

# UNOFFICIAL COPY

Handwritten initials and circled number 1.

When Recorded Mail To:  
William Bazianos  
Kovitz Shifrin Nesbit  
750 Lake Cook Road, Suite 350  
Buffalo Grove, IL 60089

0030100079

4691/0051 49 001 Page 1 of 5  
2003-01-22 11:39:18  
Cook County Recorder 32.50



0030100079

Prepared By:  
Steven N. Zaris  
McCarthy Duffy  
180 N. LaSalle Street, Suite 1400  
Chicago, IL 60601

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S  
USE ONLY

#70267 A

## VILLAGE OF SCHAUMBURG

DEPT. OF FINANCE REAL ESTATE  
AND ADMINISTRATION TRANSFER TAX  
DATE 01-17-03

## SPECIAL WARRANTY DEED

AMT. PAID 907.00

THIS INDENTURE, made this 17th day of January, 2003, between THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA, a corporation created and existing under and by virtue of the laws of the State of New York, as successor by merger to Berkshire Life Insurance Company, party of the first part, and AMERICAN ENTERPRISE BANK, not personally but solely as Trustee under Trust Agreement dated November 25, 2002 and known as Trust No. 2018, party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten Dollars and No/100 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 to its assigns all the following described land, situated in the County of Cook and State of Illinois known and described as follows, to wit:

The East 242.50 Feet of the West 910.00 Feet of the South 330.00 Feet of the Southeast 1/4 of Section 10, Township 41 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois (except that part taken for Golf Road, as shown on document 10488002, and except the South 20 Feet thereof).

Subject to the matters set forth on Exhibit A attached hereto.

Address of property: 100 East Golf Road, Schaumburg, Illinois 60173  
P.I. No. 07-10-400-011

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,

(5)

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

And the party of the first part does covenant, promise and agree, to and with the party of the second part, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumbered 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, WILL WARRANT AND FOREVER DEFEND.


IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents by its Members, the day and year first above written.


SELLER:

THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA, a New York corporation

By 

Keith Duane  
Director, Real Estate Asset Management

COUNTY TAX	<b>COOK COUNTY</b> REAL ESTATE TRANSACTION TAX	# 0000095805	<b>REAL ESTATE TRANSFER TAX</b>
	 JAN. 22. 03		00453.25
	REVENUE STAMP		FP326670

STATE TAX	<b>STATE OF ILLINOIS</b>	# 000008858	<b>REAL ESTATE TRANSFER TAX</b>
	 JAN. 22. 03		00906.50
	REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE		FP326660

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STATE OF NEW YORK )  
 ) SS  
COUNTY OF New York )

I, the undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that Keith Duane, personally known to me to be the Director, Real Estate Asset Management, of THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA, a New York corporation, is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Director, Real Estate Asset Management, he signed and delivered the said instrument and caused pursuant to proper authority as his free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 15<sup>th</sup> day of January, 2003.

Maria Isabel Machado  
Notary Public

**MARIA ISABEL MACHADO**  
Notary Public, State of New York  
No. 4806179  
Qualified in Kings County  
Commission Expires July 31, 2008

Commission expires 7/31/2004

Property of Cook County Clerk's Office

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## EXHIBIT A

### PERMITTED EXCEPTIONS

1. Unrecorded lease dated June 2, 1987 by and between Horizon Development 1, Inc., an Illinois corporation, as Landlord, and Video Superstore Management, Inc., a Texas corporation, as Tenant, for the Premises commonly known as Stores 106-109 at 100 East Golf Road, Schaumburg, Illinois.
2. Unrecorded lease dated May 1, 1987 by and between Horizon Development 1, Inc., an Illinois corporation, as Landlord, and Kay & Kay Tile, Inc., a Michigan corporation, as Tenant, for the premises commonly known as Stores 101-102, at 100 East Golf Road, Schaumburg, Illinois.
3. Rights of the public, the municipality and the State of Illinois in and to that part of the land taken and used for roads and highways, if any.
4. Unrecorded easement for public utilities along the East line of the real estate, as evidenced by existing utility poles.
5. Rights of tenants to portions of the land pursuant to existing unrecorded and recorded leases, and of all persons claiming thereunder.
6. Terms, agreements, provisions, conditions and limitations contained in the leases, and all rights thereunder of said Lessor and its assigns, including rents and all other charges reserved.
7. Leasehold estate of Video Superstore Management, Inc., doing business as Blockbuster Videos, the Real Superstore, recorded December 4, 1987 as document number 87-643930, and of all persons claiming thereunder, including mortgages and assignees of interests. Assignment of Tenant's Leasehold Interest dated June 21, 1987 and recorded January 11, 1989 as document number 89015494.
8. Agreement for reciprocal easement of ingress and egress dated November 22, 1988 and recorded March 22, 1989 as document 89125394 made between Berkshire Life Insurance Company, LaSalle NB, as Trustee under Trust Agreement dated May 13, 1987 and known as Trust Number 112307 and Chicago Title and Trust Company, as Trustee under Trust Agreement dated June 19, 1968 and known as Trust number 52271 relating to driveway access to Golf Road at their common property line.

Said instrument also grants a construction easement along the East 5 feet of the Northern 30 feet of the 120 feet of the land to construct an internal driveway, and the terms and conditions contained therein.

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PLAT ACT AFFIDAVIT

STATE OF ILLINOIS)  
COUNTY OF COOK )

William S. Bazian, being duly sworn on oath,  
states that he resides at \_\_\_\_\_

That the attached deed is not in violation  
of Section 1 of Chapter 109 of the Illinois Revised Statutes 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 land into parcels or tracts of 5 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 1 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 therein for use or right of way for railroads or the other public utility facilities, which does not involve any new streets or easements 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 2 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 20 day of June, 2003  
William S. Bazian      WILLIAM S. BAZIANOS

\_\_\_\_\_  
NOTARY PUBLIC

