISTANCE OF 55.85 FEET TO AN IRON ROD, SAID POINT ALSO BEING ON AN EAST LINE OF THE LAND CONVEYED BY DOCUMENT NUMBER R96-37528; THENCE ALONG THE BOUNDARIES OF THE LAND CONVEYED BY SAID DOCUMENT NUMBER R96-37528 THE FOLLOWING FIVE COURSES AND DISTANCES; THENCE NORTH 50 DEGREES 39 MINUTES 24 SECONDS EAST A DISTANCE OF 615.93 FEET TO AN IRON ROD; THENCE NORTH 34 DEGREES 13 MINUTES 52 SECONDS EAST A DISTANCE OF 199.80 FEET TO AN IRON ROD; THENCE

NORTH 89 DEGREES 49 MINUTES 35 SECONDS EAST A DISTANCE OF 206.82 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 65.80 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 43 MINUTES 37 SECONDS EAST A DISTANCE OF 1359.17 FEET TO AN IRON ROD ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 52 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD TO THE POINT OF BEGINNING.

PARCEL 4:

THAT PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, LYING EAST OF THE EASTERLY RIGHT-OF-WAY LINE OF THE WABASH RAILROAD, IN TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS, EXCEPT THE CEDAR ROAD RIGHT-OF-WAY, AND ALSO EXCEPTING THEREFROM THAT PART OF THE LAND FALLING IN THE FOLLOWING TWO TRACTS:

(TRACT 1):

A PARCEL OF LAND IN SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A PK NAIL BEING THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9, A DISTANCE OF 2012.19 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9, A DISTANCE OF 633.27 FEET TO AN IRON ROD BEING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 89 DEGREES 55 MINUTES 05 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9, A DISTANCE OF 1860.29 FEET TO AN IRON ROD ON THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD; THENCE NORTH 19 DEGREES 19 MINUTES 36 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 1440.33 FEET TO AN IRON ROD; THENCE NORTH 23 DEGREES 37 MINUTES 46 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 715.44 FEET TO POINT OF CURVATURE BEING AN IRON ROD; THENCE NORTHEASTERLY ON A CURVE CONVEX TO THE NORTHWEST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD AND HAVING A RADIUS OF 4774.74 FEET, AN ARC DISTANCE OF 955.51 FEET AND A CHORD BEARING OF NORTH 29 DEGREES 21 MINUTES 08 SECONDS EAST TO A POINT OF TANGENCY BEING AN IRON ROD; THENCE NORTH 35 DEGREES 05 MINUTES 26 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 715.48 FEET TO AN IRON ROD; THENCE NORTH 39 DEGREES 23 MINUTES 26 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF

WABASH RAILROAD, A DISTANCE OF 696.23 FEET TO AN IRON ROD;
THENCE SOUTH 54 DEGREES 12 MINUTES 06 SECONDS EAST, A DISTANCE
OF 324.47 FEET TO AN IRON ROD; THENCE NORTH 43 DEGREES 59 MINUTES
22 SECONDS EAST, A DISTANCE OF 49.28 FEET TO AN IRON ROD; THENCE
SOUTH 85 DEGREES 37 MINUTES 07 SECONDS EAST, A DISTANCE OF 340.40
FEET TO AN IRON ROD; THENCE SOUTH 77 DEGREES 48 MINUTES 23
SECONDS EAST A DISTANCE OF 245.66 FEET TO AN IRON ROD; THENCE
SOUTH 70 DEGREES 34 MINUTES 34 SECONDS EAST A DISTANCE OF 332.69
FEET TO AN IRON ROD; THENCE SOUTH 25 DEGREES 24 MINUTES 05
SECONDS EAST A DISTANCE OF 419.66 FEET TO AN IRON ROD; THENCE
SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 56.14
FEET TO AN IRON ROD; THENCE SOUTH 90 DEGREES 00 MINUTES 00
SECONDS WEST, A DISTANCE OF 310.18 FEET TO AN IRON ROD; THENCE
SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 293.28
FEET TO AN IRON ROD; THENCE SOUTH 90 DEGREES 00 MINUTES 00
SECONDS EAST, A DISTANCE OF 310.18 FEET TO AN IRON ROD; THENCE
SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 246.72
FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 43 MINUTES 37
SECONDS EAST, A DISTANCE OF 1007.28 FEET TO AN IRON ROD ON THE
WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES
11 MINUTES 52 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF
CEDAR ROAD A DISTANCE OF 40.00 FEET TO AN IRON ROD; THENCE SOUTH
89 DEGREES 43 MINUTES 37 SECONDS WEST, A DISTANCE OF 1359.17 FEET
TO AN IRON ROD; THENCE NORTH 00 DEGREES 16 MINUTES 23 SECONDS
WEST, A DISTANCE OF 65.80 FEET TO AN IRON ROD; THENCE SOUTH 89
DEGREES 49 MINUTES 35 SECONDS WEST, A DISTANCE OF 206.82 FEET TO
AN IRON ROD; THENCE SOUTH 34 DEGREES 13 MINUTES 52 SECONDS WEST,
A DISTANCE OF 199.80 FEET TO AN IRON ROD; THENCE SOUTH 50 DEGREES
39 MINUTES 24 SECONDS WEST, A DISTANCE OF 615.93 FEET TO AN IRON
ROD; THENCE SOUTH 20 DEGREES 41 MINUTES 07 SECONDS EAST A
DISTANCE OF 202.02 FEET TO AN IRON ROD; THENCE SOUTH 84 DEGREES 03
MINUTES 11 SECONDS EAST A DISTANCE OF 636.76 FEET TO AN IRON ROD;
THENCE SOUTH 77 DEGREES 52 MINUTES 59 SECONDS EAST A DISTANCE OF
246.33 FEET TO AN IRON ROD; THENCE NORTH 65 DEGREES 23 MINUTES 20
SECONDS EAST A DISTANCE 94.19 FEET TO AN IRON ROD; THENCE NORTH
85 DEGREES 22 MINUTES 02 SECONDS EAST A DISTANCE OF 132.45 FEET TO
AN IRON ROD; THENCE SOUTH 84 DEGREES 37 MINUTES 10 SECONDS EAST
A DISTANCE OF 475.25 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES
32 MINUTES 15 SECONDS EAST A DISTANCE OF 325.77 FEET TO AN IRON
ROD; THENCE NORTH 84 DEGREES 24 MINUTES 57 SECONDS EAST A
DISTANCE OF 75.83 FEET TO AN IRON ROD; THENCE SOUTH 88 DEGREES 41
MINUTES 56 SECONDS EAST A DISTANCE OF 120.21 FEET TO AN IRON ROD
ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00
DEGREES 11 MINUTES 52 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY
LINE OF CEDAR ROAD A DISTANCE OF 537.98 FEET TO AN IRON ROD;
THENCE NORTH 86 DEGREES 47 MINUTES 41 SECONDS WEST A DISTANCE

OF 474.09 FEET TO AN IRON ROD; THENCE NORTH 82 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 316.73 FEET TO AN IRON ROD; THENCE NORTH 79 DEGREES 40 MINUTES 17 SECONDS WEST A DISTANCE OF 311.60 FEET TO AN IRON ROD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 481.46 FEET TO AN IRON ROD; THENCE SOUTH 87 DEGREES 06 MINUTES 34 SECONDS WEST A DISTANCE OF 166.47 FEET TO AN IRON ROD; THENCE SOUTH 12 DEGREES 41 MINUTES 53 SECONDS WEST A DISTANCE OF 128.50 FEET TO AN IRON ROD; THENCE SOUTH 03 DEGREES 04 MINUTES 07 SECONDS WEST A DISTANCE OF 103.33 FEET TO AN IRON ROD; THENCE SOUTH 16 DEGREES 47 MINUTES 08 SECONDS WEST A DISTANCE OF 200.32 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 241.42 FEET TO AN IRON ROD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 45.00 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 375.78 FEET TO AN IRON ROD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 100.00 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 370.51 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

(TRACT 2):

A PARCEL OF LAND IN THE EAST HALF OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 34.42 FEET TO A PK NAIL ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE NORTH 00 DEGREES 11 MINUTES 52 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1877.44 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING, SAID POINT BEING THE NORTHEAST CORNER OF PARCEL 4 OF THE LAND CONVEYED BY DOCUMENT NUMBER R97-45801; THENCE NORTH 84 DEGREES 46 MINUTES 04 SECONDS WEST ALONG THE NORTH LINE OF PARCEL 4 OF THE LAND CONVEYED BY DOCUMENT NUMBER R97-45801 A DISTANCE OF 2146.82 FEET TO AN IRON ROD; SAID POINT ALSO BEING ON AN EAST LINE OF THE LAND CONVEYED BY DOCUMENT NUMBER R96-37528; THENCE ALONG THE BOUNDARIES OF THE LAND CONVEYED BY SAID DOCUMENT NUMBER R96-37528 THE FOLLOWING SIX COURSES AND DISTANCES; THENCE NORTH 20 DEGREES 41 MINUTES 07 SECONDS WEST A DISTANCE OF 55.85 FEET TO AN IRON ROD, SAID POINT ALSO BEING ON AN EAST LINE OF THE LAND CONVEYED BY DOCUMENT NUMBER R96-37528; THENCE ALONG THE BOUNDARIES OF THE LAND CONVEYED BY SAID DOCUMENT NUMBER R96-37528 THE FOLLOWING FIVE COURSES AND DISTANCES; THENCE NORTH 50 DEGREES 39 MINUTES 24 SECONDS EAST A DISTANCE OF 615.93 FEET TO AN IRON ROD; THENCE NORTH 34 DEGREES 13 MINUTES

52 SECONDS EAST A DISTANCE OF 199.80 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 49 MINUTES 35 SECONDS EAST A DISTANCE OF 206.82 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 65.80 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 43 MINUTES 37 SECONDS EAST A DISTANCE OF 1359.17 FEET TO AN IRON ROD ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 52 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD TO THE POINT OF BEGINNING.

PART 3

COMMENCING AT A 5/8 INCH IRON PIPE AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE SOUTH 88 DEGREES 51 MINUTES 52 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 35.67 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF CEDAR ROAD AS DEDICATED PER DOCUMENT NUMBER 622909; THENCE NORTH 01 DEGREES 25 MINUTES 11 SECONDS WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CEDAR ROAD, A DISTANCE OF 1831.41 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 54 MINUTES 38 SECONDS WEST, A DISTANCE OF 118.78 FEET; THENCE SOUTH 83 DEGREES 10 MINUTES 44 SECONDS WEST, A DISTANCE OF 75.71 FEET; THENCE SOUTH 88 DEGREES 19 MINUTES 33 SECONDS WEST A DISTANCE OF 325.77 FEET; THENCE NORTH 85 DEGREES 49 MINUTES 52 SECONDS WEST, A DISTANCE OF 475.25 FEET; THENCE SOUTH 84 DEGREES 09 MINUTES 20 SECONDS WEST, A DISTANCE OF 132.45 FEET; THENCE SOUTH 64 DEGREES 10 MINUTES 38 SECONDS WEST, A DISTANCE OF 94.19 FEET; THENCE NORTH 79 DEGREES 05 MINUTES 12 SECONDS WEST, A DISTANCE OF 246.42 FEET; THENCE NORTH 85 DEGREES 16 MINUTES 07 SECONDS WEST, A DISTANCE OF 636.67 FEET; THENCE NORTH 21 DEGREES 53 MINUTES 49 SECONDS WEST, A DISTANCE OF 146.17 FEET; THENCE SOUTH 85 DEGREES 58 MINUTES 46 SECONDS EAST, A DISTANCE OF 2145.24 FEET TO WESTERLY RIGHT-OF-WAY LINE OF SAID CEDAR ROAD; THENCE SOUTH 01 DEGREES 25 MINUTES 11 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CEDAR ROAD, A DISTANCE OF 46.11 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS, CONTAINING 5.503 ACRES, MORE OR LESS.

PART 4

A PARCEL OF LAND IN SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A PK NAIL BEING THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 89 DEGREES 55 MINUTES 24

SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9, A DISTANCE OF 1912.19 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9 A DISTANCE OF 733.27 FEET TO AN IRON ROD BEING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 89 DEGREES 55 MINUTES 05 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9, A DISTANCE OF 1860.29 FEET TO AN IRON ROD ON THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD; THENCE NORTH 19 DEGREES 19 MINUTES 36 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 1440.33 FEET TO AN IRON ROD; THENCE NORTH 23 DEGREES 37 MINUTES 46 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 715.44 FEET TO AN IRON ROD OF CURVATURE BEING AN IRON ROD; THENCE NORTHEASTERLY ON A CURVE CONVEX TO THE NORTHWEST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD AND HAVING A RADIUS OF 4774.74 FEET, AN ARC DISTANCE OF 955.51 FEET AND A CHORD BEARING OF NORTH 29 DEGREES 21 MINUTES 08 SECONDS EAST TO A POINT OF TANGENCY BEING AN IRON ROD; THENCE NORTH 35 DEGREES 05 MINUTES 26 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 715.48 FEET TO AN IRON ROD; THENCE NORTH 39 DEGREES 23 MINUTES 26 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WABASH RAILROAD, A DISTANCE OF 696.23 FEET TO AN IRON ROD; THENCE SOUTH 54 DEGREES 12 MINUTES 06 SECONDS EAST, A DISTANCE OF 324.47 FEET TO AN IRON ROD; THENCE NORTH 43 DEGREES 59 MINUTES 22 SECONDS EAST, A DISTANCE OF 49.28 FEET TO AN IRON ROD; THENCE SOUTH 85 DEGREES 37 MINUTES 07 SECONDS EAST, A DISTANCE OF 340.40 FEET TO AN IRON ROD; THENCE SOUTH 77 DEGREES 48 MINUTES 23 SECONDS EAST A DISTANCE OF 245.66 TO AN IRON ROD; THENCE SOUTH 70 DEGREES 34 MINUTES 34 SECONDS EAST A DISTANCE OF 332.69 FEET TO AN IRON ROD; THENCE SOUTH 25 DEGREES 24 MINUTES 05 SECONDS EAST A DISTANCE OF 419.66 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 56.14 FEET TO AN IRON ROD; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 310.18 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 293.28 FEET TO AN IRON ROD; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 310.18 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 246.72 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 43 MINUTES 37 SECONDS EAST, A DISTANCE OF 1007.28 FEET TO AN IRON ROD ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 52 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF CEDAR ROD A DISTANCE OF 40.00 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 43 MINUTES 37 SECONDS WEST, A DISTANCE OF 1359.17 FEET TO AN IRON ROD; THENCE NORTH 00

DEGREES 16 MINUTES 23 SECONDS WEST, A DISTANCE OF 65.80 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 49 MINUTES 35 SECONDS WEST, A DISTANCE OF 206.82 FEET TO AN IRON ROD; THENCE SOUTH 34 DEGREES 13 MINUTES 52 SECONDS WEST, A DISTANCE OF 199.80 FEET TO AN IRON ROD; THENCE SOUTH 50 DEGREES 39 MINUTES 24 SECONDS WEST, A DISTANCE OF 615.93 FEET TO AN IRON ROD; THENCE SOUTH 20 DEGREES 41 MINUTES 07 SECONDS EAST, A DISTANCE OF 202.02 FEET TO AN IRON ROD; THENCE SOUTH 84 DEGREES 03 MINUTES 11 SECONDS EAST A DISTANCE OF 636.76 FEET TO AN IRON ROD; THENCE SOUTH 77 DEGREES 52 MINUTES 59 SECONDS EAST A DISTANCE OF 246.33 FEET TO AN IRON ROD; THENCE NORTH 65 DEGREES 23 MINUTES 20 SECONDS EAST A DISTANCE OF 94.19 FEET TO AN IRON ROD; THENCE NORTH 85 DEGREES 22 MINUTES 02 SECONDS EAST A DISTANCE OF 132.45 FEET TO AN IRON ROD; THENCE SOUTH 84 DEGREES 37 MINUTES 10 SECONDS EAST A DISTANCE OF 475.25 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 32 MINUTES 15 SECONDS EAST A DISTANCE OF 325.77 FEET TO AN IRON ROD; THENCE NORTH 84 DEGREES 24 MINUTES 57 SECONDS EAST A DISTANCE OF 75.83 FEET TO AN IRON ROD; THENCE SOUTH 88 DEGREES 41 MINUTES 56 SECONDS EAST A DISTANCE OF 120.21 FEET TO AN IRON ROD ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 52 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD A DISTANCE OF 537.98 FEET TO AN IRON ROD; THENCE NORTH 86 DEGREES 47 MINUTES 41 SECONDS WEST A DISTANCE OF 474.09 FEET TO AN IRON ROD; THENCE NORTH 82 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 316.73 FEET TO AN IRON ROD; THENCE NORTH 79 DEGREES 40 MINUTES 17 SECONDS WEST A DISTANCE OF 311.60 FEET TO AN IRON ROD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 481.46 FEET TO AN IRON ROD; THENCE SOUTH 87 DEGREES 06 MINUTES 34 SECONDS WEST A DISTANCE OF 166.47 FEET TO AN IRON ROD; THENCE SOUTH 12 DEGREES 41 MINUTES 53 SECONDS WEST A DISTANCE OF 128.50 FEET TO AN IRON ROD; THENCE SOUTH 03 DEGREES 04 MINUTES 07 SECONDS WEST A DISTANCE OF 103.33 FEET TO AN IRON ROD; THENCE SOUTH 16 DEGREES 47 MINUTES 08 SECONDS WEST A DISTANCE OF 200.32 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 241.42 FEET TO AN IRON ROD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 45.00 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 16 MINUTES 23 SECONDS EAST A DISTANCE OF 746.16 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.
EXCEPTING THEREFROM THE FOLLOWING PARCELS OF LAND:

PARCEL A:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 55

MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 34.42 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF CEDAR ROAD PER DOCUMENT NUMBER 622909, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2012.19 FEET TO A POINT; THENCE NORTH 00 DEGREES 04 MINUTES 36 SECONDS EAST A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 55 MINUTES 24 SECONDS EAST A DISTANCE OF 2011.95 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CEDAR ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 52 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF LAND IN THE SOUTH HALF OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 2046.61 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 598.86 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9 A DISTANCE OF 1860.28 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE WABASH RAILROAD; THENCE NORTH 19 DEGREES 19 MINUTES 36 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID RAILROAD A DISTANCE OF 52.96 FEET TO A POINT; THENCE SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST A DISTANCE OF 1842.82 FEET TO A POINT; THENCE SOUTH 89 DEGREES 55 MINUTES 24 SECONDS EAST A DISTANCE OF 598.85 FEET TO A POINT; THENCE SOUTH 00 DEGREES 04 MINUTES 36 SECONDS WEST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL C:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON ROD BEING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 9; THENCE SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 784.51 FEET TO AN IRON ROD; THENCE NORTH 19 DEGREES 19 MINUTES 36 SECONDS EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF WABASH RAILROAD A DISTANCE OF 92.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 19 DEGREES 19 MINUTES 36 SECONDS EAST

ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 416.28 FEET TO AN IRON ROD; THENCE SOUTH 70 DEGREES 45 MINUTES 31 SECONDS EAST A DISTANCE OF 191.16 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 04 MINUTES 55 SECONDS WEST A DISTANCE OF 330.27 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST A DISTANCE OF 317.78 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

PARCEL D:

COMMENCING AT A 5/8 INCH IRON PIPE AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE SOUTH 88 DEGREES 51 MINUTES 52 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 35.67 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF CEDAR ROAD AS DEDICATED PER DOCUMENT NUMBER 622909; THENCE NORTH 01 DEGREES 25 MINUTES 11 SECONDS WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CEDAR ROAD, A DISTANCE OF 1293.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 00 MINUTES 38 SECONDS WEST, A DISTANCE OF 472.54 FEET; THENCE NORTH 83 DEGREES 22 MINUTES 54 SECONDS WEST, A DISTANCE OF 316.78 FEET; THENCE NORTH 80 DEGREES 53 MINUTES 13 SECONDS WEST, A DISTANCE OF 311.71 FEET; THENCE SOUTH 88 DEGREES 48 MINUTES 17 SECONDS WEST, A DISTANCE OF 481.36 FEET; THENCE SOUTH 85 DEGREES 53 MINUTES 52 SECONDS WEST, A DISTANCE OF 166.47 FEET; THENCE SOUTH 11 DEGREES 29 MINUTES 46 SECONDS WEST, A DISTANCE OF 128.52 FEET; THENCE SOUTH 01 DEGREES 12 MINUTES 02 SECONDS WEST, A DISTANCE OF 103.27 FEET; THENCE SOUTH 15 DEGREES 34 MINUTES 26 SECONDS WEST, A DISTANCE OF 200.32 FEET; THENCE SOUTH 01 DEGREES 13 MINUTES 11 SECONDS EAST, A DISTANCE OF 241.41 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 18 SECONDS WEST, A DISTANCE OF 45.00 FEET; THENCE NORTH 01 DEGREES 29 MINUTES 05 SECONDS WEST, A DISTANCE OF 191.47 FEET; THENCE NORTH 04 DEGREES 01 MINUTES 28 SECONDS EAST, A DISTANCE OF 561.15 FEET; THENCE SOUTH 85 DEGREES 58 MINUTES 32 SECONDS EAST, A DISTANCE OF 1832.55 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID CEDAR ROAD; THENCE SOUTH 01 DEGREES 25 MINUTES 11 SECONDS EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CEDAR ROAD, A DISTANCE OF 38.44 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

Exhibit 4 to First Amendment (1pp)

7

A PARCEL OF LAND IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST $\frac{1}{4}$ OF SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 635.16 FEET TO A POINT; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 15.00 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 795.17 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 667.42 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 12 MINUTES 32 SECONDS EAST A DISTANCE OF 695.17 FEET TO AN IRON ROD AT A POINT OF CURVE; THENCE SOUTHWESTERLY ON A CURVE CONVEX TO THE SOUTHEAST HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 157.08 FEET AND A CHORD BEARING OF SOUTH 44 DEGREES 47 MINUTES 28 SECONDS WEST TO A POINT OF TANGENT; THENCE SOUTH 89 DEGREES 47 MINUTES 28 SECONDS WEST A DISTANCE OF 567.42 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

Exhibit 7 to First Amendment (1pp.)

R

A PARCEL OF LAND IN THE SOUTHWEST ¼ OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMNCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼ OF SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 288.99 FEET TO A POINT; THENCE SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST A DISTANCE OF 15.00 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 346.24 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 567.42 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ON A CURVE CONVEX TO THE SOUTHEAST HAVING A RADIUS OF 100.00 FEET, AN ARCDISTANCE OF 157.08 FEET AND A CHORD BEARING OF NORTH 44 DEGREES 47 MINUTES 28 SECONDS EAST, TO A POINT OF TANGENT; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 508.17 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 47 MINUTES 28 SCONDS EAST A DISTANCE OF 474.51 FEET TO AN IRON ROD ON THE WESTERLY RIGHT OF WAY LINE OF THE WABASH RAILROAD; THENCE SOUTH 19 DEGREES 19 MINUTES 21 SECONDS WEST ALONG THE WESTERLY RIGHT OF WAY LINE A DISTANCE OF 1017.00 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST A DISTANCE OF 801.94 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 34 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 9; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 288.99 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST A DISTANCE OF 280.24 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 28 SECONDS EAST A DISTANCE OF 464.35 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 32 SECONDS EAST A DISTANCE OF 282.60 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST A DISTANCE OF 464.36 FEET TO THE POINT OF BEGINNING IN WILL COUNTY, ILLINOIS