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2002-01-03 14:50:29
Cook County Recorder 33.50



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SPECIAL WARRANTY DEED

THIS INDENTURE, made as of the 31st day of December, 2001, by and between **WINDY POINT OF SCHAUMBURG, LLC**, a Delaware limited liability company, having an address c/o Fifiel Companies, 20 North Wacker Drive, Suite 3200, Chicago, Illinois 60606 ("Grantor"), and **COLUMBIA REALTY INVESTORS, L.L.C.**, an Illinois limited liability company, having an address c/o Fifiel Companies, 20 North Wacker Drive, Suite 3200, Chicago, Illinois 60606 ("Grantee").

WITNESSETH:

THAT Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by Grantee, the receipt of which is hereby acknowledged, does by these presents, sell and convey unto the said Grantee, their respective successors and assigns, an undivided 14.044% interest, as tenants in common, in and to the lots, tracts or parcels of land lying, being and situated in the Village of Schaumburg, County of Cook, State of Illinois, and described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property") subject to 12.72% of the existing mortgage debt that encumbers the Property as of the date hereof and further subject to the matters set forth on Exhibit "B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said Grantee and unto Grantee's heirs, successors and assigns forever, the said Grantor hereby covenanting that the premises are free and clear from any encumbrance done or suffered by Grantor; and that Grantor will warrant and defend the title to said premises unto the said Grantee and unto Grantee's heirs, successors and assigns forever, against the lawful claims and demands of all persons claiming by, under or through Grantor.

57093

VILLAGE OF SCHAUMBURG
DEPT. OF FINANCE REAL ESTATE
AND ADMINISTRATION TRANSFER TAX
DATE 12-27-01

AMT. PAID

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7

Handwritten notes on the left margin: "4 of 8", "01012216", "year North"

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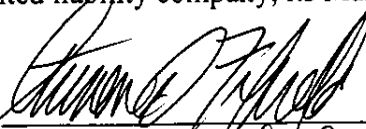
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IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed as of the day and year above written.

WINDY POINT OF SCHAUMBURG, LLC,
A Delaware limited liability company

By: **FRC Windy Point L.L.C.**, an Illinois limited liability company, its Manager

By: 
Name: Steven D. Fiffeld
Title: Manager

This Instrument Prepared By
and after Recording Return to:

Grace Poe, Esq.
Piper Marbury Rudnick & Wolfe
203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601



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

12-31-01

Date


Buyer, Seller or Representative

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

On this 28th day of December, 2001, before me appeared Steven D. Fitfield to me personally known, who being by me duly sworn, did say that ~~he~~ she is the Manager of FRC WINDY POINT L.L.C., an Illinois limited liability company, the Manager of WINDY POINT OF SCHAUMBURG, LLC, a Delaware limited liability company, the company that executed the within and foregoing instrument and that said instrument was signed on behalf of said company and said Manager acknowledged said instrument to be the free act and deed of said company.

Juana A. Alvarez
Notary Public

Cook County

My Commission Expires:

2/11/2002



EXHIBIT A

LEGAL DESCRIPTION

Parcel 1:

Lot 1 in Windy Point of Schaumburg in Section 12, Township 41 North Range 10, East of the Third Principal Meridian, according to the plat thereof recorded as document number 99137488, in Cook County, Illinois.

Parcel 2:

Lot 2 in Windy Point of Schaumburg in Section 12, Township 41 North Range 10, East of the Third Principal Meridian according to the plat thereof recorded as document number 99137488, in Cook County, Illinois.

Parcel 3:

Easements for ingress and egress, utilities, storm drainage, parking and signage for the benefit of Parcels 1 and 2 aforesaid as set forth in the Declaration of Covenants, Conditions, Restrictions, Reciprocal Rights and Easements for Windy Point of Schaumburg Subdivision recorded February 9, 1999, as document number 99137489, and as amended by First Amendment recorded as document number 99474175 and by Second Amendment recorded as document number 09025166.

PIN 07-12-400-055

1500 x 1600 McCONNOR PARKWAY

SCHAUMBURG, IL

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EXHIBIT B

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PERMITTED EXCEPTIONS

1. General real estate taxes for the year 2001 and subsequent years not yet due or payable. Tax numbers 07-12-400-052 (Lot 1) and 07-12-400-053 (Lot 2).
2. Covenants, conditions, easements and restrictions contained in the Declaration of Covenants, Conditions, Reciprocal Rights and Easements made by Windy Point of Schaumburg LLC, dated February 8, 1999, as document number 99137489, relating to construction upon and use of the property.

First Amendment recorded as document number 99474175.

Second Amendment recorded as document number 09025166.

(Affects Parcel 1, Parcel 2 and the property subject to the easement described as parcel 3).
3. Twenty foot (20 ft.) easement for ingress and egress at Northwest corner in favor of Northern Illinois Gas Company as created by grant recorded on May 7, 1974, as document number 22709206.

(Affects the Northwest corner of Parcel 1).
4. Grant of easement in favor of Northwest Suburban Municipal Joint Action Water Agency over, under, across and along the Northwest corner for the installation, maintenance, operation, repair and replacement of an underground water main recorded on June 14, 1982, as document number 26258380.

(Affects Parcel 1).
5. Grant of easement in favor of Village of Schaumburg over, under, upon, across and along the West line of the property with meter and pressure control vault and an above grade control building over the vault for the installation, maintenance, operation, repair and removal of an underground water main recorded on June 25, 1982, as document numbers 26272215 and 26272216.

(Affects Parcel 1).
6. Third Amended and Restated Annexation Agreement for Unocal Property among Union Oil Company of California, Unocal Land and Development Company, Community Centers One, LLC, Roosevelt University, IKEA Property, Inc., and The Village of Schaumburg, dated December 12, 1995, recorded as Document Number 95892801; as amended by First Amendment among Unocal Land and Development Company, Fifield Realty Corporation and The Village of Schaumburg, dated November 11, 1997, recorded as Document Number 97978767; as further amended by Second Amendment to Annexation Agreement between Windy Point of Schaumburg, LLC, Fifield Realty Corporation and The Village of Schaumburg dated July 14, 1998, and recorded July 23, 1998, as document number 98639896.
7. Easements for public utilities and ingress and egress as shown on the plat of subdivision recorded as document number 99137488, as amended by partial releases recorded as document numbers 00971197, 00971198, 00973515 and 0010608530 and as relocated by Plat of Easement and Vacation recorded as document number 00996627. (Affects Parcels 1 and 2).
8. Twenty foot (20ft.) water main easement in favor of Northwest Suburban Municipal Joint Action Water Agency per document number 26992573, over the Northeast side of Lot 2.

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9. Right of tenants under existing unrecorded leases.
10. Matters shown on the ALTA/ASCM surveys of Lots 1 and 2 prepared by Mackie Consultants, Inc., last revised and certified December 26, 2001 for Lot 1, and last revised December 26, 2001 and certified December 28, 2001 for Lot 2.
11. A water main easement over the North and East boundaries created by document recorded July 9, 1998 as document number 98591530. (Affects Parcel 2)

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his 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 and hold title to real estate under the laws of the State of Illinois.

Dated: December 28, 2001

Signature: *[Handwritten Signature]*
Grantor or Agent

Subscribed and sworn to before me
by the said Grantor
this 28th day of December, 2001.

Juana A. Alvarez
Notary Public



The grantee or his 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.

Dated: December 28, 2001

Signature: *[Handwritten Signature]*
Grantee or Agent

Subscribed and sworn to before me
by the said Grantee
this 28th day of December, 2001.

Juana A. Alvarez
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 a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded on Cook County, Illinois, if exempt under the provisions of Section 4, of the Illinois Real Estate Transfer Tax Act.]