



0010719155

6798/0091 11 001 Page 1 of 9
2001-08-07 14:48:11
Cook County Recorder 37.50

THIS DOCUMENT PREPARED BY
Alan D. Pearlman, Esq.
The Daly Group
20 N. Wacker Drive, #1500
Chicago, Illinois 60606

~~PROPERTY RECORDING RETURN TO:~~
Kristin L. Tess, Esq.
Kin Properties, Inc.
77 Tarrytown Road, Suite 100
White Plains, New York 10607

SPECIAL WARRANTY DEED

This Indenture, made as of the 29th day of June, 2001, between **DB BEVERLY, L.L.C.**, an Illinois limited liability company ("Grantor") and **BEVBOOK, LLC**, a Delaware limited liability company ("Grantee"), as grantee having its principal office at the following address: 77 Tarrytown Road, Suite 100, White Plains, New York 10607, WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged pursuant to authority given by Grantor, by these presents does REMISE, RELEASE, ALIENATE AND CONVEY unto Grantee, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois, known and described as follows (hereinafter referred to as the "Subject Property") to wit:

[See legal description attached as Exhibit "A"]

Together with all and singular hereditaments and appurtenances belonging there, or in anyway 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 Grantor, either at law or in equity, of, in and to the Subject Property, with the hereditaments and appurtenances:

SUBJECT only to those matters identified on Exhibit "B" attached hereto and made a part hereof (hereinafter, collectively, the "Permitted Title Exceptions").

PERMANENT INDEX NUMBERS:

- | | |
|---------------|---------------|
| 25-06-320-019 | 25-06-319-006 |
| 25-06-320-020 | 25-06-319-010 |
| 25-06-320-041 | 25-06-319-011 |

City of Chicago
Dept. of Revenue
257888



Real Estate
Transfer Stamp
\$32,715.00

01CT/403

RETURN DOCUMENTS TO:
Law Title - National Division
120 E. Railroad St., Ste. B
Sandwich, IL 60548

08/07/2001 14:40 Batch 07243 90

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PROPERTY OF COOK COUNTY CLERK'S OFFICE

Property of Cook County Clerk's Office

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10719155

ADDRESS OF REAL ESTATE: 2210 West 95th Street, Beverly, Chicago, Illinois.

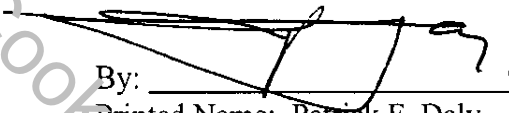
TO HAVE AND TO HOLD the Subject Property, with the appurtenances, unto Grantee, its successors and assigns, forever.

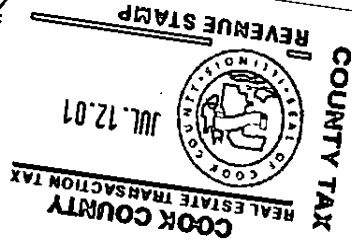
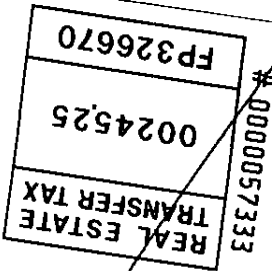
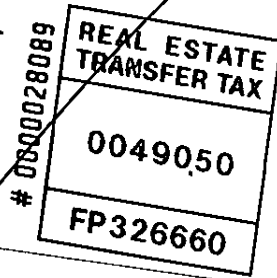
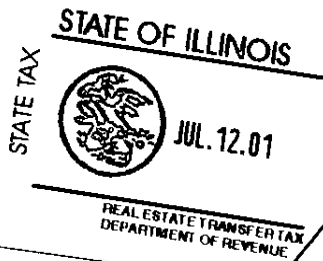
And Grantor, for itself and its successors, does covenant, promise and agree, to and with Grantee, for itself and its successors, that it has not done or suffered to be done, anything whereby the Subject Property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that Grantor will warrant and defend the Subject Property against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to the Permitted Title Exceptions.

GRANTOR:

DB BEVERLY, L.L.C.

By: DB Beverly, Inc., Manager

By: 
Printed Name: Patrick F. Daly
Title: President



POSTAGE METER SYSTEMS

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS:
COUNTY OF Cook)

10719155

I, Mark Delafield, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY THAT Patrick F. Daly, President of **DB BEVERLY, INC.**, Manager of **DB BEVERLY, L.L.C.**, an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing **SPECIAL WARRANTY DEED**, appeared before me this day in person and acknowledged that he signed and delivered the said document on behalf of the limited liability company and as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and seal, this 29th day of June, 2001.

Mark Delafield
"OFFICIAL SEAL"
MARK A. DELAFIELD
Notary Public, State of Illinois
NOTARY PUBLIC 10/30/2004

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EXHIBIT "A"

LEGAL DESCRIPTION

Property of Cook County Clerk's Office

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10719155

FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

Policy No.: Pro Forma
File No.: NYN01-5562IL(B)
Order No.: 01LT1403

EXHIBIT "A"
Legal Description

PARCEL 1:

The South 50 feet of the North 150 feet of Lot 79 in Chamber's Subdivision of the West ½ of the Southwest ¼ of Section 6, Township 37 North, Range 14 East of the Third Principal Meridian, (except therefrom that portion of said Lot 79, falling in the schoolhouse lot, and except also the West 33 feet of said Lot 79 and except also that portion of Lot 79 lying South of a line 54 feet North of and parallel with the South line of said Section 6; conveyed to the City of Chicago by Quit Claim Deed dated October 15, 1930 and recorded November 10, 1930 as Document Number 10786583 in Book 28900, Page 276) all in Cook County, Illinois.

PARCEL 2:

Lot 79 (except the North 150 feet) in Chamber's Subdivision of the West ½ of the Southwest ¼ of Section 6, Township 37 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, (except therefrom that portion of said Lot 79 falling in school house lot and excepting also the West 33 feet of said Lot 79 and excepting also that portion of Lot 79 lying South of a line 54 feet North of and parallel with the South line of said Section 6 and conveyed to City of Chicago by Quit Claim Deed dated October 15, 1930 and recorded November 10, 1930 as Document 10786683 in Book 28900 Page 276 East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 3:

The North 154 feet of the South 208 feet of the West 175 feet of the East 208 feet of the West ½ of the Southwest ¼ of Section 6, Township 37 North, Range 14 (otherwise described as Lot 81 of George A. Chamber's Subdivision of the West ½ of the Southwest ¼ of Section 6, Township 37 North, Range 14) East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 4:

Lot 41 (except the East 93 feet of said Lot 41) and except that part of said Lot 41 lying South of a line 54 feet North of and parallel with the South line of Section 6 in George A. Chamber's Subdivision of the West ½ of the Southwest ¼ of Section 6, Township 37 North, Range 14 in Cook County, Illinois.

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FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

Policy No.: Pro Forma
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EXHIBIT "A"
Legal Description
(continued)

PARCEL 5:

East 93 feet of Lot 41 (except East 33 feet of said Lot 41) and except that part of Lot 41 lying South of a line 54 feet North of and parallel with South line of Section 6 in George A. Chamber's Subdivision of West L ½ of Southwest 1/4 of Section 6, Township 37 North, Range 14 in Cook County, Illinois.

PARCEL 6:

The West ½ of that part of South Bell Avenue vacated by City of Chicago Ordinance enacted January 14, 1998, recorded April 9, 1998 as Document No. 98282079, being the East 33 feet of the part of Lot 41 lying North of the North line of West 95th Street as widened by Cook County Court Judgment entered July 9, 1941 as General Number 49438 in George A. Chambers Subdivision of the West Half of the Southwest Quarter of Section 6, Township 37 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

PARCEL 7:

The East ½ of that part of South Bell Avenue vacated by City of Chicago Ordinance enacted January 14, 1998 recorded April 9, 1998 as Document No. 98282079, being the West 33 feet of Lot 79 lying South of the Easterly extension of the North line of Lot 41 and North of the North line of West 95th Street as widened by Cook County Court Judgment entered July 9, 1941 as General Number 49438, in George A. Chambers Subdivision of the West Half of the Southwest Quarter of Section 6, Township 37 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

The above parcels are also described as follows:

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10719155**FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK**

Policy No.: Pro Forma
File No.: NYN01-5562IL(B)
Order No.: 01LT1403

EXHIBIT "A"
Legal Description
(continued)

Part of Lots 41, 79 and 81 in George A. Chamber's Subdivision of the West Half of the Southwest Quarter of Section 6, Township 37 North, Range 14 East of the Third Principal Meridian, and the adjacent portion of vacated South Bell Avenue, City of Chicago, Cook County, Illinois, being more particularly described as follows:

COMMENCING at the Southwest Corner of Lot 41;

THENCE North 00 degrees 11 minutes 00 seconds West 21.00 feet to an "X" set in the concrete sidewalk at the North Line of 95th Street at the Point of Beginning;

THENCE North 00 degrees 11 minutes 00 seconds West, 105.37 feet to a Set "X" in the concrete sidewalk;

THENCE North 89 degrees 59 minutes 43 seconds East, 329.25 feet to a set 3/4 inch steel rebar;

THENCE North 00 degrees 09 minutes 10 seconds West, 26.47 feet to a set 3/4 inch steel rebar;

THENCE North 89 degrees 59 minutes 25 seconds East, 88.57 feet to a set 3/4 inch steel rebar;

THENCE North 00 degrees 09 minutes 29 seconds West, 22.71 feet to a set 3/4 inch steel rebar;

THENCE North 89 degrees 59 minutes 39 seconds East, 174.53 feet being previously recorded as 175.00 feet to a set 3/4 inch steel rebar;

THENCE South 00 degrees 09 minutes 56 seconds East, 154.61 feet;

THENCE North 90 degrees 00 minutes 00 seconds West, 529.33 feet to an "X" set in the concrete sidewalk at the Point of Beginning.

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EXHIBIT "B"

Permitted Title Exceptions

1. Zoning Regulations and Ordinances
2. Covenants, Restrictions, Easements and Agreements of Record
3. Real Estate Taxes Not Yet Due and Payable
4. Lease to Borders, Inc. dated February 2, 2001
5.
 - (a) Mortgage and Security Agreement dated February 2, 2001 and recorded February 13, 2001 as Document 0010115000 made by DB Beverly, L.L.C., an Illinois limited liability company, to Wilmington Trust Company, as Owner Trustee under the Trust Agreement dated January 22, 2001, to secure a Note in the amount of \$3,903,976.05; as thereafter assigned by
 - (b) Assignment of Mortgage dated February 2, 2001 and recorded February 13, 2001 as Document 0010115002, to First Security Bank, N.A., as Collateral Trustee under Trust Indenture dated January 22, 2001.
6.
 - (a) Assignment of Leases and Rents dated February 2, 2001 and recorded February 13, 2001 as Document 0010115001 made by DB Beverly, L.L.C., an Illinois limited liability company, to Wilmington Trust Company, as Owner Trustee; as thereafter assigned by
 - (b) Reassignment of Leases and Rents dated February 2, 2001 and recorded February 13, 2001 as Document 0010115003 made by Wilmington Trust Company, as Owner Trustee, to First Security Bank, N.A., as Collateral Trustee;
7. Financing Statement recorded February 13, 2001 as Document 4338759 in the State of Illinois UCC Division Office, made by DB Beverly, L.L.C. (Debtor) to Wilmington Trust Company, as Owner Trustee (Secured Party).

Mail Tax Bills to:

Borders Group, Inc.

Attn: Lease Accounting

100 Phoenix Drive

Ann Arbor, MI 48108

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PLAT ACT AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

10719155

Alan D. Pearlman, being duly sworn on oath, states that (s)he resides at 20 N. Walker Drive, #1500 Chicago, IL 60604. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. That said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

-OR-

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.

2. The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access
3. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land
5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easements of access.
6. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access
7. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. Conveyances made to correct descriptions in prior conveyances
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two (2) parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIANT further states that (s)he makes this affidavit for the purposes of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

Alan D. Pearlman
Alan D. Pearlman

Subscribed and Sworn to before me

this 27th date of June, 2001

Kristin TESS
Notary Public

\\SFBI\VOL1\HOME\CHRISTINE\CSBF\FORMS\PLATACTAFF.DOC

KRISTIN TESS
Notary Public, State of New York
No.02TE5035922
Qualified in Westchester County
Commission Expires Apr. 5, 2003