

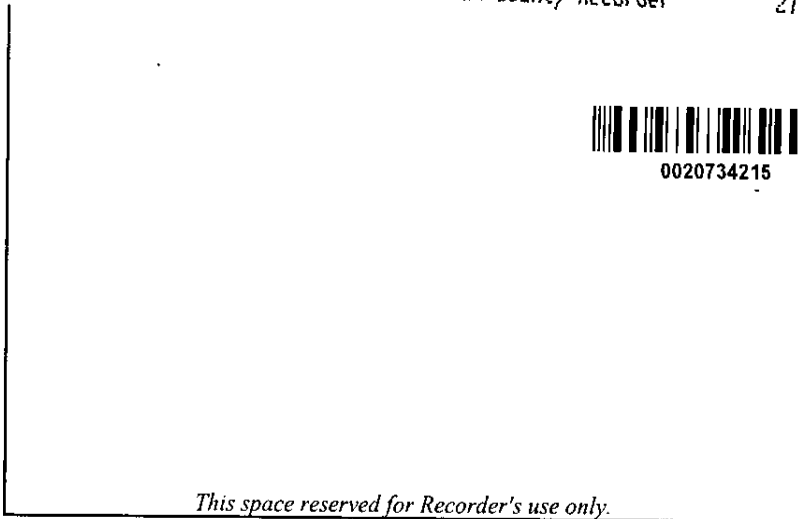
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8/27/01 53 001 Page 1 of 4  
2002-07-02 15:24:34  
Cook County Recorder 27.50



0020734215



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**SPECIAL WARRANTY DEED**

This Indenture, made as of the 28 day of June, 2002, between **EDDIE BAUER, INC.**, a Delaware corporation, c/o Spiegel, Inc., of 3500 Lacey Road, Downers Grove, Illinois 60515, party of the first part, and **THE HERITAGE AT MILLENNIUM PARK, LLC**, a Delaware limited liability company, whose address is c/o Mesa MPT, LLC of 455 West Erie Street, Chicago, Illinois 60610, Attn: Richard Hanson, party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, by the party of the second part, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part and its successors, FOREVER, all the real estate legally described below, situated in the County of Cook and State of Illinois and subject to those title exceptions enumerated on Exhibit A attached hereto and made a part hereof, to wit:

LOT 5 IN BLOCK 12 IN FORT DEARBORN ADDITION TO CHICAGO IN THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 10, TOWNSHIP 30 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 17-10-309-006

COMMONLY KNOWN AS: 123-125 North Wabash Avenue, Chicago, Illinois

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or equity of, in and to the above described premises, with the hereditaments and appurtenances:

17-10-309-006

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TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree to and with the party of the second part, and successors, 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 it WILL WARRANT AND FOREVER DEFEND, the said premises against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to those matters described on Exhibit A attached hereto and made a part hereof by this reference.

IN WITNESS WHEREOF, said party of the first part has caused this Indenture to be executed in its name to be signed to these presents by its authorized representative, the day and year first above written.

EDDIE BAUER, INC., a Delaware corporation

By: [Signature]  
Name: James Cannataro  
Its: Vice President

This Instrument Prepared by:  
Harold Pomerantz, Esq.  
Piper Rudnick  
203 North LaSalle Street  
Suite 1600  
Chicago, Illinois 60601

After Recording Return to:  
The Heritage at Millennium Park LLC  
c/o Mesa MPT LLC  
455 West Erie Street  
Chicago, Illinois 60610  
Attn: Richard A. Hanson

Forward Future Tax Bills to:  
The Heritage at Millennium Park LLC  
c/o Mesa MPT LLC  
455 West Erie Street  
Chicago, Illinois 60610  
Attn: Richard A. Hanson

City of Chicago  
Dept of Revenue  
282004  
07/02/2002 1542 Batch 10225 40



Real Estate  
Transfer Stamp  
\$36,000.00

STATE OF ILLINOIS  
STATE TAX  
JUL.-2.02



REAL ESTATE TRANSFER TAX  
DEPARTMENT OF REVENUE

# 0002071302

REAL ESTATE  
TRANSFER TAX  
0480000  
FP326669

COOK COUNTY  
REAL ESTATE TRANSACTION TAX  
COUNTY TAX  
JUL.-2.02  
REVENUE STAMP



# 0000081766

REAL ESTATE  
TRANSFER TAX  
0240000  
FP326670

**UNOFFICIAL COPY****EXHIBIT A**

1. Real estate taxes not yet due and payable.
2. Party Wall Rights and Easements as contained in document recorded June 13, 1868 as document number 172411 and December 19, 1879 as document number 248300.
3. Matters disclosed by the Survey of the Property.
4. Acts of the party of the second part or its agents.
5. Proceedings pending in the Circuit Court of Cook County, case number 00M1404513, on a complaint filed by the City of Chicago against Eddie Bauer, Inc. and Lis Pendens recorded October 20, 2000 as Document Number 00823466.
6. That certain Sprint PCS Site Agreement dated May 20, 1998.
7. PROCEEDINGS PENDING IN CASE 02CH04942
8. TERMS OF CITY ORDINANCE 91075841

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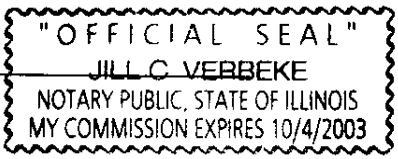
STATE OF Illinois )  
 ) SS.  
COUNTY OF DUPAGE )

I, Jill C. Verbeke, a Notary Public in and for said County in the State aforesaid, do hereby certify that James R. Cannataro, the Vice President of Eddie Bauer, Inc., a Delaware corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such respective officers, appeared before me this day in person and acknowledged that they signed and delivered such instrument as their own free and voluntary acts and as the free and voluntary act of said partnership, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 28 day of June, 2002.

Jill C. Verbeke  
Notary Public

My Commission expires:



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