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Amendment to the Restated Declaration of Trust
of ICM Realty

WHEREAS, ICM Realty, formerly Third ICM Realty, was established by Declaration of Trust dated as of the 15th day of June, 1969; and

WHEREAS, said Declaration of Trust was amended and restated in its entirety by that certain Restated Declaration of Trust of ICM Realty dated as of the 14th day of December, 1971 (the "Restated Declaration of Trust"), and

WHEREAS, the Trustees of ICM Realty desire to further amend the Restated Declaration of Trust as hereinafter provided.

NOW, THEREFORE, the Restated Declaration of Trust is hereby further amended in Section 4 of Article IV to read in its entirety as follows:

"Section 4. Record Date. For the purpose of determining, the Shareholders who are entitled to vote or act at any meeting, or who are entitled to participate in any dividend, the Trustees may from time to time close the Share register for such period, not exceeding twenty (20) days, prior to the meeting as the Trustees may determine; or without closing said register the Trustees may fix a date not more than forty-five (45) days prior to the meeting of Shareholders or dividend payment as a record date for the determination of Shareholders entitled to vote at such meeting or to receive such dividend. Any Shareholder who was a Shareholder at the time so fixed shall be entitled to vote at such meeting or to receive such dividend even though he has since that date disposed of his Shares, and no Shareholder becoming such after said date shall be so entitled to vote at said meeting or to receive such dividend. The provisions of this Section 4 shall be applicable to distributions of Trust Property in like manner as to the payment of dividends."

IN WITNESS WHEREOF, Arthur W. Vince, Managing Trustee, acting on behalf of all of the Trustees of ICM Realty, has signed these presents as of the 18th day of April, 1972.

Arthur W. Vince
Arthur W. Vince
Managing Trustee

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