



This instrument was prepared by:

Sandra L. Waldier
Bell, Boyd & Lloyd
70 W. Madison Street
Suite 3300
Chicago, Illinois 60602

7787681

Abstract

W0

1 of 2

CTI

CTI

Property of Cook County Clerk

SPECIAL WARRANTY DEED

THIS AGREEMENT between STREETERVILLE DEVELOPMENT ASSOCIATES, LLC, a limited liability company created and existing under and by virtue of the laws of the State of Illinois and authorized to transact business in the State of Illinois (the "Grantor"), and ~~James P. & Terry J. Hommer (the "Grantee")~~ JAMES P. HOMMER, TRUSTEE OF THE JAMES P. HOMMER TRUST DATED SEPT 13, 1997 WITNESSETH that:

The Grantor, for and in consideration of Ten and 00/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto Grantee, not in Tenancy In Common, but in Joint Tenancy with rights of survivorship, and to its successors, heirs and assigns, all of the following described real estate, situated in the County of Cook and State of Illinois, known and described as follows, to wit:

(See Exhibit A attached hereto and made a part hereof).

Grantor also hereby grants to Grantee, its successors and assigns, all rights and easements appurtenant to the subject unit described herein, the rights and easements for the benefit for said unit set forth in the Declaration of Condominium, and Grantor reserves to itself, its successors and assigns, the rights and easements set forth in said Declaration for the benefit of the remaining land described therein (including, but not limited to, easements and rights which may be granted or retained in a Declaration of Easements to be recorded after the date hereof, as contemplated by the Declaration of Condominium). This Deed is subject to all rights, easements, covenants, restrictions and reservations contained in the Declaration of Condominium and the Declaration of Easements the same as though the provisions of said Declarations were recited and stipulated at length herein.

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 above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the Grantee, its successors and assigns forever.

BOX 333-CTI

UNOFFICIAL COPY

Property of Cook County Clerk's Office

COOK CO. NO. 018
300995
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
FEB 16 '00 DEPT. OF REVENUE
P.B. 10686
219.00

148124
Cook County
REAL ESTATE TRANSACTION TAX
REVENUE STAMP FEB 16 '00
P.B. 11424
108.50

126067
CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX
DEPT. OF REVENUE FEB 16 '00
P.B. 11193
900.00

125058
CITY OF CHICAGO
REAL ESTATE TRANSACTION TAX
DEPT. OF REVENUE FEB 16 '00
P.B. 11193
742.50

00118217

UNOFFICIAL COPY

And the Grantor, for itself and its successors, does covenant, promise and agree, to and with the Grantee, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, Grantor WILL WARRANT AND DEFEND, subject to items specified in paragraph 10 of that certain Condominium Purchase Agreement by and between Grantor and Grantee.

If the Grantee hereof is not the person, persons or entity which was the tenant of the property transferred and conveyed pursuant hereto at the time of provision of the Notice of Intent contemplated by 765 ILCS 605/30, then the person, persons or entity which was a tenant of such property at such time has either waived or failed to exercise the right of first refusal or option granted pursuant to such statute or had not right of first refusal or option with respect to the property being transferred pursuant hereto.

IN WITNESS WHEREOF, said party of the first part has executed this Special Warranty Deed as of June 1, 1999.

STREETERVILLE DEVELOPMENT ASSOCIATES, LLC,
an Illinois limited liability company

By EMS ASSOCIATES, L.L.C., an Illinois limited liability
company, a manager

By: *Cheryl A. Bawcrot*
Print Name: _____
Title: A Member

STATE OF ILLINOIS)
COUNTY OF COOK ss.

I, *[Signature]* a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that *[Signature]*, personally known to me to be a manager of EMS Associates, L.L.C., an Illinois limited liability company, a Streeterville Development Associates, LLC, an Illinois limited liability company, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that as such manager, such person signed and delivered the said instrument his free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this *1st* day of *June*, *1999*.

*Mail to
Cherie Thompson
19 S. LaSalle
Suite 801
Chicago IL
60603*

[Signature]
Commission expires _____
Notary Public Official Seal
Notary Public, State of Illinois
My Commission Expires 8/20/09

00118217

UNOFFICIAL COPY

EXHIBIT A

PARCEL 1: UNIT 3104 IN THE 401 EAST ONTARIO CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: PARTS OF LOTS 19 AND 20 (EXCEPTING THEREFROM THE WESTERLY 4 FEET THEREOF) IN THE CIRCUIT COURT PARTITION OF THE OGDEN ESTATE SUBDIVISION OF PARTS OF BLOCKS 20, 31 AND 32, IN KINZIE'S ADDITION TO CHICAGO, IN THE NORTHEAST FRACTIONAL ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN.

PARCEL 2: THE EXCLUSIVE RIGHT TO THE USE OF PARKING SPACE P4-221, LIMITED COMMON ELEMENTS AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 99310979.

PARCEL 3: EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 FOR STRUCTURAL SUPPORT, ENCLOSURE, INGRESS AND EGRESS, UTILITY SERVICES AND OTHER FACILITIES AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS RECORDED AS DOCUMENT NUMBER 99310978.

WHICH SURVEY IS ATTACHED AS EXHIBIT A TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR 401 EAST ONTARIO, A CONDOMINIUM, RECORDED AS DOCUMENT NO. 99310979 (THE "DECLARATION"). TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS (AS DEFINED IN THE DECLARATION), IN COOK COUNTY ILLINOIS.

ANY TENANT OCCUPYING THE ABOVE DESCRIBED UNIT WHICH IS THE SUBJECT OF THIS SPECIAL WARRANTY DEED AT THE TIME THE CONTRACT FOR THAT PROPERTY WAS SIGNED EITHER HAD NO RIGHT OF FIRST REFUSAL OR OPTION TO PURCHASE AT THAT TIME OR HAS WAIVED OR FAILED TO EXERCISE THAT RIGHT OF FIRST REFUSAL OR OPTION TO PURCHASE.

GENERAL:

WITH RESPECT TO PARCELS 1, 2 AND 3, GRANTOR ALSO HEREBY GRANTS TO GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS RIGHTS AND EASEMENTS APPURTENANT TO THE PROPERTY WHICH IS THE SUBJECT OF THIS SPECIAL WARRANTY DEED, THE RIGHTS AND EASEMENTS FOR THE BENEFIT OF SAID PROPERTY SET FORTH IN THE DECLARATION, AND GRANTOR RESERVES TO ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHTS AND EASEMENTS SET FORTH IN THE DECLARATION FOR THE BENEFIT OF THE REMAINING PROPERTY DESCRIBED THEREIN.

THIS SPECIAL WARRANTY DEED IS SUBJECT TO (i) ALL RIGHTS, EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS CONTAINED IN THE DECLARATION THE SAME AS THOUGH THE PROVISIONS OF THE DECLARATION WERE RECITED AND STIPULATED AT LENGTH HEREIN, AS AMENDED FROM TIME TO TIME, AND IN THE DECLARATION OF EASEMENTS; (ii) GENERAL REAL ESTATE TAXES ARE NOT YET DUE AND PAYABLE; (iii) SPECIAL TAXES AND ASSESSMENTS (ii) FOR IMPROVEMENTS NOT YET COMPLETED; (iv) APPLICABLE ZONING AND BUILDING LAWS AND ORDINANCES; (v) COVENANTS, CONDITIONS, RESTRICTIONS, AND BUILDING LINES OF RECORD; (vi) PARTY WALL RIGHTS AND AGREEMENTS, IF ANY; (vii) ENCROACHMENTS; (viii) PUBLIC, PRIVATE AND UTILITY EASEMENTS OF RECORD; (ix) LIMITATIONS AND CONDITIONS IMPOSED BY THE ILLINOIS CONDOMINIUM ACT; (x) INSTALLMENTS DUE AFTER CLOSING FOR ASSESSMENTS LEVIED PURSUANT TO THE DECLARATION; AND (xi) ACTS DONE OR SUFFERED BY THE PURCHASER.

COMMONLY KNOWN AS UNIT 3104, 401 EAST ONTARIO, CHICAGO, ILLINOIS 60611

PERMANENT REAL ESTATE NUMBERS: 17-10-208-001, 17-10-208-002, 17-10-208-003

00118217