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**THIS INSTRUMENT  
WAS PREPARED BY:**

Marianne Raimondi, Esq.  
Duane, Morris & Heckscher LLP  
227 West Monroe Street, Suite 3400  
Chicago, Illinois 60606

**SPECIAL WARRANTY DEED**

Birchwood Courts Condominium

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SND

THIS SPECIAL WARRANTY DEED is made this 2nd day of November, 2001, by INVESTMENT MANAGEMENT CORPORATION, an Illinois not-for-profit corporation ("Grantor"), having an address of One East Superior Street, Suite 604, Chicago, Illinois 60611, to JIM W. McCLARD ("Grantee"), having an address of 837 West Windsor Avenue, Apartment 2N, Chicago, Illinois 60640.

794/979, Dr, CD, 20F4

WITNESSETH, that the 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 the Grantee, the receipt whereof is hereby acknowledged by Grantor, and pursuant to authority of the Board of Directors of Grantor, by these presents does hereby **REMISE, RELEASE, ALIEN AND CONVEY** unto Grantee, and to its successors and assigns, **FOREVER**, the property situated in the County of Cook and State of Illinois described as follows (the "Property"):

UNIT 3B IN BIRCHWOOD COURT CONDOMINIUM, AS DELINEATED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOTS 8 TO 11 BOTH INCLUSIVE IN BLOCK 9 IN GUNDERSON'S NORTH BIRCHWOOD SUBDIVISION OF BLOCKS 4 TO 17 INCLUSIVE IN DAVID J. O'LEARY'S SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS EXHIBIT "E" TO THE DECLARATION OF CONDOMINIUM RECORDED ON OCTOBER 30, 2001 IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS AS DOCUMENT NUMBER 11014700, TOGETHER WITH THEIR RESPECTIVE UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SUCH UNIT.

Property Address: 7715-21 North Hermitage Avenue  
Unit 3B  
Chicago, Illinois 60626

Permanent Index No.: 11-30-215-005-0000

The Property is being conveyed subject to those title exceptions and other matters set forth on Exhibit A attached hereto and made a part hereof (the "Permitted Title Exceptions").

**BOX 333-CTI**

# UNOFFICIAL COPY

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 Property with the hereditaments and appurtenances: **TO HAVE AND TO HOLD** the said Property, with the appurtenances, unto the Grantee and its successors and assigns forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with the Grantee, and its successors and assigns, that during the period that Grantor has owned title to the Premises, it has not done, or suffered to be done, anything whereby the said Property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that it **WILL WARRANT AND DEFEND** said Property, against all persons lawfully claiming by, through or under the Grantor, subject only to the Permitted Title Exceptions.

Grantor also hereby Grants to the Grantee, its successors and assigns, as rights and easements appurtenant to the above described real estate, the rights and easements for the benefit of said property set forth in the Declaration of Condominium of Birchwood Court Condominium (the "Declaration"), and Grantor reserves to itself its successors and assigns, the rights and easements set forth in said Declaration for the benefit of the remaining property described therein.

This Special Warranty Deed is subject to all rights, easements, covenants, conditions, restrictions and reservations contained in said Declaration the same as though the provisions of said Declaration were recited and stipulated at length herein.

The tenant of the subject Unit either waived or failed to exercise the right of first refusal with respect to the subject Unit.

**IN WITNESS WHEREOF**, said Grantor has caused its name to be signed to these presents the day and year first above written.

INVESTMENT MANAGEMENT CORPORATION, an  
Illinois not-for-profit corporation

By: William W. Higginson  
William W. Higginson, President

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**MAIL TAX BILLS TO:**

Jim W. McClard  
7715-21 North Hermitage Avenue  
Unit 3B  
Chicago, Illinois 60626

**RETURN AFTER RECORDING TO:**

James D. Zazakis, Esq.  
3835 North Broadway 4334 N. Hazel,  
Chicago, IL 60613 Suite 110



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## EXHIBIT A

### Permitted Title Exceptions

1. Real estate taxes not yet due and payable, taxes or assessments for improvements not yet completed and unconfirmed special municipal taxes or assessments.
2. Zoning and building laws or ordinances.
3. The Declaration of Condominium of Birchwood Court Condominium, including any and all amendments and exhibits thereto.
4. Easements, covenants, conditions, agreements, building lines and restrictions of record that do not materially and adversely affect the use of the Property as a condominium residence.
5. Provisions of the Illinois Condominium Property Act.
6. Roads, alleys and highways.
7. Leases and licenses affecting the Common Elements.
8. Acts done or suffered by Grantee, or anyone claiming by, through or under Grantee.
9. Perpetual easement for light and passage as shown on Plat recorded as Document No. 7396013, over the North 4 feet of Lot 8.
10. Easement for full and free right to the uninterrupted access and egress and the enjoyment of light and air as created by Grant to Margarite E. Olsen, recorded February 25, 1922 and Document 7411709, over the across that portion of the land described as follows:  
The West 70 feet of the North 4 feet of Lot 8 for the benefit of the owner and occupants of Lot 7.
11. Plat of Survey of Certified Survey Co. Number 0137 dated April 20, 2001 notes the following:  
Encroachment of fence located mainly of the land onto public property west and adjoining by 1.58 feet to 1.65 feet.
12. Encroachment of the fence located mainly on the property north and adjoining onto the land by approximately 0.16 feet, as shown on plat of Survey Number 0137 prepared by Certified Survey Co. dated April 20, 2001.
13. Covenants and restrictions (but omitting any such covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons), as contained in Redevelopment Agreement - New Homes for Chicago Condominium Rehabilitation Program - Investment Management Corporation, recorded on December 21, 2000 as Document No. 0001001563, which does not contain a reversionary or forfeiture clause.

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