

UNOFFICIAL COPY 00432324

This document prepared by *207*  
and when recorded return to:  
*7822494 20022694*  
City of Evanston *Reyes DJ*  
Law Department - Suite 4500  
2100 Ridge Avenue  
Evanston, Illinois 60602  
Attn: Herbert D. Hill

3954/0104 20 001 Page 1 of 6  
2000-06-13 12:45:38  
Cook County Recorder 31.00



Common Address:  
1802-1824 Maple  
Evanston, Illinois  
  
Permanent Index Number:  
11-18-117-001  
Lot 5

**SPECIAL WARRANTY DEED**

THIS INSTRUMENT, WITNESSETH, THAT The City of Evanston, a municipal corporation (the "Grantor"), of the County of Cook and State of Illinois, for and in consideration of the sum of Two Million Two Hundred Twenty-Five Thousand and 00/100 Dollars (\$2,225,000.00) in hand paid, and of other good and valuable consideration, receipt of which is hereby duly acknowledged, by these presents does remise, release, alien and convey unto Evanston Hotel Associates, LLC, a Delaware LLC, (the "Grantee"), whose address is c/o Regent Partners, Inc., 3348 Peachtree Road, NE, Atlanta, Georgia 30326-1008, the following described real estate situated in Cook County, Illinois, to wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the Grantor, either in law or equity, of, in and to the real estate, with the hereditaments and appurtenances; TO HAVE AND TO HOLD the real estate, with the appurtenances, unto the Grantee, its heirs and assigns forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with the Grantee, its heirs and assigns, that it has not done or suffered to be done, anything whereby the real estate hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that the real estate, against all persons lawfully claiming, or to claim the same, by, through or under it, the Grantor WILL WARRANT AND DEFEND subject to the Permitted Exceptions described on Exhibit B attached hereto and made a part hereof.

And the Grantor hereby expressly waives and releases any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for exemption or homesteads from sale or execution or otherwise.

IN WITNESS WHEREOF, the Grantor aforesaid has hereunto set hand and seal as of the 1<sup>st</sup> day of June, 2000.

CITY OF EVANSTON  
EXEMPTION  
*Mary Morris*  
CITY CLERK

The City of Evanston, a municipal corporation  
By: *Roger Crum*  
Name: Roger Crum  
Its: City Manager

Attest: *Mary Morris*  
Name: Mary Morris  
Its: City Clerk

**BOX 333-CTI**

*S*  
*87*  
*P*

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STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and of and residing in said County, in the State aforesaid, DO HEREBY CERTIFY that Roger Crum, who is personally known to me to be the City Manager of THE CITY OF EVANSTON, a municipal corporation, and Mary P. Morris, who is personally known to me to be the City Clerk of said municipal corporation, appeared before me this day in person and acknowledged that they signed, sealed and delivered the same instrument as the respective City Manager and City Clerk of said municipal corporation, as their free and voluntary act and the free and voluntary act of said municipal corporation, pursuant to authority granted to them by the City Council of the municipal corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 1st day of June, 2000.

Ellen Lebowicz  
Notary Public



Except under provisions of Paragraph D, Section 4,  
Real Estate Transfer Tax Act.

6/5/00     Kathleen F. [Signature]  
Date     Buyer, Seller or Representative

Property of Cook County Clerk's Office

EXHIBIT A

LOT 5 OF THE CHURCH MAPLE RESUBDIVISION BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY, ILLINOIS.

SAID LOT 5 BEING MORE PARTICULARLY SHOWN AS LOT 5 ON THAT CERTAIN ALTA/ASCM LAND TITLE SURVEY FOR PROPOSED HILTON GARDEN INN, BEARING THE SEAL AND CERTIFICATION OF TIMOTHY J. MURPHY, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2870, DATED MARCH 31, 2000, LAST REVISED MAY 15, 2000, SAID SURVEY BEING INCORPORATED HEREIN BY THIS REFERENCE.

TOGETHER WITH THOSE RIGHTS APPURTENANT TO THE ABOVE-DESCRIBED PROPERTY CONTAINED IN THAT CERTAIN EASEMENT AGREEMENT DATED JUNE 5, 2000 BETWEEN THE CITY OF EVANSTON, ILLINOIS AND EVANSTON HOTEL ASSOCIATES, LLC RECORDED OR TO BE RECORDED IN THE REAL PROPERTY RECORDS OF COOK COUNTY, ILLINOIS.

Address: 1802-1824 Maple, Evanston, IL 60201

PIN: 11-18-117-001-0000

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## EXHIBIT B

### Permitted Exceptions

1. Without the express prior written consent of the City of Evanston, Illinois, no parcel or portion of any parcel shall be sold or leased or otherwise disposed of by the Grantor or any affiliate of Grantor to a tax exempt entity, if the result thereof would be to exempt the property or any portion thereof, from the payment of real estate taxes.
2. Taxes for year 2000 not yet due and payable.
3. All matters which are disclosed by the survey referenced in the legal description of the Property.
4. Redevelopment Agreement dated October 23, 1998 by and between the City of Evanston, Illinois and AHC Evanston LLC ("Developer") as amended by the First Amendment to Redevelopment Agreement dated November 23, 1998, Second Amendment to Redevelopment Agreement dated June 7, 1999 and Third Amendment to Redevelopment Agreement dated January 26, 2000 and evidenced of record by a certain Memorandum of Redevelopment Agreement recorded as document number 99557362 in the Land Records of Cook County, Illinois.
5. Easement Agreement between the City of Evanston and Evanston Hotel Associates, LLC dated June 5, 2000 and recorded on or about the date hereof in the Cook County, Illinois records.

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## STATEMENT BY GRANTOR AND GRANTEE

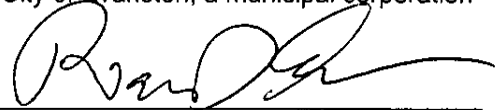
The grantor or his agent affirms that, to the best of its knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Grantor:

The City of Evanston, a municipal corporation

Dated 6/2/00

By:



Name: Roger Crum

Its: City Manager

Subscribed and sworn to before me  
by the said Roger Crum this 2nd  
day of June, 2000.

Notary Public Bruce M. Young



The grantee or its agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Grantee:

Evanston Hotel Associates, LLC, a Delaware LLC

Dated \_\_\_\_\_

By: Regent Hotel Development II, LLC, its sole member

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Subscribed and sworn to before me  
by the said \_\_\_\_\_  
this \_\_\_\_ day of \_\_\_\_\_.

By: Regent Partners, Inc., its sole member

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Notary Public \_\_\_\_\_

Note: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C Misdemeanor for the first offense and of Class A Misdemeanor for subsequent offenses.

(Attach to Deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

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## STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of its knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Grantor:

The City of Evanston, a municipal corporation

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Name: Roger Crum  
Its: City Manager

The grantee or its agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Grantor:

Evanston Hotel Associates, LLC, a Delaware LLC

Dated: June 2, 2000

By: Regent Hotel Development II, LLC,  
its Managing member

Subscribed and sworn to before me  
By the said President  
this 2<sup>nd</sup> day of June 2000.

By: Regent Partners, Inc. its sole member  
Name: David B. Allman  
Name: David B. Allman  
Its: President

Notary Public Christine A. ReCTOR

Note: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C Misdemeanor for the first offense and of Class A Misdemeanor for subsequent offenses.

(Attach to Deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)



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