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2001-12-06 13:27:30

Cook County Recorder

35.50

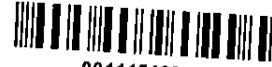
WARRANTY DEED

NFL 000647 ① of 2

SEND SUBSEQUENT TAX BILLS TO:

VIP Oakton, LLC  
C/O Horrigan Advisors, Inc.  
1900 Spring Rd., Suite 501  
Oak Brook, IL 60523

COOK COUNTY  
RECORDER  
EUGENE "GENE" MOORE  
BRIDGEVIEW OFFICE



0011154631

RECORDER'S STAMP

THE GRANTOR: McDonough Partners I, an Illinois General Partnership, having a principal place of business at Four Parkway North Boulevard, Suite 110, Deerfield, IL, for and in consideration of TEN AND 00/100 (\$10.00) DOLLARS and other good and valuable considerations in hand paid, CONVEYS to VIP I, L.L.C. and to VIP Oakton, LLC, both Illinois Limited Liability Companies having a principal place of business at c/o Horrigan Advisors, Inc., 1900 Spring Rd., Oak Brook, IL. 60523, each as to an undivided 50% interest, to have and to hold, the following described real estate situated in the County of Cook, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A



Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances, arising by, through or under Grantor, except matters listed on EXHIBIT B attached hereto and incorporated by reference.

Permanent Index Number: 08-26-201-015-0000 , 08-26-201-025 , 08-26-204-013  
Property Address: 901 West Oakton, DesPlaines, IL.

DATED as of the 1st day of November, 2001

MCDONOUGH PARTNERS I, an Illinois  
General Partnership

By:

*John J. McDonough*  
John J. McDonough, Managing Partner

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STATE OF Illinois )  
COUNTY OF Lake ) SS.

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that John J. McDonough, as managing partner of McDonough Partners I, acknowledged that he signed the foregoing instrument on behalf of said partnership.

Given under my hand and official seal this 30 day of Oct, 2001.



Susan K Russell  
Notary Public, State of Illinois  
My Commission: 5/28/02

Name and Address of Preparer:

Miriam E. Marks  
Godfrey & Kahn, S.C.  
780 North Water Street  
Milwaukee, Wisconsin 53202

Mail to:

Ronald N. Lorenzini, Jr.  
1900 Spring Road—Suite 501  
Oak Brook, Illinois 60523



MW562043\_1.DOC

STATE TAX	STATE OF ILLINOIS	# 0000007784	REAL ESTATE TRANSFER TAX
	DEC.-6.01		01000.00
COOK COUNTY			FP351009

STATE TAX	STATE OF ILLINOIS	# 0000007785	REAL ESTATE TRANSFER TAX
	DEC.-6.01		01000.00
COOK COUNTY			FP351009

COUNTY TAX	COOK COUNTY REAL ESTATE TRANSACTION TAX	# 0000001681	REAL ESTATE TRANSFER TAX
	DEC.-6.01		01000.00
REVENUE STAMP			FP351019

STATE TAX	STATE OF ILLINOIS	# 0000007786	REAL ESTATE TRANSFER TAX
	DEC.-6.01		00835.00
COOK COUNTY			FP351009

COUNTY TAX	COOK COUNTY REAL ESTATE TRANSACTION TAX	# 0000001682	REAL ESTATE TRANSFER TAX
	DEC.-6.01		00417.50
REVENUE STAMP			FP351019

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## EXHIBIT A

STREET ADDRESS: 901 W OAKTON  
CITY: DESPLAINES  
TAX NUMBER: 08-26-201-015-0000

COUNTY: COOK

### LEGAL DESCRIPTION:

#### PARCEL 1:

ALL THAT PART OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26 AND ALSO ALL THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY AND WESTERLY OF THE PROPERTY CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY COMMISSION BY WARRANTY DEED DATED JANUARY 22, 1957 AND RECORDED AS DOCUMENT #16810856, IN COOK COUNTY, ILLINOIS.

EXCEPT THAT PART IF ANY FALLING IN THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, THE BOUNDARY OF SAID PART BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 26, SAID POINT BEING 482.0 FEET SOUTH OF AN IRON PIN IN THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 26; THENCE NORTH 00 DEGREES, 12 MINUTES, 00 SECONDS WEST, A DISTANCE OF 103.9 FEET ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26 TO A POINT; THENCE SOUTH 74 DEGREES, 26 MINUTES, 00 SECONDS EAST, A DISTANCE OF 474.3 FEET FOR A POINT OF BEGINNING; THENCE NORTH 15 DEGREES, 34 MINUTES, 00 SECONDS EAST, A DISTANCE OF 100.0 FEET TO A POINT; THENCE SOUTH 74 DEGREES, 26 MINUTES, 00 SECONDS EAST, A DISTANCE OF 100.0 FEET TO A POINT; THENCE SOUTH 15 DEGREES, 26 MINUTES, 00 SECONDS WEST, A DISTANCE OF 100.0 FEET TO THE POINT; THENCE NORTH 74 DEGREES, 26 MINUTES, 00 SECONDS WEST, A DISTANCE OF 100.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THE WEST 98 FEET OF THE EAST 392 FEET OF THE WEST 1,340.32 FEET OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 3:

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, THE BOUNDARY OF SAID PART BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 26, SAID POINT BEING 482.0 FEET SOUTH OF AN IRON PIN IN THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 26; THENCE NORTH 00 DEGREES, 12 MINUTES, 00 SECONDS WEST, A DISTANCE OF 103.9 FEET ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26 TO A POINT; THENCE SOUTH 74 DEGREES, 26 MINUTES, 00 SECONDS EAST, A DISTANCE OF 474.3 FEET FOR A POINT OF BEGINNING; THENCE NORTH 15 DEGREES, 34 MINUTES, 00 SECONDS EAST, A DISTANCE OF 100.0 FEET TO A POINT; THENCE SOUTH 74 DEGREES, 26 MINUTES, 00 SECONDS EAST, A DISTANCE OF 100.0 FEET TO A POINT; THENCE SOUTH 15 DEGREES, 34 MINUTES, 00 SECONDS WEST, A DISTANCE OF 100.0 FEET TO A POINT; THENCE NORTH 74 DEGREES, 26 MINUTES, 00 SECONDS WEST, A DISTANCE OF 100.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 4:

LOT 23 IN HIGGINS INDUSTRIAL PARK, UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN.

(EXCEPT THAT PART OF LOT 23 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 26, SAID



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POINT BEING 482.00 FEET SOUTH OF AN IRON PIN AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26; THENCE NORTH 103.90 FEET ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26; THENCE NORTHWESTERLY 379.60 FEET ALONG A LINE WHICH MAKES A LEFT DEFLECTION OF 74 DEGREES 14 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE; THENCE NORTHWESTERLY 69.50 FEET ALONG A LINE WHICH MAKES A RIGHT DEFLECTION OF 50 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE; THENCE WESTERLY 100.00 FEET ALONG A LINE WHICH MAKES A LEFT DEFLECTION OF 50 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE; THENCE SOUTHEASTERLY 200.00 FEET ALONG A LINE WHICH MAKES A LEFT DEFLECTION OF 50 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE; THENCE SOUTHEASTERLY 423.90 FEET ALONG A LINE WHICH MAKES A LEFT DEFLECTION 50 DEGREES 00 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS.

PARCEL 5:

EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 2 AS CREATED BY AGREEMENT DATED FEBRUARY 24, 1971, AND RECORDED APRIL 30, 1971, AS DOCUMENT 21465570 AND FILED AS DOCUMENT LR 2554697 BY AND BETWEEN ROYAL COURT INN, LTD., AN ILLINOIS CORPORATION; ENTER-PARTS, INC., AN ILLINOIS CORPORATION AND FIRST ARLINGTON NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 70-102, RELATING TO THE EXTENSION OF AN EXISTING 12 INCH SEWER LINE THROUGH, UNDER AND ALONG PROPERTY LEASED BY ROYAL COURT, INC., LTD AND OWNED BY FIRST ARLINGTON NATIONAL BANK, AS TRUSTEE AFORESAID, ONTO, THROUGH, UNDER AND ALONG THE LAND AND TO THE RESPECTIVE USE AND MAINTENANCE OF SAID SEWER LINE.



**EXHIBIT B**

1. General taxes not yet due and payable.
2. Matters created by, through, or under purchaser.
3. Covenants, conditions, easements and building lines of record which do not interfere with the current use or the marketability of the property.
4. Mortgage dated March 25, 1999 and recorded March 31, 1999 as document 99310959 made by McDonough Partners I, an Illinois general partnership to Aid Association for Lutherans, a Wisconsin corporation to secure a note for \$5,300,000.00.
5. Assignment of rents recorded March 31, 1999 as document no. 99310960 made by McDonough Partners I, an Illinois general partnership to Aid Association for Lutherans, a Wisconsin corporation.
6. Security interest of Aid Association for Lutherans, secured party, in certain described chattels on the land, as disclosed by financing statement executed by McDonough Partners I, debtor, and filed March 31, 1999 as document no. 99003172.
7. Lease dated September 4, 1991, made by McDonough Partners I to Gendex Corporation n/k/a Dentsply International, Inc.
8. Rights of the public, the State of Illinois, the municipality, and adjoining land owners in and to that part of parcel 2 falling in Oakton Street and that part of parcel 1 falling in Elmhurst Road as created by plat document 996769 and by document 16810856 respectively.
9. Grant dated December 30, 1964, and recorded February 4, 1965, as document 19374425 from Enter-Parts, Inc., to Northern Illinois Gas Company of an easement right of way for the purpose of laying, maintaining, operating, renewing, replacing and removing gas mains, and any necessary gas facilities appurtenant thereto, together with the right of access thereto for said purposes, in, upon, under, along and across the west 8 feet of parcel 2 of the land. As disclosed by the plat of survey by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA.
10. Agreement dated February 24, 1971, and recorded April 30, 1971 as document 21465570 and filed as document LR 2554697 by and between Royal Court Inn, Ltd., an Illinois corporation; Enter-Parts, Inc., an Illinois corporation and First Arlington National Bank, as trustee under trust number 70-102, relating to the extension of an existing 12 inch sewer line through, under and along property leased by Royal Court, Inc., Ltd. and owned by First Arlington National Bank, as trustee aforesaid, onto, through, under and along the land and to the respective use and maintenance of said sewer line.
11. Easement for drainage purposes over, along, upon and across the southerly 100 feet of lot 23 of parcel 4 of the land as shown on plat of Higgins Industrial Park unit no. 3 recorded

as document number 20022477 also shown on the plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA recorded as document 20022477.

12. Easements over the southwesterly 20 feet of parcel 4 as shown on the plat of Higgins Industrial Park unit no. 3 recorded December 15, 1966, as document 20022477 and shown on the plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA as follows:

(A) For public utilities and drainage;

(B) To Illinois Bell Telephone Company and the Commonwealth Edison Company and their respective successors and assigns for the purpose of installing and maintaining all equipment necessary to serve the subdivision and other land with telephone and electrical service, together with the right to overhang aerial wires and the right of access to such wires;

(C) To Northern Illinois Gas Company, its respective successors and assigns, for the purpose of installing and maintaining all equipment necessary to serve the subdivision and other land with gas service, together with the right of access to said equipment.

13. Easements over the easterly 10 feet of parcel 4 as shown on the plat of Higgins Industrial Park unit no. 3 recorded December 15, 1966, as document 20022477 and shown on the plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA as follows:

(A) For public utilities;

(B) To Illinois Bell Telephone Company and the Commonwealth Edison Company and their respective successors and assigns for the purpose of installing and maintaining all equipment necessary to serve the subdivision and other land with telephone and electrical service, together with the right to overhang aerial wires and the right of access to such wires;

(C) To Northern Illinois Gas Company, its respective successors and assigns, for the purpose of installing and maintaining all equipment necessary to serve the subdivision and other land with gas service, together with the right of access to said equipment.

14. Terms and provisions of the notice filed February 16, 1977, as document LR 2921768 and recorded March 1, 1977, as document 23835229 relating to requirements for storm water detention.

15. Rights of owners of land bordering on Higgins Creek in respect to the water and use of the surface of said creek.



- 16. The plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA, includes a certification by the surveyor that the land is located within certain flood zones of the national flood insurance program.
- 17. Note: the plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA, discloses that a portion of parcel 1 is a "wetland" as shown on "national wetlands inventory".
- 18. Encroachments as shown below as disclosed by the plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA:
  - (A) Fence over the north line of parcel 4 by .45 of a foot.
  - (B) Fence over the southwest line of parcel 1 by .35 of a foot.
- 19. Apparent easements as noted below as disclosed by the plat of survey prepared by George D. Harker & Associates, dated March 2, 1999, no. 990104-ALTA:
  - (A) Overhead electrical and telephone wires along the north line of parcel 1.
  - (B) 12 inch sanitary sewer along the east line of parcel 2 and over a small portion of the north part of parcel 1.
  - (C) Rights of the owners of the property east and adjoining parcel 2 to use parcel 2 for ingress and egress to Oakton Street.
- 20. (A) Terms, provisions, and conditions relating to the easement described as parcel 5 on Exhibit A,
  - (B) Rights of the adjoining owner or owners to the concurrent use of said easement.

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## PLAT ACT AFFIDAVIT

STATE OF ILLINOIS

COUNTY OF COOK

} SS.

CHRISTOPHER V. UNGER

, being duly sworn on oath, states that

resides at 224 INDIAN BOUNDARY RD. PLAINFIELD IL. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

- ① 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 the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
- 3. The divisions of lots or blocks of less than one 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 thereon for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement 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 parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

SUBSCRIBED and SWORN to before me

this 28<sup>th</sup> day of November, 2001.

Ami R. Bukowski

Notary Public

Christopher V. Unger

